
Proof of Evidence of Andrew Fisher Appeal by Castlefield International Limited Against the Refusal of Reserved Matters by South Cambridgeshire District Council at Land at Teversham Road, Fulbourn

Appeal reference: APP/W0530/22/3291523

April 2022

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PREFACE

1. My name is Andrew Fisher. I am a chartered Town Planner employed by Barton Willmore, now Stantec, in Cambridge.
2. I hold a BA (Honours) Degree in Town Planning and a Post Graduate Diploma in Town Planning Studies. I also hold full membership of the Royal Town Planning Institute and am an Academician of the Academy of Urbanism. I have 25 years overall experience in Town and County Planning matters, gained in both the public and private sectors. My current professional remit involves provision guidance to clients, the production of strategic appraisals, large scale planning applications and local plan submissions.
3. Prior to joining Barton Willmore now Stantec, I held senior positions at two other private planning consultants. I have also worked for the public sector in Northampton Borough Council and the East of England Development Agency.
4. I am familiar with the appeal site, the principal planning issues involved and the key documents pertaining to the upcoming Inquiry.

Declaration

5. I have objectively addressed all of the issues pertaining to this Inquiry, to which I am professionally qualified to comment upon and required to address. I have also strived to ensure that the evidence in this Proof and related opinions are informed, objective and accurate and are based on tangible evidence which is available to the Inquiry.
6. I have included the sources of information that I use and where I rely upon the evidence of others, I have made this clear in the relevant sections of my Proof. I confirm that the planning assessments and professional judgements expressed in this proof are my own and represent my professional opinion of the planning matters under consideration.

1.0 INTRODUCTION

1.1 This appeal (the Appeal) relates to the land at Teversham Road, Fulbourn (the Appeal Site) within the administrative boundary of South Cambridgeshire District Council (SCDC). Castlefield International Limited (the Appellant) has appealed against the decision of SCDC to refuse the reserved matters application (reference S/3290/19/RM) dated 20 October 2021 (the RMA) for the following development:

'Approval of matters reserved for appearance, landscaping, layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works – the outline was screened and confirmed not to be EIA development.'

1.2 The Appeal Site adjoins the village of Fulbourn, which is located 8km southeast of the centre of Cambridge. The Site comprises 6.85 hectares of undeveloped land, which is bisected by a narrow chalk stream. The site is surrounded on three sides by a mix of residential and light industrial units, whilst the northern boundary is demarcated by the single-track Cambridge to Ipswich railway.

1.3 The Appeal Site is located outside of the designated village development framework, but does not lie within the Green Belt, the boundary of which is beyond the railway to the north. The entire Appeal Site and proposed points of access lie within Flood Zone 1, an area of lowest flood risk.

1.4 The RMA provides details of those outstanding matters, with the principle of development and details of access secured via the outline planning permission (reference S/0202/17/OL) (the Outline Planning Permission). A number of amendments and submissions of additional information were submitted to SCDC through the determination period, and these are summarised within Appendix 1 and 2 of the Statement of Common Ground (SocG).

1.5 The RMA was reported to the SCDC Planning Committee on 13 October 2021 with a recommendation of approval subject to conditions (see report in CDA9). However, Members voted to refuse the application for the reasons provided.

- 1.6 Submitted alongside the RMA was a discharge of condition application (reference S/3209/19/DC), which was formally approved on 4 October 2021 (CDB1). This formally discharged conditions 7 (Arboricultural Method Statement and Tree Protection Plan), 12 and 14 (Landscape and Biodiversity Management Plan), and 19 (Noise Mitigation Scheme).
- 1.7 In addition, the first section of condition 20 (Noise Mitigation) was formally discharged through a discharge of condition application (reference S/0202/17/CONDA), dated 20 September 2021 (CDB5). The second part of that condition can only be formally discharged following the completion of construction works of the relevant dwellings.

Statement of Common Ground

- 1.8 A separate SoCG has been agreed with both SCDC and the Rule 6 Party. Those matters agreed by all are not repeated in this Proof, although are referenced where necessary.
- 1.9 It is noted that both SCDC and the Rule 6 Party will no longer provide evidence in relation to reason for refusal 3. Whilst SCDC has confirmed they will not provide evidence in relation to reasons for refusal 4 and 5, the Rule 6 Party will continue to pursue these matters and as such, they are addressed within this Proof.
- 1.10 This Proof also addresses some of the third-party comments that are not considered common ground between parties.

Scope of Evidence

- 1.11 This Proof focuses on those matters where there is disagreement between the Appellant and SCDC/Rule 6 Party, namely:
- the effect of the proposal on the character and appearance of the area having regard to the Outline Planning Permission and the Fulbourn Village Design Guide SPD 2020;
 - drainage and the risk of flooding;
 - the distribution and integration of affordable housing across the site; and
 - the living conditions of the occupiers of 17 residential units, to be located adjacent to the Breckenwood Industrial Estate.

- 1.12 To this end, I set out the background to the RMA and assess the appeal proposal in the context of the relevant planning policy framework. In addition to my own evidence, I draw upon the findings or related evidence presented by the Appellant's other technical witnesses in their respective proofs, which address the main issues.
- 1.13 The structure of this Proof is as follows. Firstly, in section 2, I will review the relevant local and national policy relevant to the Appeal, and I will highlight the weight to be given to each of these policies. I will then examine the Outline Planning Permission and establish the basis for the RMA.
- 1.14 Following this, within section 3, I will examine the reasons for refusal, building upon the findings of section 2. For ease of reference, this is set out in order of the reasons for refusal. In Section 4, I make my overall conclusions by weighing the benefits and impacts of the appeal proposals in the overall planning balance.
- 1.15 In this respect, the evidence contained in this proof, supported by the technical evidence of the Appellant's technical witnesses, demonstrates that the proposals are acceptable and accord with the Outline Planning Permission, the policies of the Development Plan and prevailing national planning guidance. It confirms there are no significant and demonstrable reasons why the Appeal should not be allowed.

2.0 RELEVANT PLANNING POLICY CONTEXT

The Development Plan

2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission and appeals to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Whilst the Appeal relates to a Reserved Matters Application, the principle within Section 38 (6) remains. For the purposes of this Appeal, the Development Plan consists of the South Cambridgeshire Local Plan 2018 (CDE1). The policies within the plan have significant weight.

2.2 The policies principally relevant to the determination of this Appeal as set out in the reasons for refusal are identified in the SoCG and listed below (excluding reason for refusal 3):

- S/3 – Presumption in Favour of Sustainable Development
- CC/1 – Mitigation and Adaption to Climate Change
- CC/7 – Water Quality
- CC/8 – Sustainable Drainage Systems
- CC/9 – Managing Flood Risk
- HQ/1 – Design Principles
- NH/2 – Protecting and Enhancing Landscape Character
- NH/11 – Protected Village Amenity Area
- NH/14 – Heritage Assets
- H/9 – Housing Mix
- H/10 – Affordable Housing
- SC/10 – Noise Pollution

2.3 The Outline Planning Permission was approved on 26 October 2017, when the now adopted Local Plan was an emerging document.

Material Considerations

2.4 Alongside the Local Plan are a number of Supplementary Planning Documents. Pursuant to this appeal, these are listed in the SoCG and are set out below:

- District Design Guide SPD 2010
- Affordable Housing SPD 2010

- Landscape and New Development SPD 2010
- Sustainable Design and Construction SPD 2010
- Cambridgeshire Flood and Water SPD 2016
- Fulbourn Village Design Guide SPD 2020

- 2.5 In addition, a further material consideration is the Fulbourn and Fulbourn Hospital Conservation Area Appraisal and Management Plan 2021.
- 2.6 These are adopted documents, albeit they do not form part of the Development Plan. As noted within the Planning Practice Guidance (Plan-Making: Para 008 ID 61-008-201901315), the role of SPDs is to 'build upon and provide more detailed advice or guidance on policies in an adopted local plan'. In principle, SPDs can be given significant weight in the decision making process.
- 2.7 However, with regard the Fulbourn Village Design Guide (FVDG) SPD 2020 (CDE5), the content of the SPD document does not account for the approved Outline Planning Permission which pre-dates the SPD. The FVDG also contains a misrepresentation of the identified 'key long distance' views as noted within Figure 46. The evidence for the Appellant's witnesses confirm that no such views exist. The FVDG therefore contains an error that is not representative of the physical ground conditions and must be viewed in that context.
- 2.8 Reasons for refusal 4 and 5 reference the Greater Cambridge Housing Strategy 2019-2023 (CDE6). This document is neither part of the development plan nor an SPD. It is a 'high level document' (p6 of the document) that sets out a housing strategy across South Cambridgeshire and Cambridge City. It is therefore a guide across authorities relating to housing aspirations. As a document to assist the determination of this Appeal, it must attract no more than medium weight.
- 2.9 The Fulbourn Neighbourhood Plan has been submitted to SCDC for examination (CDE7). The Appellant has made comments in relation to the submitted document through the Regulation 16 consultation dated 17 January 2022 (see Appendix 1). These comments again identify the clear conflict between the Parameters Plan approved pursuant to the Outline Planning Permission and the identified Key Outward Viewpoint 'C6' identified within the submitted Neighbourhood Plan. This is emphasised further by the fact that condition 6 of the Outline Planning Permission requires that reserved matters be in 'general accordance with the illustrative layout' M03 Rev CRMA. As a result, the Appellant

concluded in those representations that the Neighbourhood Plan fails to meet the Basic Conditions and should be considered unsound.

- 2.10 The Neighbourhood Plan is at its early stages of examination by an independent assessor, but there remains an unresolved objection to its content. As such, in light of the identified conflict between it and the approved Parameters Plan, I therefore afford the emerging Neighbourhood Plan limited weight.

National Planning Policy

- 2.11 The National Planning Policy Framework (NPPF) was published in July 2021. It provides a presumption in favour of sustainable development. Paragraph 11 of the NPPF notes that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay.
- 2.12 Paragraph 130 of the NPPF is referenced directly within reason for refusal 1. This paragraph provides six criteria to be met to ensure appropriate development. The reason for refusal does not specifically reference any of the criteria. However, having reviewed, I concur with the evidence of James Carr that there is no conflict with these criteria.
- 2.13 Paragraph 167 of the NPPF refers to a planning application rather than a RM application. The evidence of Richard Totman demonstrates that a water management strategy can be delivered without increasing flood risk to properties outside of the site boundary. The detail of the drainage arrangements for the site will be approved by SCDC under condition 8 (see below).

The Outline Permission

- 2.14 The Outline Planning Permission approved the development of up to 110 dwellings on the Appeal Site. It approved details in relation to access, with all other matters reserved.
- 2.15 The Outline Planning Permission establishes the principle and framework for the development of the Appeal Site for residential purposes, with the capacity identified as up to 110 dwellings. The Outline Planning Permission includes planning conditions, including those to be discharged ahead of development at the site.
- 2.16 Condition 4 of the Outline Planning Permission (CDC1) listed the approved plans and these are set out below:

- M02 Rev C – Site Plan
- M06 rev E – Parameters Plan
- P2 - 50m Exclusion Zone B
- B411/008 Rev 1 – Cox’s Drove Emergency Vehicle Access
- B411/SK/09 Rev 2 – Indicative Full Right Turn

2.17 In addition, condition 6 of the Outline Planning Permission references the illustrative layout plan. Whilst it is not an approved plan in itself, condition 6 prescribes that detailed plans and particulars of the Reserved Matters Application should be in ‘general accordance’ with this illustrative layout.

2.18 Furthermore, condition 28 of the Outline Planning Permission states that, notwithstanding the detail shown on the Parameters Plan, the number of storeys and the height of eaves and ridge above AOD shall be determined through the RMA.

2.19 Condition 8 of the Outline Planning Permission requires the submission of a surface water drainage scheme prior to the commencement of the development. The evidence of Richard Totman demonstrates that such a solution is achievable. It is not for this appeal to formally discharge this condition, and further details will be sent to the Council for formal discharge.

2.20 These conditions therefore set the framework for the RMA, which therefore is seeking to determine those outstanding matters, which in this case relates to appearance, layout, scale and landscaping. The Rule 6 Party has questioned the validity of the RMA, and this is subject to a separate Written Submission.

Summary

2.21 The information above sets out for the basis for the RMA. The Outline Planning Permission establishes the principle of development and creates a framework in which the subsequent RMA addresses the detail in terms of appearance, layout, scale and landscaping

2.22 The RMA is informed by the conditions on the Outline Planning Permission and the relevant planning policy under which it would be considered.

2.23 The Development Plan in the form of the South Cambridgeshire Local Plan 2018 (CDE1) postdates the Outline Planning Permission. The policies within the plan have significant weight in the consideration of the Appeal, within the context of the Outline Planning

Permission, conditions and signed S106 Agreement (CDC2). The adopted SPDs provide additional guidance to the Development Plan and are therefore afforded significant weight in principle.

- 2.24 As noted throughout this Proof, the RMA accords with the policies of the Development Plan. It also accords with the FVDG, except for the conflict with the 'key long-distance views' identified within figure 46 of that document, which the Appellant says do not exist and therefore need to be considered in that context.

3.0 THE REASONS FOR REFUSAL AND THIRD-PARTY SUBMISSIONS

3.1 The principal issues for consideration in this Appeal are as set out within refusal reasons 1, 2, 4 and 5 of the Decision Notice and summarised at para 1.11 of this proof. I address the substance of each of these reasons below:

Reason for Refusal 1 (RR1)

3.2 RR1 asserts that the location of apartment block A and B, located to each side of the chalk stream and to the centre of the site, would result in significant harm to the character and appearance of the area, exacerbated by the associated increase in height of the raised parcels.

3.3 The evidence of Lisa Toyne and James Carr considers these matters in detail. I have further assessed the alleged impacts in reaching my professional planning opinion on these matters and my observations are set out below.

3.4 In line with chapter 2 of this evidence, the key considerations in relation to reason for refusal 1 are the Outline Planning Permission and its related conditions, the relevant policies within the Development Plan, and other material considerations including the FVDG.

Character and Appearance

3.5 The Outline Planning Permission (CDC1) secures the principle of residential development on the Appeal Site. Condition 4 lists, amongst others, plan M06 Rev E – Parameters Plan (CDC3) as an approved plan. Condition 6 of the Outline Planning Permission confirms that the ‘detailed plans and particulars’ of the future Reserved Matters Application should be in general accordance with the illustrative layout plan M03 Rev C (CDC4). These two plans provide clear guidance as to where built form is considered acceptable on the site.

3.6 The RMA being considered at this Appeal is in full accordance with the Parameters Plan, pursuant to the wording of condition 28 of the Outline Planning Permission. This condition requires that the number of storeys and the height of the eaves and ridge are determined at the reserved matters stage.

3.7 The RMA is, in my view, in general accordance with the illustrative layout as set out in condition 6.

- 3.8 The Council adopted the FVDG (CDE5) in January 2020. The Outline Planning Permission is dated 26 October 2017 and therefore pre-dates the FVDG by over two years. The FVDG, in identifying a key long-distance view from Poorwell Water northwards, makes a different assessment to the approved Outline Planning Permission and the evidence that informed it.
- 3.9 Whilst not adopted at that time, the (then) draft FVDG was considered by the Appellant in the development of the RMA, as referenced in the Design and Access Statement (CDA6).
- 3.10 I concur with the evidence of James Carr, that the RMA is in accordance with the FVDG save for the reference to 'Key long distance views' northwards across the site from Poorwell Water which the Appellant argues are incorrectly identified as being of importance.
- 3.11 The reason for refusal notes three specific conflicts to the 'guidance' within the FVDG. These are summarised in the table below together with the design response in the RMA, which is further elaborated upon in the evidence of James Carr:

FVDG Guidance	Design Response
10.3 – Site Planning should incorporate open views from and through the interior of the site towards the countryside and local landmarks	The layout allows views along the chalk stream, as well as along the linear park within the development. The Appeal Site allows views through Poorwell Water to the south and to the railway to the north.
10.10 – 3 storey buildings are not typical of the village and should only be considered with extreme care – they should be sited away from prominent frontages to minimise visual presence and be articulated to avoid any bulkiness	The tallest section of apartment blocks A and B are 2½ storeys in height, grading down to 2 storeys.
10.12 – The height should be lower than the crown of surrounding trees to retain the setting of a 'village among trees'.	Boundary tree planting around the site consists of very tall mature trees, the height of which the development would not exceed.

- 3.12 Figure 46 of the FVDG shows 'Key long-distance views' across the site to the north. The Appellant does not accept the FVDG's identification of this as a key long-distance view. This was also the view of the Inspector when considering the original Outline Planning Application S/2274/14/OL. He states in paragraph 23 of the Appeal Decision (CDD2) that

'the same, well-treed character, interspersed with predominantly residential development can also be found along Cow Lane, from where I saw that only very limited glimpsed views of the open nature of the appeal site can be obtained, across Poorwell Water and between some of the more modern dwellings which lie just to the west of Cox's Drove'.

- 3.13 In paragraph 24, the Inspector continues *'I acknowledge that a little more may be seen of the appeal site from Cow Lane during winter months, when the tree foliage would be thinner, although I consider that these views could still only be described as glimpsed'.* In paragraph 33, he concludes *'I am not persuaded that glimpsed views of new dwellings on the appeal site would unacceptably harm the existing character of the area'.*
- 3.14 Moreover, the evidence of Lisa Toyne further reinforces the position that this key long-distance view identified within the FVDG is not correct. In making this assessment, the evidence has also acknowledged the increase in floor levels of the development parcels. It is also acknowledged that the railway is set on an embankment which prevents views of the land beyond.
- 3.15 The proposals within the Reserved Matters Application are clearly in line with the approved Outline Planning Permission and all aspects of the FVDG except for the identified key long-distance views. Moreover, the evidence of Lisa Toyne and James Carr confirms that the proposed development would not result in any serious harm to the character and appearance of the area.
- 3.16 Policy HQ/1 of the South Cambridgeshire Local Plan 2018 (CDE1) is a policy dependent upon an assessment and imposes a development control test. It is then an exercise in judgement as to whether the requirements of the policy are met. The evidence of Lisa Toyne and James Carr clearly demonstrates that the development would be in accordance with this policy. Indeed, the officers report on the Reserved Matters Application identifies at paras 161 and 266 that the appearance of the development is considered to accord with policy HQ/1 of the Local Plan, is responsive to the guidance in the FVDG SPD and will not result in significant harm to the amenities of residential development adjacent to the Appeal Site.
- 3.17 The Rule 6 Party is seeking to demonstrate that the impact upon character and appearance of the area would also cause harm to the setting of the Fulbourn Conservation Area. Heritage matters are not referred to in the reasons for refusal, and it is common ground with SCDC that no harm is identified to heritage assets that would warrant refusal of the RMA.

3.18 Attached at Appendix 2 of this Proof is a Note prepared by Lorraine King, Heritage Director at Barton Willmore, now Stantec. This builds upon the findings of the Heritage Statement submitted with the RMA (CDA8), and the findings of the Inspector when assessing the Outline Planning Application (CDD2). The Planning Committee Report on the Reserved Matters Application (CDA9) notes at para 290, that in heritage terms, the proposals would accord with policy HQ/1 and NH/14 of the Local Plan, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF Guidance, the Fulbourn Conservation Area Appraisal and Fulbourn Village Design Guide. Moreover, the Council's Historic Buildings Officer raises no objection to the proposal. I concur with this view.

Raising of Land Parcels

3.19 The Outline Planning Permission lists the Parameters Plan (reference M06 Rev E – CDC3) as an approved plan. This identifies that development will be a maximum of 2 and a half storeys in height, with limits provided to the ridge and eaves height of built form above grade.

3.20 Condition 28 of the Outline Planning Permission states that notwithstanding the information on the approved Parameters Plan, details of ridge and eaves heights, and the number of storeys will be determined through the reserved matters process and accordingly detail of the heights of the buildings is not settled by the Parameters Plan.

3.21 The RMA includes elevational plans drawn to scale, allowing for the identification of ridge and eaves heights. The tallest development on the Appeal Site is the two and a half storey sections of Apartment Blocks A and B, with a maximum height of 11.24m. The two storey elements of these blocks are lower. It is common ground with the Council that these are the blocks to which reasons for refusal 1 relate.

3.22 The Flood Risk and Surface Water Management Update by Cannon Consulting Engineers dated January 2017 (CDC12) states that the proposal involves the creation of development parcels 'in the order of 500mm above existing site levels'.

3.23 Finished floor levels were subsequently submitted to SCDC in May 2021 on Plan B411-PL-SK-320 Rev P09 – Flood Management Strategy by Cannon Consulting Engineers (CDA4) to support the RMA and the application to discharge condition [8]. Further information to address matters of surface water drainage and flood risk has been submitted to the Inspectorate, as part of the Appeal, on 4 April 2022 (consisting of 'Flood modelling and surface water management update' by Cannon Consulting Engineers, and 'Update to surface water flood management' by HR Wallingford). This shows that the finished floor

levels have been raised, with the finished floor levels of Apartments Blocks A and B set on parcels that are to be built up by between 1.02m and 1.04m above current ground levels.

- 3.24 The evidence of Lisa Toyne and James Carr demonstrates that the additional height of the land parcels, as well as the height of the proposed dwellings as defined via the RMA is acceptable and would not result in any serious harm to the character and appearance of the area. I concur with this assessment and do not consider that the additional height of the floor levels would impact upon character and appearance or upon the views from Poorwell Water.
- 3.25 The officers report on the RMA also notes at paragraphs 187 and 188 that the development is not considered to result in significant adverse harm to the character, amenity, tranquillity or function of the village and that the proposal accords with policy NH/11 of the Local Plan. I concur with this view.

Reason For Refusal 1 Conclusion

- 3.26 The RMA has been submitted in accordance with the Outline Planning Permission and, in particular, the Parameter Plans that are approved under Condition 4 and the Illustrative Layout as required by Condition 6. The heights of the buildings are within the parameters established and reflect the requirements of Condition 28 that these be addressed via reserved matters.
- 3.27 It was established through the Outline Planning Permission that land parcels were always anticipated to be increased in height. The height above ground has been confirmed via the additional information submitted on drainage and flood risk by Cannon Consulting Engineers and reflected in Richard Totman's evidence.
- 3.28 Taking account of the evidence of James Carr and Lisa Toyne, and reflecting the established heights, I do not consider that the additional height of the floor levels would impact upon character and appearance or upon the views from Poorwell Water.
- 3.29 I also concur with the Evidence of Lisa Toyne and James Carr that the proposals would not impact negatively on the character and appearance of the area in the context of the FVDG design guide. With the exception of the Key long distance views which the Appellant submits do not exist, the FVDG is complied with. Moreover, I conclude that the proposals would not impact negatively on the Fulbourn Conservation Area reflecting the Heritage Note from Lorraine King at Appendix 2 to this Proof.

- 3.30 Therefore, the RMA accords with the requirements of Local Plan Policies HQ/1, NH11 and NH 14 and paragraphs 130, 194, 197, 199 and 202 of the NPPF.

Reason for Refusal 2 (RR2)

- 3.31 The key considerations in relation to RR2 are the Outline Planning Permission and its related conditions, the relevant policies within the Development Plan, and other material considerations.
- 3.32 The Outline Planning Permission was supported by a Flood Risk and Surface Water Management Update by Cannon Consulting Engineers dated January 2017 (CDC12). This itself was informed by the appeal against the refusal of the original Outline Planning Application (reference S/2273/14/OL) (CDD2), where the inspector stated the following:

'Although interested persons raised objections to the Flood Risk Assessment, the appeal proposals were considered acceptable by the EA and the Council's Drainage Officer. Moreover, the proposals have subsequently been independently reviewed and assessed by HR Wallingford, who have concluded that the proposed development would be unaffected by surface water flooding, and that the drainage proposals would actually result in a slight reduction in peak flows downstream of the site. No firm contrary evidence has been put forward to contest these conclusions, and I therefore give them significant weight.'

- 3.33 To support the RMA, detail regarding surface water drainage was submitted through a discharge of condition application. This was pursuant to condition 8 of the Outline Planning Permission. The precise wording of that condition seeks a detailed surface water drainage scheme 'based on the agreed Flood Risk Assessment'. That Assessment did not provide finalised heights of the development parcels but noted they would be in the order of 500mm.
- 3.34 Liaison has taken place with the Lead Local Flood Authority (LLFA) and SCDC's Sustainable Drainage Engineer throughout the consideration of the RMA. This culminated in the LLFA confirming in their letter dated 9 September 2021 (CDA9c) that they have no objection to the proposal. Paragraph 233 of the Planning Committee Report states '*overall, given the comments of the LLFA, officers are satisfied that the proposed development could provide*

an appropriate drainage and flood risk solution, a scheme that would need to formally agreed prior to commencing through the discharge of condition 8 of the outline consent'.

- 3.35 In line with the evidence provided by Richard Totman, it is clear that the information submitted with the RMA (crossing over with the Discharge of Condition application) demonstrates that a suitable water management strategy scheme can be provided at the Appeal Site, the precise detail for which would be formally agreed through the successful discharge of condition 8. The reason for refusal on surface water drainage grounds pursuant to the RMA contradicts the views of the LLFA, who advised officers that the RMA could be supported.
- 3.36 That said, Cannon Consulting Engineers has prepared and submitted to the Inspectorate on 4 April a further package of information to address matters of surface water drainage and risk of flooding. Details of this are set out in Richard Totman's evidence which confirms that the updated modelling clearly shows a surface drainage and flood management solution is available. Surface water drainage details would need to be formally signed off through discharge of condition 8.
- 3.37 It is noted that this solution excludes a limited number of private gardens from the raised development platforms such that they may flood in certain flood events. These gardens will be identified and the drainage solution will be secured by way of a section 106 unilateral undertaking given to SCDC by the Appellant as the current freehold owner of the land.
- 3.38 The obligations in the undertaking would ensure that prospective owners of the relevant properties are notified that they would have to comply with the flood risk mitigation measures set out in the approved surface water management strategy, so they are aware of them at the outset. Any new occupiers would then be required to covenant in the transfer, lease or other disposal of the properties to comply with the relevant flood risk measures and to allow access to the Management Company (to be set up under the terms of the Section 106 Agreement) for the maintenance of those measures. These requirements would remain in place and be enforceable against individual occupiers for the lifetime of the Development.
- 3.39 The identified solution is in line with the requirements of the NPPF securing a sustainable low carbon approach to flood risk which will ensure that development is made safe for its lifetime without increasing flood risk elsewhere.
- 3.40 The Planning Committee Report (CDA9) for the RMA is clear that SCDC and the LLFA are satisfied that the details of the drainage scheme can be formally agreed through the

discharge of condition 8 such that the development can accord with Policies CC/7, CC/8 and CC/9 of the Local Plan.

Reason for Refusal 2 - Conclusion

- 3.41 To conclude, the RMA builds upon the information approved within the Outline Planning Permission. Condition 8 confirms that the Flood Risk Assessment is 'agreed'. Revised modelling demonstrates that an acceptable water management strategy can be delivered, which would not increase flooding off-site and is in line with the requirements of national policy in the form of the NPPF. This will form the basis for submission of further details under Condition 8 of the Outline Planning Permission in line with policies CC/7, CC/8 and CC/9 of the Local Plan.

Reason for Refusal 4 (RR4)

- 3.42 The key considerations in relation to RR4 are the Outline Planning Application and its related conditions, the policies within the Development Plan, and other material considerations.
- 3.43 The affordable housing approach was agreed through the Outline Planning Permission. It is secured through the Section 106 Agreement dated 25 October 2017 (CDC2). The Agreement provides the definition of the Affordable Housing Scheme, which states '*for the avoidance of doubt no more than 20 Affordable Housing Units may be clustered together and no such clusters are to adjoin or neighbour each other*'. Schedule 3 confirms the agreed mix of affordable rented units and shared ownership units. The Section 106 Agreement therefore sets out the basis for the affordable provision onsite, with the detail to be agreed through the Affordable Housing Scheme mechanism.
- 3.44 The Outline Planning Permission was granted prior to the adoption of the current Local Plan, including policy H/10 which is directly referenced within RR4. The Outline Planning Permission also pre-dates the publication of the Greater Cambridge Housing Strategy.
- 3.45 The RMA included a plan (reference 28815-P10-010) (CDA4) showing the proposed affordable housing distribution. However, the SCDC Joint Housing Development Officer highlighted some concerns regarding the reliance upon such housing being within apartment blocks.
- 3.46 The amendment package submitted on 2 March 2020 included a plan (reference 28815-P10-010-P4) showing an amended layout for the proposed affordable housing, with four

of the units being incorporated into dwellings. This was supported by the Joint Housing Development Officer in her comments dated 21 May 2020, which stated *'the applicant has now provided 4 x 2 bed houses, this will assist visually to blend the affordable units in with the private market houses'*. The comments concluded *'the Strategic Housing Team are happy to support this scheme now there has been modifications'*. There were no further changes to the proposed affordable housing layout across the Appeal Site through subsequent amendments. This support is further reflected in SCDC's decision to not provide evidence in relation to this reason for refusal.

- 3.47 As noted, the Section 106 Agreement allows for the clustering of up to 20 dwellings. This has set the framework for affordable housing provision across the site. The affordable housing is set in four distinct clusters, the largest being a cluster of 17 (plots 5-6, Block D, Block D1 and Block C) located in the northwest corner of the site.
- 3.48 Plots 31 and 32 can be considered a different cluster, which is consistent with the Inspector's view in determining appeal APP/W0530/W/3174252 (CDG3). However, even if these two plots were considered within the same cluster, it would still be below the 20 dwelling limit set out in the Section 106 Agreement and this view is shared by the SCDC's Affordable Housing Team.
- 3.49 Policy H/10 of the adopted Local Plan seeks affordable housing to be provided 'in small groups or clusters distributed through the site'. Neither the policy or the supporting text provide a definition of a 'small group'. The Greater Cambridge Housing Strategy 2019-2023 Annex 10 (Clustering and Distribution of Affordable Housing Policy – CDE6b) sets out that for medium mixed tenure residential developments of between 30 and 200 units, maximum clusters of 15 units are accepted. It should be noted that the Planning Committee Report notes at paragraph 10, that SCDC's Affordable Housing team has confirmed their support for the mix, tenure and layout of the affordable housing being proposed.
- 3.50 The affordable housing provision at the Appeal Site will be formally finalised through the submission of the Affordable Housing Scheme as required by the Section 106 Agreement. The Appellant considers the affordable housing distribution on the submitted plan (reference 28815-P10-010-P4) as refused provides an acceptable affordable housing distribution, clearly in line with the requirements of the Section 106 Agreement.
- 3.51 RR4 suggests the affordable housing is not integrated into the scheme. The road network around the northwest corner of the site is a loop rather than a cul-de-sac. This encourages journeys past the properties, especially by bike and on foot where the footpath network

in the site allows for a circular route. There is clear separation between the other identified clusters on the Appeal Site, which are all well served and closely linked to the footpath networks and the Locally Equipped Area of Play. I also agree with the evidence provided by James Carr in this regard.

Reason for Refusal 4 - Conclusion

- 3.52 The proposed approach to affordable housing as set out in the RMA is entirely in line with the requirements of the Outline Planning Permission and the Section 106 Agreement. SCDC's Affordable Housing Team has confirmed their support for the mix, tenure and layout of the affordable housing proposed. The proposed layout distributes the affordable housing in small groups or clusters in general accordance with Local Plan Policy H/10 and the Greater Cambridge Housing Strategy 2019-2023. The affordable housing will be confirmed through the submission of the Affordable Housing Scheme in accordance with the requirements of the Section 106 Agreement.

Reason for Refusal 5 (RR5)

- 3.53 The key considerations in relation to RR5 are the Outline Planning Permission and its related conditions, the relevant policies within the Development Plan, and other material considerations.
- 3.54 As referenced within RR4, the affordable housing provision is fully in accordance with the Outline Planning Permission and the requirements of the Section 106 Agreement.
- 3.55 The Parameters Plan approved as part of the Outline Planning Permission clearly shows that housing within this location was considered acceptable. The Illustrative layout plan referenced within condition 6 of the Outline Planning Permission also showed development in this location. The RMA is in 'general accordance' with that layout as required by Condition 6.
- 3.56 RR5 references the constraints of the site. What these constraints are is unclear, but it is assumed it refers to the Breckenwood Industrial Estate to the north of the site. The Outline Planning Application considered the noise output from the Estate and agreed a 50m exclusion zone (CDC3) subject to conditions 19 and 20. These conditions only permit development within this exclusion zone subject to an appropriate noise mitigation strategy.

- 3.57 Conditions 19 (Noise Mitigation) and the first section of Condition 20 (Exclusion Zone) have been formally discharged by SCDC (through discharge of condition applications with reference S/3209/19/DC and S/0202/17/CONDA). The second part of Condition 20 can only be discharged post construction. The discharge of these conditions clearly demonstrates that any noise generated from the Industrial Estate would not preclude residential development.
- 3.58 As such, it should not matter whether the dwellings in this location are private or affordable. The Appellant has clearly demonstrated the suitability for residential development in this area. The Urban Design Team at SCDC has no objection to the design itself or the layout, subject to detailing on materials. I also concur with the evidence of James Carr regarding the design of these units and their integration as part of the overall layout.
- 3.59 The Planning Committee Report (CDA9) identifies at paras 275 – 277 that, subject to the mitigation required by conditions 19 and 20, future occupiers would not be adversely impacted by adjacent noise sources. SCDC's Environmental Health Officer raises no objection to the proposals. It can, therefore, be concluded that the RMA accords with the requirements of Local Plan Policies HQ/1 and SC/10.

Reason for Refusal 5 – Conclusion

- 3.60 The affordable housing provision is entirely in accordance with the Outline Planning Permission and the requirements of the Section 106 Agreement. SCDC's Affordable Housing Team has confirmed their support for the mix, tenure and layout of the affordable housing proposed. The proposed layout distributes the affordable housing in small groups or clusters in general accordance with Local Plan Policies H/10, HQ/1 and the Greater Cambridge Housing Strategy 2019-2023.
- 3.61 Conditions 19 and 20 of the Outline Planning Permission have been discharged. The discharge of these conditions clearly demonstrates that any noise generated from the Industrial Estate would not preclude residential development in line with Local Plan Policy SC/10.

Third Party Submissions

- 3.62 The Inspector has listed a number of concerns raised by third parties during their consideration of the RMA. The Inspector has directly requested information regarding the future maintenance of features on site, and this is summarised below.

Maintenance Approach

- 3.63 The maintenance for the LEAP, Public Open Space and General Open Space is secured through the Section 106 Agreement dated 25 October 2017, via the Management Company (CDC2).
- 3.64 The highway network will be afforded to Cambridgeshire County Council (CCC) for adoption. CCC has indicated it will not seek to adopt the road network, so as such this would become a private road to be managed by the Management Company
- 3.65 The drainage system will be subject to a Unilateral Undertaking confirming the future maintenance and management of the system.
- 3.66 The Section 106 Agreement also makes provision for a Management Company fallback position whereby covenants are in place to ensure that the costs of any such management would be paid to SCDC if for any reason the Management Company were to cease.
- 3.67 Condition 8 of the Outline Planning Permission requires details of the long-term ownership/management of the surface water drainage system and maintenance of the same. This will be in accordance with an Implementation Programme to be agreed in writing by SCDC.

Other Third-Party Matters

- 3.68 As noted at Para 1.9 of this Proof no evidence is being provided to the Inquiry in relation to RR3. However, a number of third-party comments raise this matter. To clarify, the loss of biodiversity is not an issue to be dealt with at reserved matters stage because the principle of the development has already been approved in the Outline Planning Permission. It is improper to require biodiversity net gain at the reserved matters stage when no such requirement was imposed on the outline permission.
- 3.69 The Outline Planning Permission included conditions relating to ecology and ensuring that habitats can be retained and maintained. Ecology is not (and could not be) a reserved matter that should be considered through this application.
- 3.70 Some of the other matters are agreed as common ground. However, for clarity and completeness, the table below covers the matters raised and provides a response to these matters.

Interested Party Concerns	Status
Traffic generation, including at construction stage, and access via Cox's Drove	The outline was assessed in terms of highway capacity for up to 110 dwellings and considered acceptable. Construction traffic can be controlled through condition 16 of the outline as agreed. Cox's Drove access will only be used by emergency vehicles, pedestrians and cyclists.
Whether on site car parking provision is acceptable	Car parking provision is adequate in line with Local Plan policy
Whether flood risk would be suitably managed	Future adoption and maintenance details will be agreed through condition 8 of the Outline permission.
Loss and provision of trees on the site including future maintenance	The outline permission was accompanied by a Tree Survey identifying trees to be removed. The proposed landscape plans indicate acceptable levels of tree planting across the site.
Whether the RM application complies with the outline planning permission	Set out in Written Submissions
Whether there should be the provision of self-build dwellings	The approved outline permission does not include any requirement for self-build dwellings within the reserved matters.
Contaminated land	Contamination was considered at outline stage and condition 10 requires a remediation strategy if previously unidentified contamination is found.
Responsibility for and control of foul and surface water drainage systems	Details of the surface water drainage management will be agreed through the discharge of condition 8 of the Outline Planning Application. Foul water drainage details will be secured through condition 9 of the Outline Planning Application
Compliance with the Fulbourn Village Design Guide	Set out in evidence
Siting of electricity sub-station relative to the living conditions of nearby residents	The sub-station is located at an appropriate distance away from residential properties so as not to negatively impact upon residential amenity.
Whether proposed dwellings would be 'cramped'	The site can provide 110 dwellings, as tested through the outline, without creating a cramped form of development. SCDC's Urban

	Design Officer does not object to the proposals.
Effect of proposed residential units in terms of light and privacy	The layout ensures no negative relationship between proposed dwellings, or with existing dwellings in the vicinity. Artificial lighting details will be agreed through the discharge of condition 18 of the outline permission.
Management of noise at construction stage	Noise monitoring, construction hours and access arrangements will all be agreed through the discharge of condition 16 of the outline permission.
The effect on the proposal on Fulbourn Conservation Area including its setting	Set out in Appendix 2 of this proof of evidence

Additional interested party concerns identified in Inspector's e-mail of 22 March	
Use of Cox's Drove and how a 'planter' would prevent general vehicular access	The design of the planter is agreed through approved Outline Planning Application plan B411/008 Rev 1 – Cox's Drove Emergency Vehicle Access.
The adequacy of the number and type bicycle storage facilities for dwellings and apartments	Each dwelling has adequate space for cycle storage facilities.
Whether there are an adequate number of bat boxes and suitable hedgehog highways relative to outline planning permission details	The number and location of bird and bat boxes, and the location of hedgehog fencing has been agreed within the approved Landscape and Biodiversity Management Plan through the discharge of condition 12 of the Outline Planning Application.
Details of the ownership/adoption and permanent maintenance of roads, surface water drainage, open spaces/landscaping and including whether these matters need to be addressed now	Matters pertinent to future maintenance are set out in paragraphs 3.65-3.69 above.
Use of and details for the Gate Lodge driveway for pedestrian/cycling purposes and the effect of this on the living conditions of the occupiers of this property including use of the workshop	There is a legal right of access across this property and the path is retained. However, the scheme includes more formal pedestrian access directly onto Teversham Road and through the Pumphouse Garden to Cow Lane.
Whether the residential units accord with minimum space standards	All dwellings accord with minimum space standards.

Whether an adequate number of net on-site trees would be provided, including 'trees within proposed streets' given NPPF requirements	The submitted landscape plans show the levels of tree planting proposed, which supplements the existing planting around the site boundary.
Whether retained grassland and woodland areas would be accessible to residents and, if not, how access would be restricted	Pedestrian access is available around the whole site as per the proposed landscaping plans. Access beyond the paths will not be restricted, as per the current situation on site.
Whether all car parking spaces would be to an acceptable size standard (e.g. apartment block 1)	All parking spaces measure a minimum of 2.5m by 5m.
The suitability of wheelie bin/cycle storage space for all house types	All properties have access to rear gardens where relevant, either through gates or garage spaces. Dedicated space is available at the apartment blocks.
Plot 78 and its relationship with the rear of properties 50 & 52 Cow Lane in respect of privacy and outlook	There is a distance of over 15m between plot 77 and the rear boundary of the adjacent Cow Lane properties. This meets the preferred guidance within para 6.68 of the District Design Guide (CDE2)
Additional pressure on village services and facilities	The Outline Planning Application assessed the capacity of local infrastructure for a development of up to 110 dwellings.
Suitability of access to public open space for recreation having regard to use of areas for surface water retention and biodiversity.	There is public accessibility around the whole site.
Additional Comments Following Inspector Email Dated 21 April 2022	
Provision of Water Supplies for Fire Fighting	Condition 15 of the Outline Planning Permission seeks details of fire hydrants to be agreed.

Responses to Additional Drainage Information Consultation

- 3.71 Following the issue of additional drainage information on the 4th April 2022 by the Appellant, the stakeholder responses to this information have been summarised, as requested by the Inspector, at Appendix 3 to this Evidence.

4.0 THE PLANNING BALANCE

- 4.1 The Outline Planning Permission establishes the principle for the development of the Appeal Site for residential purposes, with the capacity identified as up to 110 dwellings, and, via conditions and the Section 106 Agreement, sets the framework within which reserved matters applications can be approved.
- 4.2 The Appeal relates to an RMA, which is wholly in accordance with the framework established by the Outline Planning Permission.
- 4.3 For the purposes of this Appeal, the Development Plan consists of the South Cambridgeshire Local Plan 2018. I have reviewed the Development Plan in relation to the Reasons for Refusal and, notwithstanding that fact that this was adopted after the Outline Planning Permission was granted, I conclude that the RMA is in line with the policies within the Development Plan.
- 4.4 The FVDG is an adopted SPD and as such, I give its content significant weight in principle. However, the content of the SPD document does not account for the approved Outline Planning Permission which pre-dates the SPD. The FVDG also contains a misrepresentation of the identified 'key long distance' views as noted within Figure 46. The evidence for the Appellant's witnesses confirm that no such views exist. The FVDG therefore contains an error that is not representative of the physical ground conditions and must be viewed in that context.
- 4.5 I have concluded that the development is in accordance with the content of the FVDG, except for the 'key long-distance views' shown on Figure 46 of that document. I concur with the technical evidence presented that the view highlighted does not exist on the ground given a combination of the planting along Poorwell Water and along the shared boundary, and the presence of the railway embankment.
- 4.6 I acknowledge the policy within the emerging Fulbourn Neighbourhood Plan. As per the key view within the FVDG, I disagree with the Key Outward Viewpoint 'C6', which again does not exist on the ground. It also contradicts condition 6 of the Outline Planning Permission, which seeks reserved matters to be in general accordance with the illustrative layout plan. Given this unresolved conflict and its current status, I afford the emerging Neighbourhood Plan little weight.

- 4.7 I agree with the technical evidence provided by Lisa Toyne and James Carr regarding RR1. It is demonstrated that there are no views to the countryside beyond the Appeal Site, and therefore construction of built form within this area cannot remove or harm such views. The evidence of Richard Totman confirms the levels to which the land parcels need to be raised to ensure a suitable flood modelling solution. I have considered these heights when drawing my conclusion regarding the suitability of development. I therefore conclude that the development would not result in any serious harm to the character and appearance of the area as to warrant dismissal of this appeal.
- 4.8 Moreover, I also conclude that the proposals would not impact negatively on the Fulbourn Conservation Area, reflecting the Heritage Note from Lorraine King at Appendix 2 to this Proof.
- 4.9 The proposals therefore accord with the requirements of Local Plan policies HQ/1, NH11 and NH14 paragraphs 130,194,197,199 and 202 of the NPPF.
- 4.10 In terms of RR2, the RMA builds upon the information approved through the Outline Planning Permission. Condition 8 of the Outline Planning Permission confirms that the Flood Risk Assessment is 'agreed'.
- 4.11 I agree with the evidence of Richard Totman and the revised modelling which demonstrates that an acceptable water management strategy can be delivered, which would not increase flooding off-site and is in line with the requirements of national policy in the form of the NPPF. This will form the basis for submission of further details under Condition 8 of the Outline Planning Permission in line with policies CC/7, CC/8 and CC/9 of the Local Plan.
- 4.12 On the matter of affordable housing distribution under RR4, this was secured in agreement with SCDC by the completion of the Section 106 Agreement which allowed the clustering of up to 20 units.
- 4.13 The proposed approach to affordable housing as set out in the RMA is entirely in line with the requirements of the Outline Planning Permission Section 106 Agreement. SCDC's Affordable Housing Team has confirmed their support for the mix, tenure and layout of the affordable housing proposed. The proposed layout distributes the affordable housing in small groups or clusters in general accordance with Local Plan Policy H/10 and the Greater Cambridge Housing Strategy 2019-2023 and the Affordable Housing will be confirmed through the submission of the Affordable Housing Scheme in accordance with the requirements of the Section 106 Agreement.

- 4.14 I concur with the evidence of James Carr that the layout of the affordable housing should not warrant the dismissal of this Appeal.
- 4.15 Finally, in terms of RR5, I have identified that the location of dwellings opposite the Breckenwood Industrial Estate is fully in accordance with the approved Parameters Plan and the illustrative layout plan (as per condition 6 of the Outline Planning Permission). The proposed layout distributes the affordable housing in small groups or clusters in general accordance with Local Plan Policies H/10, HQ/1 and the Greater Cambridge Housing Strategy 2019-2023. The discharge of Conditions 19 and 20 of the Outline Planning Permission clearly demonstrates that any noise generated from the industrial estate would not preclude residential development.
- 4.16 Again, I concur with the evidence of James Carr that the design and layout of the dwellings in the northwest of the site should not warrant dismissal of this Appeal.
- 4.17 I have also provided a table providing a response to a number of other third party responses received during the determination period. Following the issue of additional drainage information on the 4th April 2022 by the Appellant, the stakeholder responses to this have also been summarised. None of the matters raised are considered to preclude development on the site, or warrant the dismissal of this Appeal.
- 4.18 Given that the RMA is fully in accordance with the parameters of the Outline Planning Permission and that the proposals accord with the policies of the Development Plan, I can see no material or technical considerations that would outweigh the primacy of these for the purposes of decision making.
- 4.19 The Inspector is therefore respectfully asked to allow this Appeal.

APPENDIX 1

Response to Fulbourn Neighbourhood Plan Regulation 16 Consultation

Fulbourn Neighbourhood Plan Response
South Cambridgeshire District Council

By Email

Our Ref: 25542/A3/PD/
17 January 2022

Dear Sir/Madam

FULBOURN NEIGHBOURHOOD PLAN RESPONSE

These representations have been prepared by Barton Willmore LLP on behalf of Castlefield International Ltd (Castlefield) in respect of the Regulation 16 consultation on the Fulbourn Neighbourhood Plan, which has been submitted to South Cambridgeshire District Council for assessment.

Castlefield has land interests at Teversham Road, Fulbourn, which is directly referenced within paragraphs 10.10 and 10.11 of the draft Neighbourhood Plan. The boundary of the site is shown in the plan below:



Castlefield provided representations to the Regulation 14 consultation in their letter dated 26 February 2021, which should be available to the Council/independent examiner. The purpose of this representation is to reiterate the point previously made regarding the site. Outline consent was granted on the site through application S/0202/17/OL. Amongst the approved plans is a parameters plan which shows three distinct development parcels where built-form was considered acceptable. The boundaries of these parcels were informed by landscape, heritage and drainage studies, and the conclusion from the outline therefore is that development on these parcels would be acceptable in principle.

It is noted that Key Outward Viewpoint From Village C6 looks across the site northwards, when viewed from Poorwell Water. This view is shown on the image below (from Fig 9 of the draft Neighbourhood Plan).



Accompanying policy FUL/01 states in point 5 that development will not be permitted where it would have an adverse impact on the rural setting of the Locally Important View. The development parcel within the approved parameter plan does extend into the area of view C6. As such, given that is an approved document, the viewpoint from C6 should be altered to ensure the approved development parcels are not sat within the view.

In its present form, the Locally Important View does conflict with an approved parameter plan, and as such, the neighbourhood Plan is not considered to meet the Basic Conditions and is considered unsound. Amendment of the View in line with the above would resolve this concern.

A copy of the decision notice for application S/0202/17/OL and the approved parameters plan (M06 rev E – Parameters Plan) listed in condition 4 is provided at the end of this letter for information.

If any further information is required, please do not hesitate to get in touch.

Yours Faithfully,

PAUL DERRY
Associate Planner

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SUBJECT TO CONDITIONS

Decision Date: 26 October 2017

Paul Derry,
Barton Willmore
St Andrews House
St Andrews Road
Cambridge
Cambridgeshire
CB4 1WB

The Council hereby grants outline planning permission for consideration of access points, for residential development of up to 110 dwellings with areas of landscaping and public open space and associated infrastructure works

At: Land at Teversham Road, Fulbourn
For: Daniel Coulson, Castlefield International Limited

In accordance with your application dated 18-Jan-2017 and the plans, drawings and documents which form part of the application, subject to conditions set out below.

1. Approval of the details of the layout of the site, including the scale and location of public open spaces and play areas, the scale and appearance of buildings, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
2. Application for the approval of the reserved matters shall be submitted to the Local Planning Authority before the expiration of two years from the date of this permission.
(Reason - The application is in outline only.)
3. The development hereby permitted shall begin not later than the expiration of one year from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)
4. The development hereby permitted shall be carried out in accordance with the following approved plans: M02 rev C – Site Plan; M06 rev E – Parameters Plan; P2 – 50m Exclusion Zone B; B411/008 Rev 1 – Cox's Drove Emergency Vehicle Access; and B411/SK/09 Rev 2 – Indicative Full Right Turn.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
5. Notwithstanding the submitted indicative layout, details of the mix of housing (including both market and affordable housing) shall submitted with any reserved matters application for housing.
(Reason: To ensure an appropriate mix of housing in accordance with policy HG/2 of the adopted

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South Cambridgeshire Development Control Policies DPD.)

6. Detailed plans and particulars of the reserved matters pursuant to condition 1 above shall be in general accordance with the illustrative layout (Drawing number 'M03 Rev C'), subject to taking into account the 50m noise exclusion zone as identified on drawing number 'P2'. The development shall be carried out in accordance with the approved details and retained as such.

(Reason - The application is in outline only.)

7. Prior to the commencement of the development full details of the tree protection measures for all trees and hedges to be retained shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be set out in a detailed Arboricultural Method Statement to include the specification of the location and type of protective fencing, the timings for the erection and removal of the protective fencing, the details of any hard surfacing and underground services proposed within the root protection areas, all to be in accordance with the British Standard for Trees in Relation to Construction 5380 2000, and the monitoring of tree protection measures during construction. All tree protective measures shall be carried out as set out in the approved Arboricultural Method Statement.

(Reason: To protect the visual amenity of the area in accordance with policies).

8. Prior to the commencement of the development a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) CCE/B411/FRA-03 September 2014 by Cannon Consulting Engineers has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the long term ownership/adoption of the surface water drainage system and maintenance of the same. The scheme shall be constructed, completed and properly retained /maintained thereafter in accordance with the approved plans and implementation programme agreed in writing with the Local Planning Authority.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007

9. Prior to the commencement of the development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development, or in accordance with the implementation programme agreed in writing with the Local Planning Authority and properly retained /maintained thereafter.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/9 of the adopted Local Development Framework 2007.)

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval for the remediation strategy from the Local Planning Authority. The remediation strategy shall be implemented as approved.

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(Reason - To prevent the risk of contamination to the water environment.)

11. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

12. Prior to the commencement of the development, a landscape and biodiversity management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the landscape and ecological management objectives for the site, including but not limited to, the following points:

- i. An audit of proposed retained areas and an assessment of the existing site habitats to be retained, lost and created.
- ii. The retention of areas of grassland supporting flora of local importance in-situ
- iii. The management and protection measures for all retained habitats and species, including early marsh orchids, to prevent damage during construction.
- iv. A habitat restoration scheme for the chalk stream.
- v. The management of the surrounding tree belts and hedgerows, particularly with regard retaining dark flight corridors for bats.
- vi. The management of ponds
- vii. The management of grassland habitats
- viii. The restoration and maintenance of the ornamental garden
- ix. A reptile mitigation strategy
- x. The preparation of a work schedule
- xi. The frequency for the monitoring of habitats and notable species and means of reporting the findings to the LPA over a ten year period.
- xii. A timetable for the implementation of all of the landscape and biodiversity enhancement measures listed in the management scheme.

The scheme shall include full details of measures required to deliver the long term maintenance of the all areas providing landscape and ecological management. The measures shall also address means of public access (including boardwalks). The landscape and biodiversity management plan shall be implemented in accordance with the agreed timetable, and thereafter maintained in accordance with the agreed details.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

13. Prior to the commencement of the development, ground works and/or vegetation removal, a repeat Badger Survey shall be undertaken. The findings of the Badger Survey shall be provided to the Local Planning Authority for prior written approval. The scheme shall be constructed, completed and properly retained /maintained thereafter in accordance with the agreed details.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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14. Prior to the commencement of the development, full details of a Scheme of Grassland Mitigation and Translocation has been submitted to and approved in writing by the Local Planning Authority. These measures shall include (but shall not be limited to):

- i. Botanical surveys to be undertaken in order to determine the distribution and densities of important grassland species plotted using GPS and presented on a plan.
- ii. The Scheme's aims and objectives.
- iii. The evaluation of the ecological, hydrological and geological requirements of the important grassland species.
- iv. The selection of suitable receptor sites.
- v. A method statement for the grassland removal.
- vi. The location of works and/or measures required to successfully implement the translocation.
- vii. Full details of long-term management and ownership of the receptor sites.
- viii. Details of the persons responsible for the implementation of the Scheme.
- ix. A timeframe for the Scheme's implementation.
- x. Measures for the monitoring of the Scheme for a minimum period of twenty five.

The agreed mitigation and translocation scheme shall be carried out as approved and the site maintained and managed thereafter in accordance with it.

(Reason - To mitigate ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

15. Prior to the commencement of the development, a scheme for the provision and location of fire hydrants to serve the development has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

(Reason - To ensure an adequate water supply is available for emergency use.)

16. Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the local planning authority for that development, hereby permitted. The CEMP shall accord and give effect to the waste management principles set out in the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy. The CEMP shall address the following aspects of construction:

- i. A construction programme;
- ii. Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with the location of parking for contractors and construction workers;
- iii. Construction hours;
- iv. Delivery times for construction purposes;
- v. Soil Management Strategy including a method statement for the stripping of top soil for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007;
- vi. Noise monitoring method including location, duration, frequency and reporting of results to the Local Planning Authority in accordance with the provisions of BS 5228 (1997);
- vii. A construction noise impact assessment and a report/method statement detailing predicted construction noise and vibration levels at noise sensitive premises, and consideration of mitigation measures to be undertaken to protect local residents from construction noise and/or vibration. Potential construction noise and vibration levels at the nearest noise sensitive locations shall be

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predicted in accordance with the provisions of BS 5228:2009+A1:2014: 'Code of practice for noise and vibration control on construction and open sites - Part 1: Noise and Part 2: Vibration.

viii. A programme of measures to minimise the spread of airborne dust (including consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development.

ix. Site lighting during construction;

x. Drainage control measures including the use of settling tanks, oil interceptors and bunds;

xi. Screening and hoarding details;

xii. Access and protection arrangements around the site for pedestrians, cyclists and other road users;

xiii. Procedures for interference with public highways (including rights of way), permanent and temporary realignment, diversions and road closures;

xiv. External safety and information signing and notices;

xv. Liaison, consultation and publicity arrangements including dedicated points of contact;

xvi. Consideration of sensitive receptors;

xvii. Prior notice of agreement of procedures for works outside agreed limits;

xviii. Complaints procedures, including complaints response procedures;

xix. Location of Contractors compound and method of moving materials, plant and equipment around the site.

The CEMP shall be implemented in accordance with the approved details.

(Reason - To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with the aims of Policies DP/3, DP/6 and NE/15 of the South Cambridgeshire Local Development Framework Development Control Policies 2007, and to comply with the Guidance for Local Planning Authorities on Implementing Planning Requirements for the European Union waste Framework Directive (32008/98/EC), Department for Communities and Local Government, December 2012.)

17. Prior to the commencement of development a full Site Waste Management Plan and Waste Audit shall be submitted in writing and approved by the Local Planning Authority. These shall include details of:

i. Construction waste infrastructure dealing with how inert waste arisings will be managed/recycled during the construction process;

ii. Anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;

iii. Measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;

iv. Any other steps to ensure the minimisation of waste during construction;

v. The location and timing of provision of facilities pursuant to criteria i), ii), iii) and iv) Proposed monitoring and timing of submission of monitoring reports;

vi. The proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction;

vii. A RECAP Waste Management Guide toolkit, including a contributions assessment, shall be completed with supporting reference material;

Proposals for the management of municipal waste generated during the construction phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to

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storage and collection points by users and waste collection vehicles is required.

(Reason - To ensure that waste arising from the development is minimised and that which is produced is handled in such a way that it maximises opportunities for re-use and recycling in accordance with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), and Policy DP/6 of the South Cambridgeshire Local Development Framework Development Control Policies DPD (2007)

18. Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security/residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by the local planning authority. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details/ measures. (Reason: To protect local residents from light pollution/ nuisance and protect/ safeguard the amenities of nearby residential properties in accordance with NE/14 Lighting Proposals.)

19. Concurrently with any reserved matters application and prior to commencement of development a noise mitigation/ insulation scheme to protect occupants externally and internally from rail noise to the north and noise emanating from the Breckenwood Industrial Estate to the north west, shall be submitted to and approved in writing by the local planning authority. The noise insulation scheme shall have regard to site layout/orientation, internal room configuration, building fabric and glazing acoustic performance and adequate provision of rapid ventilation for thermal comfort or similar and shall demonstrate that the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings"(or as superseded) shall be achieved. If the internal noise levels recommended in BS 8233 cannot be achieved with partially open windows/ doors, then any scheme shall have particular regard to alternative forms of rapid/ purging ventilation such as mechanical or passive acoustic vents to facilitate ventilation/ thermal comfort cooling. The scheme as approved shall be fully implemented before the residential use hereby permitted is occupied and shall be retained thereafter. (Reason - To ensure that sufficient noise mitigation/ attenuation is provided to all residential properties to protect occupiers externally and internally from the impact of rail and industrial noise and to safeguard the health, amenity and quality of life of future residents in accordance with paragraphs 109 and 123 of the NPPF and Policy NE/15 Noise Pollution of the adopted LDF 2007

20. No dwellings or private gardens shall be sited within the residential no build/ exclusion zone as detailed on the Barton Willmore drawing 'Land at Teversham Road, Fulbourn Project, Drawing title: 50m Exclusion Zone B, dated 1st April 2014, Project No. 22403' unless and until a detailed noise mitigation strategy and/ or detailed insulation scheme to address the off-site operational noise of the Breckenwood Industrial Estate, has been submitted to and approved in writing by the Local Planning Authority. Occupation of any dwelling within the identified exclusion zone shall not take place until those works have been completed in accordance with the approved details and post installation acoustic/ noise testing to demonstrate effectiveness of the works have been certified as complete and approved in writing by the local planning authority. The scheme/ strategy shall be maintained as such thereafter.

(Reason: To ensure that sufficient noise mitigation/ attenuation is provided to all residential properties to protect occupiers externally and internally from the impact of industrial noise and to safeguard the health, amenity and quality of life of future residents in accordance with paragraphs

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109 and 123 of the NPPF and Policy NE/15 Noise Pollution of the adopted LDF 2007.)

21. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The principal areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway);
- ii. Contractor parking should be within the curtilage of the site and not on street;
- iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway);
- iv. Control of dust, mud and debris.

(Reason - In the interests of highway safety in accordance with policy DP/3 of the Local Development Framework)

22. The dwellings shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority for that use. The Plan shall be implemented in accordance with the approved details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

23. The occupation of any particular dwelling hereby permitted, shall not commence until appropriate car parking, and covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The car parking and cycle parking shall thereafter be implemented and maintained in accordance with the approved details.

(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

24. The main site access and emergency access, as shown on drawing nos: M06 E; B411/SK/09 Rev 2; B411/008 Rev 1 shall be constructed so that its falls and levels are such that no surface water from the site drains across or onto the public highway.

(Reason – for the safe and effective operation of the highway in accordance with Policy DP/3 of the adopted Local Development Framework 2007).

25. The proposed main site access and emergency access, as shown on drawing nos: M06 E; B411/SK/09 Rev 2; B411/008 Rev 1, shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

(Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007).

26. Prior to the commencement of the development, a scheme for the following highway improvement works shall be submitted to and approved in writing by the Local Planning Authority :

- i. Provide footway links to connect the existing footways in the vicinity of the site with closest bus stops to the site.
- ii. Widening of the Footway/cycleway on Hinton Road to facilitate cycle accessibility to the wider Cambridge cycle network.

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iii. Improvements to the Hinton Road/ Fulbourn Old Drift uncontrolled crossing facilities.

iv. Provide drop kerb facilities on The Maples, Birdfarm Road, The Haven, Haggis Gap and Swifts Corner junctions to ensure accessibility by pedestrians to key facilities in Fulbourn including the primary school.

The highway improvement works shall be carried out in accordance with a programme for their implementation and in accordance with the approved details.

(Reason - for the safe and effective operation of the highway in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

27. Prior to the commencement of the development, a scheme for the provision of on-site renewable energy to meet 10% of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and maintained in accordance with the approved scheme.

(Reason - To ensure an energy efficient and sustainable development in accordance with the details submitted with the application and to meet the aims of Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)

28. Notwithstanding the particulars shown on the parameters plan, the numbers of storeys and the height of the eaves and ridge above AOD of any built development hereby approved shall be determined through Reserved Matters applications.

(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

29. Prior to the occupation of any dwellings, an Electric Vehicle (EV) Charging Plan (which is integrated into the landscaping plan) shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include the details of the number, location, installation and management of EV charging points and the provision of cabling infrastructure. The Electric Vehicle Charging Plan shall be implemented in accordance with the agreed details prior to the occupation of the 50th dwelling, and thereafter maintained in accordance with the agreed details.

(Reason - In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3 - and TR/1-4)

Informatives

1. It is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

2. The development shall be carried out in accordance with the signed s106 agreement dated 25 October 2017

General

1. **Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions**

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The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website www.scambs.gov.uk. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995 [now superseded by Article 30 of the Town and Country Planning (Development Management Procedure)(England) Order 2010], a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission (or reserved matter consent).

The fee is £97 per request or £28 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of a dwellinghouse. The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website www.scambs.gov.uk (application forms - 1app forms-application for the approval of details - pack 25.)

3. It is important that all conditions, particularly pre-commencement conditions, are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.
4. In order to obtain an official postal address, any new buildings should be formally registered with South Cambridgeshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at www.scambs.gov.uk/snn. Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email address.management@scambs.gov.uk. Please note new addresses cannot be assigned by the Council until the footings of any new buildings are in place.
5. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them. The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act

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1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.

6. The applicant's attention is drawn to the requirements of the Party Wall etc. Act 1996 if works are proposed to a party wall.
7. If you wish to amend the permitted scheme, and you consider the revisions raise no material issues, you should make an application for a Non Material Amendment. If agreed, the development can go ahead in accordance with this amendment although the revised details will not replace the original plans and any conditions attached to the originally approved development will still apply. If, however, you or the Council consider the revisions raise material issues you may be able to make an application for a Minor Material Amendment. If approved, this will result in a new planning permission and new conditions as necessary may be applied. Details for both procedures are available on the Council's website or on request.
8. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from Building Control Services at South Cambridgeshire District Council. Their contact details are: tel. 03450 450 500 or building.control@scambs.gov.uk or via the website www.scambs.gov.uk.
9. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: www.surveymonkey.com/s/2S522FZ

SS Kelly

Stephen Kelly

Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

THIS PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
CAMBRIDGESHIRE

Form 4
Ref. S/0202/17/OL

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SEE NOTES OVERLEAF

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NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice except where the property is subject to an enforcement notice, where an appeal must be received within 28 days.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

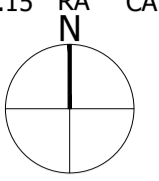
Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

The scaling of this drawing cannot be assured

Revision	Date	Drm	Ckd
A	14.07.14	AA	CA
B	24.07.14	HS	CA
C	27.08.14	HS	CA
D	17.09.14	AA	CA
E	05.01.15	RA	CA

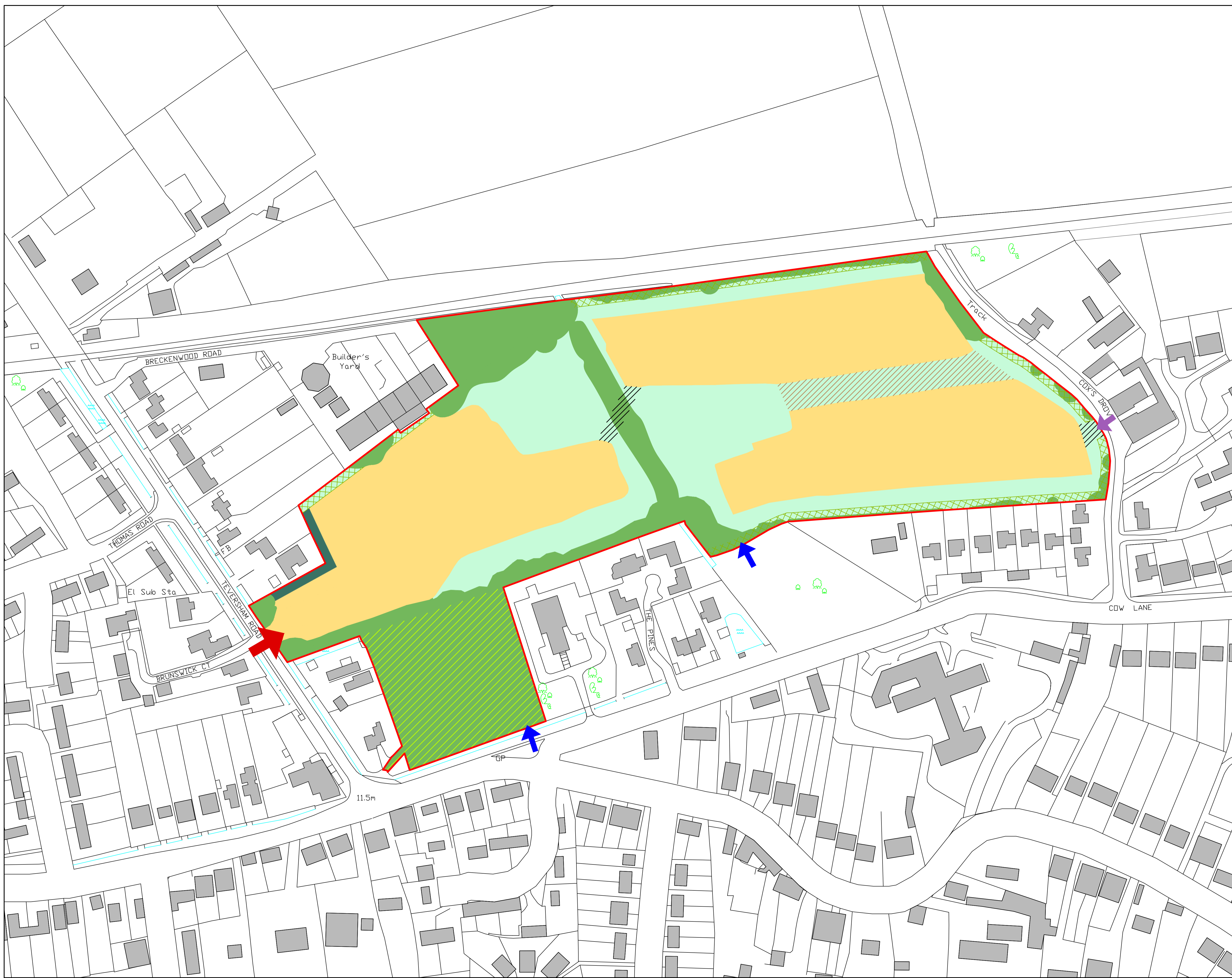


Legend

- Application Site Boundary
- Residential Development, up to 2.5 storey
Eaves height above grade - up to 6m
Ridge height above grade - up to 10.5m
- Open Space, including proposed planting, children's play areas, footpaths, boardwalks, SuDS and occasional parking
- Existing Vegetation, including root protection areas, to be retained, managed and enhanced
Note: clearance as necessary to enhance stream ecology and accommodate vehicular route as indicated and pedestrian/cycle crossings as appropriate
- Proposed Boundary Planting (included in rear gardens)
- New Boundary Planting within Open Space
- Existing Watercourse
- Zone for Vehicular Route
- Zone for up to 2 Vehicular Links
- Ornamental Garden retained and enhanced
- Primary vehicular access point
- Pedestrian/cycle/emergency access
- Pedestrian/cycle access

Area Schedule

Open Space: 1.84ha
 Existing Vegetation, including the Ornamental Garden: 1.65ha
 Proposed Boundary Planting: 0.03ha
 Residential Development: 3.33ha
 Total Site Area: 6.85ha



Project
Land at Teversham Road
Fulbourn
 Drawing Title
Parameters Plan

Date 11.07.14	Scale 1:1000@A1	Drawn by AA	Check by CA
Project No 22430	Drawing No M06	Revision E	

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APPENDIX 2

Heritage Note

LAND EAST OF TEVERSHAM ROAD, FULBOURN

1. Introduction

- 1.1 This Statement has been prepared by Barton Willmore, now Stantec in respect of an appeal ('the Appeal') made by Castlefield International Ltd ('the Appellant') against the decision of South Cambridgeshire District Council ('the Council') to refuse the reserved matters planning application S/3290/19/RM ('the Appeal Application') for "Approval of matters reserved for appearance, landscaping, layout and scale following outline planning permission S/0202/17/OL for the development of 110 dwellings with areas of landscaping and public open space and associated infrastructure works. The outline was screened and confirmed not to be EIA development" ('the Appeal Proposal') on land East of Teversham Road, Fulbourn ('the Appeal Site').
- 1.2 Barton Willmore, now Stantec was appointed by the Appellant in September 2019 to prepare a detailed heritage statement to accompany the submission of the Appeal Proposal. The Heritage Statement considered the impact of the proposals on the Fulbourn Conservation Area. Barton Willmore, now Stantec has been appointed by the Appellant to provide supporting evidence in response to the Rule 6 Party 'Save Fulbourn's Fields and Fulbourn Forum' Statement of Case.
- 1.3 This Statement has been prepared by Lorraine King, Heritage Planning Director. Lorraine has over 12 years post degree experience working across a range of heritage projects. Lorraine holds a MSc degree in European Urban Conservation and MSc in Urban Design. She is a full member of the Institute of Historic Building Conservation and sits on the Ely Diocesan Advisory Committee.

Background

- 1.4 The Appeal Application was refused by Planning Committee on 13 October 2021, against Officer recommendation for approval. There are five reasons for refusal cited on the decision notice, none of which make reference to the scheme having an impact on any heritage asset. During consideration of the application, the Council consulted the Historic Buildings Officer on the proposals. Their comments are summarised in the Committee Report (13 October 2021) as follows:

"Note the comments made by the Inspector at the appeal on this site and acknowledge that it has been accepted that

the impact on the Poor Well part of the Conservation Area will not be significant...”

- 1.5 Furthermore, the Committee Report demonstrates that no heritage concerns, including views across Poor Well, were raised by Officers during their consideration of the planning application. The Committee Report, in relation to impact on the Fulbourn Conservation Area states:

“In terms of the impact of the development on the Conservation Area, the layout of the site has retained a green buffer and landscaping along the southern and eastern boundaries of the site, as defined in the parameters plan secured at outline stage, which mitigates views outwards from the Conservation Area to the built form of development beyond. The general pattern, siting, appearance, and scale of the proposed development is considered compatible in the context of the adjacent Conservation Area, being predominantly two storeys in scale. For the larger apartment blocks, the proposed positioning of the apartment blocks with gable ends facing south towards the Conservation Area is considered to reduce the visual mass of the development in outward views northwards from the Conservation Area, although there may be a degree of conflict with the Village Design Guide as set out earlier in this report.

Overall, and subject to the recommended condition, the proposed development is considered to preserve the character and appearance and setting of relevant designated and non-designated heritage assets, with some areas of enhancement”.

- 1.6 The draft Statement of Common Ground, dated April 2022 also confirms the Council’s position in relation to the potential impact on the character and appearance of the Conservation Area, stating:

“The relationship between the proposed development and the adjacent Fulbourn Conservation Area is considered acceptable”.

2. Statement of Significance

2.1 The Fulbourn Conservation Area is a designated heritage asset protected by the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 of the Act requires that Local Planning Authorities (and by extension other decision-makers) shall pay special attention to the desirability of preserving or enhancing the character or appearance of the area when considering whether to grant planning permission.

2.2 Heritage significance is defined in Annex 2 of the National Planning Policy Framework (2021) (NPPF) as:

“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”

2.3 The NPPF definition of significance further guides that in the planning context, heritage interest may be archaeological, architectural, artistic, or historic. The definitions below are provided in the updated Planning Practice Guidance (PPG).¹

2.4 The archaeological, architectural, artistic, and historic interests of the buildings are considered below in turn together with the contribution made by their setting.

Significance of Fulbourn Conservation Area

2.5 The Heritage Statement submitted as part of the 2019 Reserved Matters application sets out in detail the heritage significance of the Fulbourn Conservation Area. This was based on the 2007 Conservation Area Appraisal which was available at the time of writing.

2.6 Since the submission of the application, the Council has consulted on an updated ‘Fulbourn and Fulbourn Hospital Conservation Area Appraisal’, which was adopted in September 2021. The key characteristics of the Conservation Area are set out in in the updated Conservation Area Appraisal (p.12) and are set out below:

¹ Paragraph: 006 Reference ID: 18a-006-20190723

- Compact village centre around the church, the Manor and High Street,
- Former farm buildings and single houses from the 18th and 19th centuries distributed across the conservation area. Large number of listed timber frame buildings,
- Development of the Waterworks in Cow Lane and associated features,
- Traditional craftsmanship, embodied in architectural features such as steeply pitched roofs, prominent chimneys, and original sash windows,
- Distinctive palette of materials – predominantly buff brick, fieldstone and render on walls, and thatch, plain clay tiles and pantiles on roofs,
- Small green spaces alongside, and at the junction of, the main streets,
- Good boundary walls, of fieldstones or brick, and extensive boundary hedges,
- Strong sense of enclosure created by twisting lanes and substantial areas of mature trees, leaving only glimpsed views of the surrounding fields,
- Rural quality of streets arising from limited highway engineering (absence of footways or kerbs, use of low-profile kerbs in traditional materials),
- Retention of small heritage assets in, and adjacent to, the public realm, including traditional signs, historic standpipes, and gates and railings.

2.7 The Poor Well area of the village is identified as a distinct character area, which is primarily derived from the development of the Waterworks in the late 19th century. The area which includes the pumping station, former gate lodge and cart wash area form a group which allow an appreciation of the history of this part of Fulbourn.

2.8 Regarding this part of the Conservation Area, the adopted Conservation Area Appraisal identifies the “open space and extensive tree planting here create a very sylvan character, and the glimpsed views of fields beyond emphasise the ‘fen edge’ quality of this area”². The landscape and open spaces assessment within the adopted Conservation Area Appraisal focusses primarily on the importance of trees as contributing to the rural character of the village, noting that the area “around the Waterworks and Horse Pond” are important within the Conservation Area.

2.9 The area known locally as ‘Poorwell Water’ is noted as being an ‘Important Open Space’ within the Conservation Area Appraisal³. However, nowhere in the document is there an assessment of the contribution it makes to the significance of the Conservation Area.

2.10 The appraisal identifies only six key views, none of which include views in to or out of the Conservation Area across the Appeal Site. The Appraisal does state that “Views out over open fields are very important to the character of Fulbourn” but acknowledges that “there

² Fulbourn Conservation Area Appraisal, p.16

³ Fulbourn Conservation Area Appraisal (p.6)

are only very limited views of the agricultural landscape from within the conservation area itself". It then goes on to note that "Generally within the conservation area, buildings, trees and high boundaries ensure that a strong sense of being contained within the village is always present".

Setting

- 2.11 This section sets out below a consideration of the contribution that the setting makes to the significance of the Conservation Area with reference to the attributes listed in Assessment Step 2 of Historic England's guidance document 'Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets' (2017).
- 2.12 In relation to the setting of the Conservation Area, the Conservation Area Appraisal refers to the "numerous roads that lead out from the village into meadows and fen surrounding the village"⁴. mainly flat open farmland to the east and north' (p.5). Paragraph 3.1.3 of the Appraisal notes that "The surrounding landscape consists of high-quality grade-II agricultural land, with large arable fields on the slopes of the rolling chalk hills to the south and mainly flat open farmland to the east and north".
- 2.13 Views outwards from the Conservation Area are limited from within the boundary, limited views are available towards the surrounding agricultural landscape. It is acknowledged that setting is not a purely visual consideration and the area to the north of the Conservation Area has no associative or functional relationship with the Conservation Area, such that it is considered that the Site makes little, if any contribution to the heritage significance of the Conservation Area. From a review of the previously prepared Heritage Statement and appeal decision demonstrates that this position has not changed since the determination of the Appeal.

3. Impact Assessment

- 3.1 The principal of development on the Appeal Site has been accepted through the granting of the outline consent. As identified above, the Appeal Site in its current form has not been identified as making any meaningful contribution to the significance of Fulbourn Conservation Area.
- 3.2 The lodge, pond, former pumping station, cart pond and Poor Well Water are the key areas within the Conservation Area that have the potential to be impacted by the Appeal

⁴ Fulbourn Conservation Area Appraisal (p.8)

Proposal. The Appeal Proposal divides the Appeal Site into three distinct character areas and are compliant with the development parcels approved at outline stage.

- 3.3 The grain of development is characterised by a mix of detached and semi-detached properties, with the scale being predominantly two storeys. The two and a half storey apartment blocks to the centre of the Appeal Site were previously considered acceptable by the Council. The apartment blocks are orientated with their gable facing south towards the Conservation Area, reducing the visual massing of these blocks within the views looking outwards.
- 3.4 There are some glimpsed views available from the Conservation Area towards the Appeal Site. However, the Appeal Proposal also includes the provision of new and additional planting within the Site, softening and screening the proposed built form. The landscaping proposals include the retention of the existing borders and hedgerows within the Appeal Site and seeks to secure the restoration of existing tracks and walkways, as well as creating new ones.
- 3.5 The introduction of new development on the Appeal Site will not materially alter the way in which the Fulbourn Conservation Area will be experienced or appreciated. By virtue of the proposed scale, landscaping, detailed design and layout of the Appeal Proposals, the impact on the character, appearance and setting of the Conservation Area is negligible and at the very worst, at the lowest end of 'less than substantial harm' with reference to the NPPF tests. This harm is significantly outweighed by the public benefits being delivered by the Appeal Proposals.

4 Rule 6 Party Statement of Case

- 4.1 Paragraphs 47 to 54 of the Rule 6 Party Statement of Case sets out a series of comments relating to the impact of the Appeal Proposal on the Conservation Area. The following section addresses these comments in turn.

Protected Village Amenity Area (PVAA)

- 4.2 It is acknowledged that the area known as Poor Well is designated as a PVAA, however this designation is not a historic environment designation and cannot be considered as such.

Contribution of Poor Well to significance of Conservation Area

- 4.3 Paragraph 48 of the Statement of Case quotes the adopted Conservation Area Appraisal: *"The paved cart wash area (the Horse Pond) is part of the group of heritage assets which enable this part of Fulbourn's history to be particularly clearly read. The open space and extensive tree planting here creates a very sylvan character, and the glimpsed views of fields beyond emphasise the 'fen edge' quality of this area"*. The Statement of Case states that the open space referenced is 'Poor Well'.
- 4.4 As noted previously, it is acknowledged that 'Poorwell Water' is identified on the Conservation Area Map (p.6) as being an important area of open space within the Conservation Area. The area of the Appeal Site around the pumping station and horse pond are located within the Conservation Area boundary. The area known as 'Poorwell Water' to the east of the House Pond is located within the boundary of the Conservation Area but falls outside the redline boundary of the Appeal Site.
- 4.5 Generally, the character of the Poor Well area is derived from the historic development of the Waterworks, with the pumping station and former gate lodge being positive features. The adopted Appraisal identifies this part of the Conservation Area as having a 'sylvan character'. The submitted plans for the Appeal Proposal showed this part of the Appeal Site as being retained as open space within the development. This area will include enhancements to the area around the pumping station, improving existing tracks, retention of trees and adding new walkways. As such that there would be no change to the character or appearance of the Conservation Area in this location and its significance will not be harmed.
- 4.6 The Statement of Case then goes on to quote the adopted Conservation Area Appraisal in relation to views, stating: *"Views out over open fields are very important to the character of Fulbourn, but there are only limited views of the surrounding agricultural landscape from within the conservation area itself"*. It then goes on to state that one of these views is the one across Poor Well and this will be lost through the implementation of the site.
- 4.7 It should be noted that whilst the Rule 6 Party consider that the view across Poor Well is significant, the adopted Conservation Area Appraisal identifies a limited number of 'key views' as being relevant in heritage terms. The views identified do not include a view across Poor Well, but rather the only view identified within the Poor Well Character Area is to the west of Poorwell Water looking northward towards the pumping station.

- 4.8 From along Cow Lane there are limited views to the landscape beyond, with a heavily planted tree line forming the northern boundary of the Conservation Area, including northwards across Poorwell Water. The boundary of the Conservation Area surrounding the pumping station and Poorwell Water is formed of mature trees and planting, giving little appreciation of the wider landscape setting of the Conservation Area which is in keeping with the assessment in the Appraisal.
- 4.9 The retention of the landscape buffer to the south of the Appeal Site, combined with enhanced planting in this area will further filter views outwards from the conservation area towards the Appeal Proposals from these areas. In particular, the area immediately adjacent to Poorwell Water is shown on the approved parameter plans as incorporating an area of open space which extends northwards through the site.
- 4.10 The refused Layout Plan (28815-P010-P4) shows development located within the parameters approved at outline stage. The Appeal Proposal will create a green corridor extending through the Appeal Site towards the agricultural landscape beyond. This combined with the stepping back of development from the southern boundary and the retention and strengthening of the existing planting ensures that any views towards the Appeal Proposals from within the Conservation Area will be limited, particularly from within the Poorwell Water area.
- 4.11 The Inspector was clear in the 2016 Appeal decision that the parameters approved at outline stage would "...only have a minor adverse impact on the setting of the conservation area and, in turn, would only have a very minor adverse impact on its significance". Given that the Appeal Proposals comply with the parameters established in the granting of outline permission, it is considered that this position would not change through the granting of consent for the Appeal Proposals.

Fulbourn Village Design Guide (January 2020)

- 4.12 The Fulbourn Village Design Guide (FVDG) has been adopted since the submission of the refused Reserved Matters application. The FVDG is a material consideration in the planning process, however it is not a consideration which is specific to the Historic Environment.
- 4.13 The FVDG notes that "...some fields have an important relationship to the village, as they provide a strong landscape setting linking countryside to the village and establish a visual relationship deep within the fabric of the built area"⁵. Figure 17 goes on to identify part

⁵ FVDG (p.8)

of the Appeal Site as being a 'Field with sensitive visual relationship with the Village' (Figure 17, p.9). Notwithstanding this, there is nothing within the Design Guide which sets out an assessment in relation to this part of the Appeal Site.

- 4.14 Paragraph 5.6 of the FVDG notes 'Specific fields identified in Figure 17 contribute to the characteristic short distance views from inside the village to open landscape, and therefore have a sensitive visual relationship with the village. These open views should be sustained and enhanced'. The FVDG also provides some 'Additional Guidance' for a series of sites within the village, including the Teversham Road Site, which again notes 'Key Long-Distance Views' across Poorwell Water towards the centre of the Appeal Site.
- 4.15 As previously noted, and as set out in the adopted Fulbourn Conservation Area Appraisal "*...there are only limited views of the surrounding agricultural landscape from within the conservation area...*". As such, it is considered that the significance of the views identified in the FVDG holds limited weight in heritage terms and the assessment of harm arising from the Appeal Proposal would continue to be at the lowest end of 'less than substantial harm' to the significance of the Fulbourn Conservation Area.

5. Policy Context

Legislation

- 5.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities (and decision-makers) to have regard to the desirability of preserving or enhancing the character or appearance of the area when considering whether to grant planning permission. The Appeal Proposals would preserve the character and appearance of the Fulbourn Conservation Area and therefore meets the statutory test set out at Section 72 of the 1990 Act.

Local Plan Policy

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The Development Plan for South Cambridgeshire District Council is comprised of the adopted Local Plan (2018). Policy NH/14: Heritage Assets is the relevant Historic Environment Policy. The policy states that development proposals will be supported where:

**“(1).a. They sustain and enhance the special character and distinctiveness of the district’s historic environment, including its villages and countryside and its building traditions and details;
(1).b. They create new high-quality environments with a strong sense of place by responding to local heritage character, including in innovatory ways;
(2)...they sustain and enhance significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the NPPF”.**

National Planning Policy Framework 2021 (NPPF)

- 5.4 Paragraph 194 of the NPPF requires applicants to describe the heritage significance of heritage assets potentially affected by proposed development. This should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 190 places an onus on local planning authorities to identify and assess the significance on any heritage asset that may be affected, and to take this assessment into account when considering the impact of a proposal.
- 5.5 Paragraph 197 states that local planning authorities, in determining planning applications, should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.6 Paragraph 199 advises that great weight should be given to an asset’s conservation; the more important the asset, the greater this weight should be. It goes on to state that significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any such harm or loss should require clear and convincing justification.
- 5.7 Paragraphs 201 and 202 set out two decision-making tests where proposals would lead to substantial and less than substantial harm respectively. Paragraph 202 guides that where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 5.8 Paragraph 206 guides local planning authorities to look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 5.9 Implementation of the NPPF is supported by the Planning Practice Guidance (PPG), 2014 with updates.

6. Conclusion

- 6.1 Change, including development, can sustain, enhance, or better reveal the significance of an asset as well as detract from it or leave it unaltered. The design of a development affecting the setting of a heritage asset may play an important part in determining its impact. The contribution of the setting to the historic significance of an asset can be sustained or enhanced if new built form buildings are carefully designed to respect their setting by their scale, proportion, height, massing, alignment, and use of materials.
- 6.2 As previously noted, the principle of development on the Appeal Site has been established through the granting of the extant outline planning consent. In granting consent, the Inspector considered that the resulting impact on the significance of the Fulbourn Conservation Area would be at the “bottom end of the ‘less than substantial harm’ range”⁶. The Committee Report for the Outline Planning Application in 2017 relies heavily on the comments received from Historic England, stating *“English Heritage advise that the development parameters of the indicative masterplan would have some adverse impact on the character and appearance of the conservation area through the loss of the current rural appearance of the area and consider the extent of harm ‘limited’*. Officers go on to conclude that *“...the development of this site will impact adversely on the setting of Fulbourn Conservation Area, but the extent of harm is not ‘less than significant’ and can partly be mitigated through the site layout and landscape details”*.
- 6.3 The Appeal Proposals have been designed in accordance with the parameters established in the granting of Outline Planning Permission. As such, the Appeal Proposals would result in no worse impacts that were assessed in 2017. No built form is proposed within the boundary of the Conservation Area and the Appeal Proposals include enhancements to the existing open space within the Conservation Area. For the reasons outlined above, development of the Appeal Site as per the description of development and as detailed in

⁶ Inspectors Report APP/W0530/W/15/319730

the submitted plans, would enhance the character and appearance of the Fulbourn Conservation Area, meeting the statutory test at Section 72 of the 1990 Act.

- 6.4 The remainder of the Appeal Site is located to the north of the Conservation Area boundary and whilst it is acknowledged that the Appeal Site forms part of the landscape setting to the Conservation Area; it shares no associative or functional relationship and makes a limited contribution to its heritage significance. By virtue of the proposed scale, landscaping, design, and layout the impact of the Appeal Proposals on the setting of the Conservation Area would be minimal, resulting in a low level of less than substantial harm to the significance of the Conservation Area.
- 6.5 The proposals are therefore considered to be in accordance with national heritage planning policy objectives and the local development plan.

APPENDIX 3

Stakeholder Responses to Additional Drainage Information

Designing Out Crime Officer Comments	Status
<p>Access Control Flats - It would be good to see what access control and visitor entry systems are being proposed for the apartment blocks – our recommendation is audio/visual visitor entry to allow the residents to see and speak to visitors prior to allowing access. There should be no trade buttons or other electronic release mechanisms.</p>	<p>Given security requirements at the blocks, a system as described are similar would likely be used.</p>
<p>Cycle Store Flats – Block C & C1 - I have concerns surrounding the positioning of this cycle store behind parking bays 26-28? I would strongly recommend that this store is moved to a more visible location, ideally cycle stores for flats/apartments should be positioned within the internal building.</p>	<p>The separate cycle block makes best use of land and faces the two blocks C and C1, allowing a significant level of natural surveillance.</p>
<p>Cycle Storage and Security (Apartments blocks A & B) – Enclosed cycle store – It would be good to see an enhanced design for the cycle store. Cycle store doors should be enhanced security door-sets LPS 1175 SR2 fitted with self-closers and a thumb turn for egress to ensure that people cannot be locked in. These should be access controlled for resident access only, this will help reduce fly-tipping and unauthorised entry by rough sleepers. There should be no visibility inside the stores to prevent criminals viewing the cycles. Stands should be secured (cemented 300mm) into the ground (not bolted down) as per Secured by Design guidelines. If this isn't possible Cycle parking for residents should be within view of active windows. Minimum requirements for such equipment are:</p> <ul style="list-style-type: none"> ➤ Galvanised steel bar construction (Sheffield stands). ➤ Minimum foundation depth of 300mm with welded 'anchor bar' ➤ The cycle stands must facilitate the locking of both wheels and the crossbar. <p>Clarification required what construction will these doors be? – not hit and miss!</p>	<p>Given security requirements, access to the cycle stores will be for residents only. The ground floor layout shows the lack of openings to prevent views into the store. Internal stands can be provided as described.</p>
<p>Bin Store - (Apartments) - External doors LPS 1175 SR2 security doors with residential access control, be fitted with self-closers along with internal thumb turns for easy egress to ensure people cannot get trapped inside. (Refuse collection service to be provided with fob access to empty). More clarification required.</p>	<p>Details of security doors can meet the requirements of the Designing Out Crime Officer. Bins for Apartment Block A would be collected to the east of the Apartment and therefore would not require fob access for the refuse collection service.</p>
<p>Parking Courts Block's A & B – there is limited natural surveillance from habitual rooms overlooking the parking court's, this could increase</p>	<p>The layout ensures that parking spaces are visible from surrounding windows. The Council's Urban Design Officer had highlighted concerns regarding</p>

<p>their vulnerability to crime in addition to the lack of lighting.</p>	<p>windows looking directly at parking spaces given perceived loss of amenity.</p>
<p>Flats - Mail delivery – Ideally external post boxes TS009 with restrictor or will they be fitted within a secure lobby.</p>	<p>This detail will be agreed through detailed design. There is space within the lobby for delivery boxes to be provided.</p>
<p>Sheds for Cycle storage gardens – The design problems that we are trying to prevent are cycle hoops bolted into the ground; they need to be cemented 300mm into the floor or as a minimum sold secure gold ground anchors cemented into the floor. I would like to see a copy of the design for this structure when available.</p>	<p>Planning policy requires a secure building for cycle storage. It does not require a hoop to be incorporated, given the shed itself is a lockable feature.</p>
<p>Pedestrian Access to Rear – The access footpath servicing plots 93,94,99 & 100 this has the potential to make not only these four gardens vulnerable to the risks of crime but also plots 95-98, the majority of dwelling burglaries are committed via rear gardens. I would recommend that 300mm of trellis is installed on top of the fence to plots 94 – 99.</p>	<p>Access paths to the rear were requested by the Council’s Urban Design Officer. There are no issues to a condition requiring trellising to the fencing as described if considered necessary.</p>
<p>Residents Private Parking - Consideration should be given to reducing the height of the rear fence to plot 33 this property has a vehicle space to the rear of the property, but have no clear visibility over vehicles, reduce fence to 1.5m with 300mm of trellis to increase surveillance over the parking spaces. Plot 37 has no sight of their vehicles and ultimately will end up parking elsewhere, with the potential to either cause a nuisance on the street scene or neighbour disputes, is there any way this can be relocated?</p>	<p>The layout does not allow for the relocation of parking space 37. Verge planting seeks to discourage parking around the plot and use of the designated space. There are no issues to a condition requiring fence height in the identified areas as described if considered necessary.</p>
<p>Footpaths – Whilst I understand the Health and Wellbeing agenda is designed to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. There is a fine balance between this and vulnerability for crime, I am mindful that there are a number of footpaths on this small development, that could provide easy egress for potential criminals. Footpaths should be straight with clear visibility, the landscaping along these paths should be maintained, trees the crowns should be raised to 2m. The footpath should be lit by columns to BS5489-1:2020 and care should be taken not to place columns within 5m of trees to reduce conflict and damage, the plan shows bollard and up-lights along the soft landscaping. Bollard lighting is only appropriate for wayfinding and should not be used as a primary</p>	<p>The proposed footpaths are generally gently curved in nature to avoid formality. The majority of the footpaths are set in open space and therefore remain good visibility. They are also set in close proximity to properties to allow levels of natural surveillance. Paths within the Meadow Park will pass a level of tree planting. However, there is adequate natural surveillance from the north and south in this area.</p>

lighting source for any roads, parking areas or footpaths, where they are also prone to damage.	
Lighting – Whilst I have looked at the External lighting plan including calculations and lux levels I do have concerns the plan doesn't mention standards and whilst there are columns, Bollards and wall mounted details enclosed, looking at the positions on the plan there are still vulnerabilities within the development.	Formal lighting details are required to be discharged through condition 18 of the Outline Planning Permission S/0202/17/OL. This condition has yet to be discharged and can therefore incorporate the comments made.

Natural Environment Landscape Consultation Comments	Status
We don't have any comments on the surface water modelling itself but note that it shows that large parts of the shared, soft landscape areas will have surface water flooding and this will affect the planting and have an impact on maintenance regimes and the use of the spaces. Please re-consult the landscape team if the appeal decision is changed on the basis of the new information and the application goes forward, because planting strategies and other previously submitted landscape information may need review in light of the new surface water drainage information.	The surface water modelling information does not in essence affect the levels of water and the planting regime across the site. The circumstances for the planting remains as per the submission, with the location and species proposed unaffected by this additional work.