

The erection of a new build teaching block, removal of temporary classroom building and associated works.

At: Teversham Primary School, Church Road, Teversham, CB1 9AZ

Applicant: Cambridgeshire County Council

Application Number: CCC/23/100/FUL

To: Planning Committee

Date: 19 June 2024

From: Head of Service, Planning and Sustainable Growth

Electoral division: Fulbourn

Purpose: To consider the above planning application

Recommendation: That permission is granted subject to the conditions set out in paragraph 12.1

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1. Introduction / Background

- 1.1 Teversham Pre-school is situated within the grounds of Teversham Church of England (C of E) Primary School. The pre-school has been run by the Primary School since 2019. Section 27 of the Education Act (2002) allows schools to provide any charitable purpose (such as early education) for the benefit of families of pupils at the school, or families who live or work in the locality of the school. The school is voluntary aided which means the land and buildings belong to the diocese. The early years provision operates as part of the school's registration and the staff are employed by the County Council. The pre-school is considered to be a maintained school for the purposes of the Children and Families Act 2014 (legislation.gov.uk) and Paragraph 99 of the National Planning Policy Framework 2023.
- 1.2 The application seeks planning permission for a permanent building for use as a pre-school in association with Teversham C of E Primary School. The new building would replace an old and dilapidated temporary pre-school building that was condemned as unsafe for use and was removed from the school site.
- 1.3 The site of the proposed new building is partly within the Cambridge Green Belt, partly outside the defined village framework of Teversham (partly in the countryside in policy terms) and within the Conservation Area and is a departure from the South Cambridgeshire Local Plan (2018). This application is being brought before members because the Council's scheme of authorisation states that development proposals that constitute a major departure from the development plan must be decided by Planning Committee members.

2. The Site and Surroundings

- 2.1 The village of Teversham is located approximately four miles east of the city of Cambridge and less than a mile from the northern edge of the village of Cherry Hinton and is within the administrative boundary of South Cambridgeshire District Council.
- 2.2 The Teversham C of E Primary School site is located to the north-west edge of the village of Teversham and comprises an extended main school building, three temporary mobile classrooms, playground and grassed areas, wooded area and car park with vehicular and pedestrian access provided off of Church Road. The school currently has 180 pupils from early foundation year to year 6.
- 2.3 The application site (the site) is approximately 0.07 ha of land within the wider Teversham C of E Primary School site, to the west of the main school building and to the south of the site boundary. The site is currently a mix of grassland, small woodland, paved footpath, fenced areas, pedestrian access gates and covered cycle/scooter store. The site is used as a throughfare for pedestrians to the existing temporary pre-school building located to the rear of the main school building.
- 2.4 The site is bounded to the south and west by a mature hedgerow and trees fronting onto Church Road and Airport Way which are both C class roads. To the south of the site, on the opposite side of Church Road are four residential dwellings (no's 27, 29, 31 and 33 Church Road) with the nearest dwelling being 46 metres away from the proposed new

building. To the east are the main school buildings and school car park, to the north are the outdoor play areas and the existing temporary pre-school building, and to the west, beyond Airport Way is Cambridge Airport land and its runway.

- 2.5 The Primary School entrance and access is close to the eastern boundary and borders the residential curtilage of the Grade II Listed building 'The Rectory' (No. 30 Church Road, Teversham), which is approximately 66m away from the proposed new building and unlisted No. 24 Church Road 124m away. Further east is All Saints' Church a Grade II* Listed Building, Grade II War Memorial 206m away, 6 Church Road and Teversham Hall both Grade II Listed Buildings. The primary school building is considered to be a non-designated heritage asset (NDHA) as confirmed by South Cambridgeshire District Council's Conservation Officer.
- 2.6 The application site is within the Teversham Conservation Area, partly within the village framework boundary, partly within the countryside and partly within the Cambridge Green Belt which forms a green corridor between Teversham and the new village of Springstead.
- 2.7 There are several trees within the application site that are protected by virtue of being located within the Conservation Area. The established boundary hedging to the south and west of the application site is identified as a positive hedgeline within the Teversham Conservation Area Draft Council Policy 2006.
- 2.8 Wilbraham Fen a Site of Special Scientific Interest (SSSI) is located 1.8km to the north east of the site. The site is in the proximity to the following county wildlife sites (CWS): Airport Way RSV is 0.062km to the south, Teversham Drift Hedgerow is 1.2km to the south west, Low Fen Drove way 1.7km to the north, Coldham's Common 1.6km to the west and little Wilbraham River 2.4km to the east.
- 2.9 The site is located within Flood zone 1 which is land least susceptible to flooding.
- 2.10 The site is also located within the civil aviation safeguarding area for Cambridge Airport.

3. The Proposed Development

- 3.1 This is a Regulation 3 planning application for the erection of a new permanent pre-school building. The new pre-school building is required to replace a temporary mobile building used by the pre-school which was located to the north of the application site, within the wider primary school site. Following the submission of this application the old pre-school building was found to be in a state of disrepair and unsafe and was removed for health and safety reasons. A replacement temporary pre-school building has been installed in its place to provide for the existing pre-school children. This application seeks to provide a permanent pre-school building to meet current building regulations and Cambridgeshire County Council and Department for Education guidance (DfE) for standalone pre-school buildings. If this application is approved and implemented, the existing temporary mobile pre-school building will be removed, and the vacant area will be incorporated into the outdoor play space with new landscaping.

- 3.2 The existing pre-school building has capacity for 26 part-time places and operates five days a week in term time, from 8:45am to 3:15pm. As of February 2024, there were 17 children under the age of 5 attending the pre-school. The new building would have the dimensions of 15.5 metres by 16.2 metres, with a flat roof enclosed by parapet walls and would measure 4.2 metres in height. The building would provide approximately 176 square metres of internal floorspace forming a play/group room, toy/play store, toilets, corridor/cloakroom, kitchenette, disabled toilet, office, reception/waiting area and plant room.
- 3.3 The submitted plans show the proposed building would be finished with brickwork to the majority of the elevations and cladding would wrap around the external elevation to the entrance and reception (front elevation) area. The windows would be made of powder-coated aluminium with double glazed top hung casement units in Anthracite. The doors would be powder-coated aluminium double glazed casement units with canopies above. Gutters and downpipes are shown as aluminium downpipes with rectangular hoppers. Heating will be provided via an air source heat pump (ASHP). The proposals seek to provide an improved, permanent environment for children and staff, and it is not intended to increase pupil numbers.
- 3.4 The new building would be positioned in line with the front elevation of the original primary school building. Access to the building will be via the front of the primary school site with vehicle parking and bike/scooter storage shared with the existing primary school. As there will be no increase in pupil numbers the vehicle parking and bike/scooter storage will remain as existing.

4. Planning History

- 4.1 The planning permissions relevant to this site and the wider primary school site are shown in the sections below:

Permissions granted by South Cambridgeshire District Council (SCDC), now Greater Cambridge Shared Planning (GCSP):

- 4.2 S/3463/16/VC – Variation of condition 1 of planning permission S/3043/14/VC, seeking extension to temporary permission to retain the pre-school mobile classroom until 31st August 2022. Granted 29.03.2017.
- 4.3 S/2210/16/FL – Change of use from residential (C3) to education facility (D1). Granted 30.09.2016. This relates to the headmasters' house and residential curtilage (32 Church Road) which is now used as part of the primary school for educational purposes.
- 4.4 S/3043/14/VC – Variation of condition application seeking extension to temporary permission. Granted 09.07.2015.
- 4.5 S/0979/10/F Temporary classroom (Renewal of period of consent S/2427/05/F) for use by Teversham Playgroup. Granted 18.08.2010.
- 4.6 S/1766/09/F – Retention of two mobile classrooms – Granted 09.02.2010.

- 4.7 S/2427/05/F - Temporary classroom (Renewal of period of consent S/2422/03/F) for use by Teversham Playgroup. Granted 15.02.2006.
- 4.8 S/2422/03/F – Extensions to staff room and covered play area and relocation of mobile classroom (until 7th March 2006) and shed. Granted 07.01.2004.
- 4.9 S/0078/03/F – Mobile Classroom. Granted 07.03.2003.
- 4.10 S/0784/95/F – Extension to hard play area, retention of a mobile unit and siting of mobile unit. Granted 13.07.1995.
- 4.11 S/0877/91/F – Mobile classroom. Granted 28.06.1991.
- 4.12 0785/76/F – Erection of a temporary classroom – Granted 03.08.1976.

Tree works applications granted by SCDC:

- 4.13 24/0059/TTCA – G.1-Mixed Elder and Lilac – Fell to ground level for a container to be placed. Did not object. 21.02.2024.

Permissions granted by Cambridgeshire County Council:

- 4.14 CCC/22/150/FUL – Installation of a mobile block of two classrooms, access steps and ramp for a temporary period. Granted 23.03.2023.
- 4.15 S/01715/01/CC – Improvements to site access, fencing and car park arrangements. Granted 31.10.2001.
- 4.16 S/01803/00/CC – Extension to form 2 no. classrooms. Granted 07.02.2001.
- 4.17 S/01580/83/CC – Erection of extensions. Granted 28.02.1984.

5. Publicity

- 5.1 The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by means of a notice published in the Cambridge News on the 7 December 2023.
- 5.2 A site notice was displayed on the Primary school access gates fronting Church Road on the 14 December 2023.
- 5.3 Discretionary neighbour notification letters were sent to 16 neighbouring properties in the vicinity of the Primary School site.

6. Consultation Responses

- 6.1 The following section contains a summary of the consultation responses received; the full responses are available on the Council's public access planning webpages.
- 6.2 Greater Cambridge Shared Planning (GCSP) – No objection. The LPA considers the development would be acceptable development in the Green Belt.
- 6.3 GCSP Conservation Officer – No objection, confirmed the siting and design of the building would cause some harm to the setting of the Conservation Area and non-designated heritage asset by way of the buildings design and location, identified the level of harm as being low (less than substantial).
- 6.4 GCSP Trees and Landscapes Officer – Made no recommendation, identified that the proposed building will encroach into the root protection zones and canopies of a category C Ash tree (T1) and category B Field maple (T3) which contribute to the setting and character of the Conservation Area. Stated that the trees will be significantly affected by the new building even if foundations are piled. Noted that T1 has been enclosed with a timber sleeper wall and astro turf which is likely to have a detrimental effect constraining the roots, routes for water and air. Requested further information on the red line site boundary, a commitment to improving the playground to compensate for loss of play area and green space and a diagrammatic plan showing the extent of the playground and scope of proposed improvements. Also requested that further details should be confirmed through pre-commencement conditions relating to hard and soft landscaping, replacement tree planting, a long-term tree strategy, method statement and tree protection plan; and a drainage strategy coordinated with all other utilities and retained trees.
- 6.5 SCDC Climate, Waste and Environment, Contaminated Land – No objection, identified the use of the site as being sensitive to contamination from the adjacent Cambridge Airport site. Recommends a condition restricting works and the submission of should any contamination be identified during the development.
- 6.6 SCDC Environmental Health - No objection, subject to a condition requiring the submission of a noise assessment and any noise insulation/mitigation as necessary for the Air Source Heat Pump (ASHP), for the written approval of the Local Planning Authority prior to installation.
- 6.7 Cambridgeshire County Council (CCC) Historic Environment Team (Archaeology) – No objection.
- 6.8 CCC Highway Development Management – No objections, subject to conditions requiring the submission and written approval of a Traffic Management Plan prior to the demolition and construction works taking place.
- 6.9 CCC Biodiversity and Greenspaces Team – No objection subject to conditions requiring the submission of a Construction Environmental Management Plan (CEMP), Hard and Soft Landscape Scheme, Landscape and Ecological Management Plan (LEMP), Lighting Design Strategy for Biodiversity,

- 6.10 CCC Transport Assessment Team – No objection, advised that the application as submitted includes all the required information, recommended that investments are made to ensure new safe and secure cycle and scooter parking provisions at the school as there may be a deficit in the future.
- 6.11 CCC Climate Change and Energy Services – No objection subject to a condition requiring further details of the ASHP.
- 6.12 Cambridge City Airport – No objection, subject to a condition specifying the type of lighting used for construction and the completed development, to ensure there is no light spill above the horizontal.
- 6.13 Historic England – Did not offer any advice, suggested seeking the views of specialist conservation and archaeological advisers.
- 6.14 Teversham Parish Council – No objection.

7. Representations

- 7.1 Two letters of support were received from members of the public.
- 7.2 A copy of the full representations will be shared with members of Planning Committee one week before the meeting.

8. Planning Policy

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that “in dealing with an application for planning permission the authority shall have regard to the provisions of the development plan, so far as material to the application and any other material considerations.” Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” The relevant local plan policies from the development plan are within the South Cambridgeshire Local Plan (adopted September 2018).
- 8.2 All key policies in the development plan, which are material to the determination of the application are set out in paragraphs 8.6 to 8.8 below. The National Planning Policy Framework updated in December 2023 is also a material consideration, as is the Governments Planning Practice Guidance.
- 8.3 The National Planning Policy Framework (December 2023) (NPPF) sets out the Government’s planning policies and how these are expected to be applied. At its heart is a presumption in favour of sustainable development (paragraph 11). It states that

“For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out of date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.”

8.4 Paragraph 2 of the NPPF reminds us that “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.” Paragraph 8 sets out three interdependent overarching objectives of the planning system to achieve sustainable development: economic, social and environmental.

8.5 Other paragraphs of the NPPF considered to be relevant to the proposal are listed below and set out in full in Appendix 1.

- Paragraph 11 The presumption in favour of sustainable development
- Paragraph 38 Decision-making
- Paragraphs 56 Planning conditions and obligations
- Paragraph 96 Promoting healthy and safe communities
- Paragraph 99 Ensuring a sufficient choice of school places
- Paragraphs 108, 109 Promoting sustainable transport
- Paragraphs 115 -116 Considering development proposals – highway safety
- Paragraph 123 Making effective use of land
- Paragraphs 135 -136 Achieving well-designed and beautiful places
- Paragraphs 142, 143 Protecting Green Belt land
- Paragraphs 152 -155 Proposals affecting the Green Belt
- Paragraphs 157, 159, 162, 164 Planning for climate change
- Paragraph 173, 174 Planning and flood risk
- Paragraph 180 Conserving and enhancing the natural environment
- Paragraph 186, 188 Habitats and biodiversity
- Paragraphs 189 & 191, Ground conditions and pollution
- Paragraphs 201, 203, 205, 206, 208, 209 and 212 Proposals affecting heritage assets/Considering potential impacts.

8.6 South Cambridgeshire Local Plan, adopted September 2018 (SCLP),

The following Policies are relevant to this application:

- S/1: Vision
- S/2: Objectives of the Local Plan
- S/3: Presumption in favour of Sustainable Development
- S/4: Cambridge Green Belt
- S/6: The Development Strategy to 2031
- S/7: Development Frameworks
- S/10: Group Villages (includes Teversham)
- CC/1: Mitigation and Adaptation to Climate Change

- CC/3: Renewable and Low Carbon Energy in New Developments
- CC/4: Water Efficiency
- CC/6: Construction Methods
- 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/4: Biodiversity
- NH/7: Ancient Woodlands and Veteran Trees
- NH/8: Mitigating the Impact of Development in and Adjoining the Green Belt
- NH/9: Redevelopment of Previously Developed Sites and Infilling in the Green Belt
- NH/10: Facilities for Recreation in the Green Belt
- NH/13: Important Countryside Frontage
- NH/14: Heritage Assets
- SC/4: Meeting Community Needs
- SC/9: Lighting proposals
- SC/10: Noise Pollution
- SC/11: Contaminated Land
- TI/2: Planning for sustainable travel
- TI/3: Parking provision
- T1/6: Cambridge Airport Public Safety Zone
- T1/9: Education Facilities

8.7 Other relevant planning documents are:

South Cambridgeshire – Supplementary Planning Documents (SPD's):
 District Design Guide – Adopted March 2010
 Development Affecting Conservation Areas – Adopted January 2009
 Listed Buildings – Adopted July 2009
 Trees and Development Sites – Adopted March 2010
 Greater Cambridge Shared Planning Biodiversity – adopted 2022
 Sustainable Design and Construction – Adopted January 2020
 Cambridgeshire Flood & Water Supplementary Planning Document (adopted 14 July 2016) (the FWSPD).
 Teversham Conservation Area – Draft Council Policy (ref: DCV 0039) - 2006

8.8 Emerging Local Plan update: Greater Cambridge Local Plan recently revised the timetable for the proposed submission consultation (formal 30-month process) to start by autumn/winter 2025. As the plan review is at an early stage it is not considered to carry any weight in the determination of this application.

9. Planning Considerations

9.1 The main planning issues relevant to the proposed development are: Justification of Need; the Principle of the Development; Development in the Green Belt; The impact on the character and appearance of the Conservation Area, Listed Buildings and NDHA (Design, Visual Impacts, Trees); Biodiversity; Transport and Highway Safety; Residential

amenity impacts; Flood risk and surface water drainage; and Sustainability and climate change.

Justification of Need

- 9.2 The pre-school within the temporary mobile classroom currently has capacity for 27 part-time places. As of February 2024, there were 17 children attending the pre-school facility and this level of provision would be retained with the new permanent pre-school building.
- 9.3 The application is supported by a Regulation 3 letter, planning design and access and heritage statement, Green Belt statement and supporting statement which demonstrate that there is an identified need for the new pre-school building. The supporting statement sets out why the new building needs the dedicated areas and facilities described in paragraph 3.2 above, and explains that the amount of proposed floor space is a legal requirement for the educational use. The Planning Statement also explains that all other options to extend the existing building have been explored and provides justification as to why the building cannot be located elsewhere within the site. The reason for choosing this proposed location includes the need to retain as many of the protected trees along the boundary of the site as possible, and to ensure that the sports facilities and outdoor play space for the pre-school and primary school children are provided and retained. Currently staff have to escort children and parents to the pre-school building at the back of the site to ensure safeguarding of the pre-school and primary school children. Locating the pre-school building to the front of the wider primary school site will also provide a direct secure access to the facility without the need to walk through the school site. This has an additional benefit as drop off and pick up times for the pre-school differ to the primary school.
- 9.4 From April 2024, all working parents of 2 year olds can access 570 hours per year of funded childcare (15 hours per week). From September 2024, all working parents of children 9 months up to 3 years old can access 570 hours per year of funded childcare (15 hours per week). Then from September 2025 this will be further extended to 30 hours per week.
- 9.5 The pupils attending the pre-school are likely to filter into the primary school, helping to maintain the provision of primary school places within Teversham. The submitted supporting documents demonstrate that there is an established demand for primary school and pre-school places in the local community and, as noted above, with government support for free childcare places there will be a higher demand for pre-school places. The Department of Education has confirmed that (pre-school) nurseries fall within the broad definition of education infrastructure and as such 'great weight' can be attached to the need for a pre-school in accordance with Paragraph 99 of the NPPF 2023, subject to Local Plan policies and relevant material considerations. It was noted in Paragraph 1.1 above that Teversham pre-school is maintained, which strengthens the argument that Paragraph 99 of the NPPF applies and great weight should be given to the provision of the pre-school. The following sections of the report will now consider the relevant Local Plan policies and material planning considerations.

The Principle of the Development

- 9.6 Paragraphs 7 and 8 of the NPPF seek to ensure that development proposals are sustainable, and Paragraph 99 highlights the importance of providing sufficient choice of school places to meet the needs of existing and new communities.
- 9.7 SCLP spatial planning Policies S/1, S/2, S/3, S/6, S/7 and S/10 seek to steer appropriate development proposals to within defined village frameworks and to limit development in the countryside to other specific opportunities for development provided for within the Local Plan such as; allocations within adopted Neighbourhood Plans, development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or, to development that is supported by the 'other policies' in the Local Plan. In this instance, a large part of the footprint of the building (136m²) would be within the village framework. This part of the proposal would align with paragraphs 7, 8 and 99 of the NPPF and are also consistent with SCLP policies S/1, S/2, S/3, S/6, S/7 and S/10 and T1/9 which support educational facilities that contribute to an environment (built and social) in which communities can flourish. This is given great weight in the determination of the application.
- 9.8 Part of the footprint of the proposed new building (40m²) and the outdoor play space would fall outside of the village framework, within the countryside (in policy terms) and within the Cambridge Green Belt, consideration of the impact of that part of the development needs to be undertaken. These, and other material considerations, are discussed in the following paragraphs and concluded within the concluding section on Planning Balance at the end of this report (Section 11).

Development in the Green Belt

- 9.9 Part of the proposed new building comprising the play/group room (40m²) and the outdoor play area would fall outside of the village framework, partly within the countryside (in policy terms) and partly within the Cambridge Green Belt. The extent of the Green belt that wraps around the main school buildings and part of the application site as shown on drawing 'Green Belt Proposed', reference DR-A-2015 included at the end of this report (Appendix 2). The following paragraphs consider the purpose of the Green Belt, whether the proposal is inappropriate development within the Green Belt, whether there are any harmful impacts on the openness of the countryside and Green Belt and whether the impacts are outweighed by other material planning considerations (i.e. if very special circumstances exist).
- 9.10 Purpose of the Green Belt: Paragraph 142 of the NPPF states 'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open' and advises that openness and permanence are essential characteristics of Green Belts. The concept of openness has both spatial and visual dimensions. Paragraph 143 states that the Green Belt serves the following purposes: 'a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regenerations, by encouraging the recycling of derelict and other urban land.'
- 9.11 The character of this part of the Cambridge Green Belt is defined by the established educational use which is enclosed by established boundary hedging and trees along the south and west boundaries of the school site. The application site is used as a

throughfare for staff, parents and children to the temporary pre-school building at the rear of the main school building. The application site is devoid of any significant permanent structures other than small storage sheds and fencing/gates and scooter/cycle store and is clearly read as part of the wider occupied school site. The existing boundary hedging and trees create a feeling of enclosure, separating the site from the wider open space within the Green Belt. It is considered that this part of the site does not meet the essential characteristics of Green Belt as described within Paragraph 142, development in this location would clearly relate to the existing buildings and existing built-up area.

- 9.12 Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Paragraph 153 goes on to set out that substantial weight should be given to any harm to the Green Belt and that the 'very special circumstances' for approval will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. Paragraph 154 confirms that the construction of new buildings (as proposed here) is inappropriate development and although it goes on to provide a list of exceptions, the provision of a permanent pre-school building does not fall within the exceptions. The development is therefore considered to be inappropriate development in the Green Belt.
- 9.13 As described above, the character of this part of the countryside and Green Belt is not open. Observations of the school site which were undertaken in the winter months when vegetation is at its sparsest confirmed that the existing screening provided by the mature landscaping, along with the flat topography of the site and its immediate surroundings, mean that the proposed development would not be highly visible in the wider landscape. Whilst there would be public views of the building for its users, any perceived change to the openness of the countryside and Green Belt would be largely restricted to within the application site itself. The part of the built development that encroaches into the Green Belt is not considered to be 'unrestricted sprawl' and although there would be a loss of openness within the site, there is no conflict with Green Belt purpose (a) set out in Paragraph 143 of the NPPF.
- 9.14 Paragraph 180 of the NPPF seeks to protect, enhance and recognise valued landscapes and the intrinsic character of the countryside. SCLP policies S/6 and S/7 seek to limit development outside of village frameworks to certain types of development that have a need to be located in the countryside or where supported by other policies in the Local Plan. The proposed new building would be located partly within the village framework and partly within the countryside and support for such education facilities is provided within SCLP Policy T1/9 and Paragraph 99 of the NPPF. The proposals would have a very limited adverse impact on the purpose of safeguarding the countryside from encroachment because the development would be within the existing primary school site which is both contained and well screened. Therefore, any encroachment of the development on the wider countryside would again be low and limited to views within the site. For these reasons, the proposed development would not impact on the existing degree of separation to the surrounding villages and would not conflict with Green Belt purposes (b) and (c) of Paragraph 143 of the NPPF.
- 9.15 In terms of purpose (d), the proposals would result in the loss of two trees within the site and facilitating works to two other important trees which form part of the boundary hedge line. These trees positively contribute to the visual amenity of the area, and are

important features in the rural countryside setting of Teversham. The proposals have been considered in consultation with SCDC's specialist Tree and Landscapes Officers who confirmed the removal of the trees, and the facilitating works would have a negative impact on screening the development, although the majority of trees surrounding the site will remain and would be protected during construction (secured by condition). In addition, 6 new trees will be provided which will continue to screen the edge of the site boundary (secured by condition). The loss of the trees is regrettable and would result in harm to the boundary hedge line and in turn fail to preserve the setting and special character of historic towns (Teversham), contrary to purpose (d) and SCLP Policies S/6 and NH/8. However, the level of overall harm and conflict would be low given the replacement trees proposed.

- 9.16 In terms of purpose (e), the proposals would assist in regenerating the wider site with the construction of a permanent building and by the removal of the temporary building, repurposing the land for outdoor play space with new hard and soft landscaping, thereby meeting purpose (e).
- 9.17 SCLP Policy S/4, S/6, NH/8 and NH/9 define the extent of the District's Green Belt and contain specific controls over any inappropriate development within it, which align with the aims of Paragraphs 152 and 153 of the NPPF and require the decision maker to resist inappropriate development in the Green Belt except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Therefore, the following paragraphs set out the other material planning considerations to be taken into account, to establish whether other considerations outweigh the harm that has been identified and whether very special circumstances exist to justify the development.

The impact on the character and appearance of the Conservation Area, Listed Buildings and NDHA (including Design, Visual Impacts, Trees)

- 9.18 The village of Teversham lies on the boundary between the Bedfordshire and Cambridgeshire Claylands Landscape Character Area and the Chalklands Landscape Character Area. The village has several key landmark buildings which contribute to the historical character of the village including the Church of All Saints (Grade II* Listed Building) with its church tower visible from the open countryside. The Rectory (Grade II Listed Building) and the Primary School building (NDHA) are recognised as significant buildings within the Teversham Conservation Area and contribute to the historical character and appearance of the Conservation Area, as described within the Teversham Conservation Area Draft Council Policy 2006.
- 9.19 This part of the Conservation Area is characterised by its group of historical buildings set back from Church Road with a strong boundary wall which stretches from the Rectory to the Church of All Saints. Other prominent characteristics are the established hedging and trees which link the village to its wider rural context.
- 9.20 The Conservation Area Assessment describes the Primary School building as being constructed of gault brick with stone detailing, slate roof with decorative ridge tiles and alternate rows of fish-scale slates and forming part of an important view at the entrance to the village of Teversham. Whilst the primary school has been modernised with

alterations and extensions, these are largely to the rear of the old primary school building and preserve its historical character. The proposed new building would be located in line with the front elevation of the old school building, maintaining the existing building line set back from Church Road.

- 9.21 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special regard should be given to the desirability or preserving a building, or its setting, or any features of special architectural or historic interest, and paragraphs 205 and 206 of the NPPF require great weight to be given to the avoidance of any harm to designated heritage assets. The presumption against harm to an asset or its setting can only be outweighed by substantial public benefits. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal (NPPF Paragraph 208) and the effect of a proposal on the significance of a non-designated heritage asset should also be taken into account (NPPF Paragraph 209).
- 9.22 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay 'special attention' to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policies NH/2 and NH/14 of SCLP permit development that respects or enhances local character and the distinctiveness of the local landscape and character areas and support proposals where they sustain and enhance the special character of the historic environment and the significance of heritage assets, including their settings. This includes non-designated heritage assets identified in Conservation Area appraisals, such as the Primary School building.
- 9.23 Paragraphs 135 and 136 of the NPPF seek to ensure that new developments are well designed and beautiful places. Paragraph 212 of the NPPF supports proposals where they better reveal the significance of Heritage Assets. Policies HQ/1 and NH/2 of SCLP require all new development to be of high-quality design, create a positive contribution to the local and wider context, preserve or enhance the character of the area and wider landscape and conserve or enhance important natural and historic assets and their setting. Policy NH/14 of SCLP and the SCDC Development Affecting Conservation Areas SPD echoes these objectives and places further importance on developments that sustain and enhance the significance of the heritage assets, including their settings as well as non-designated heritage assets including those identified in Conservation Area appraisals (Teversham Conservation Area Draft Council Policy 2006), such as Teversham Primary School building. The SCDC District Design Guide SPD also places importance on high quality sustainable design.
- 9.24 The proposed single storey pre-school building would have a maximum height of 4.25m and would be positioned close to the west gable of the existing primary school building. The new building has a simple, functional design and would be finished with cladding to the front entrance and reception area. The front elevation of the new pre-school building would follow the school's existing building line and would not project forward of the existing primary school building. Given the limited scale of the proposed development, the building would be seen as a subservient addition to the primary school and would be read in the context of the existing school building along with the modern extensions and alterations.

- 9.25 The proposals have been assessed in consultation with CCC's Historic Environment Team, GCSP's Conservation officer and Historic England who raise no objections. GCSP's Conservation officer advised there would be no impact on the setting of the listed buildings, and advised that there would be some low-level harm (less than substantial) to the setting of the Primary School (NDHA) by way of the limited design of the new building and its close proximity. Whilst it is acknowledged the proposed building is devoid of any specific design features that would link it to its historic environment, it would incorporate contrasting modern materials that would help to separate the new development from the historical assets thereby preserving their importance and better revealing the importance of the heritage assets. The building would also be set back into the site, follow the existing building line and be largely screened from wider public views by the boundary hedging and retained trees. The proposed development includes the removal of the temporary mobile classroom which would result in a positive contribution to the visual appearance of the Conservation Area, although the impact would be limited to within the site. Should members recommend approval, given that the site is in a sensitive location and taking into account the specialist advice received, it is considered appropriate and necessary to add conditions securing the submission of details of external materials and the removal of the temporary mobile classroom.
- 9.26 As noted above, the proposal would result in the loss of two trees that are protected by virtue of being located within the Conservation Area. SCLP Policies HQ/1, NH/2, NH/8, NH/13 and the Trees and Development Sites SPD, as well as Paragraphs 135, 136 and 180 of the NPPF support development proposals that include high quality landscaping and design measures which either respect and retain, or enhance local character and the distinctiveness of the local landscape. The removal of T2 (a category C tree) and G1 (a category C tree), Tree G1 is part of a sycamore/alder group of trees that are of low quality or poor longevity that form part of the boundary hedging. In addition, the proposed building would encroach within the root protection zones and canopies of two trees identified as T1 (cat C, Ash) with an estimated remaining 10-year lifespan and T3 (cat B, Field Maple) with an estimated 20-year lifespan remaining. Crown reduction and pruning works will be required to both trees and works would be required to the canopies to allow adequate clearance for the building. The supporting information submitted with the application states that the foundations for the building would be designed to limit excavation around the tree roots, that sensitive tree works will be carried out to safeguard tree retention, and that services would be directed away from trees. Importantly. It is noted that the location of the proposed building allows the retention of the Field Maple identified as T3 (category B). Additional planting will also be undertaken with the addition of 6 new trees, although no details of the size or specimen have been provided, it is recommended the details of the replacement trees are secured by condition.
- 9.27 The proposals have been assessed in consultation with GCSPs' Tree and Landscape specialists who have not objected to the removal of the two trees (T2 and G1) but did raise concerns the proposed crown reduction and pruning works to trees T1 and T3. Both trees are considered to contribute to the setting and character of the Conservation Area and provide valuable shade, educational and amenity value for the school as well as natural habitats. The tree root plates will be significantly affected by the new building, even if foundations are piled (as proposed) and Tree T1 has already been enclosed with a timber sleeper wall and Astro Turf which is likely to constrain the roots and block routes for water and air. The further information that was requested, which includes a

commitment to improving the playground (to compensate for loss of play area) and details of the green space, can be secured through the imposition of planning conditions. It is acknowledged that some harm would result from the loss of two protected trees (T2 and G1) and there may also be harm from the works within the root protection areas and to the canopy of important protected trees (T1 and T3). However, the applicant has explored all other options to extend the existing primary school building and the proposed siting of the building is necessary and the best location in terms of protecting and retaining the other important trees and hedging within the site.

- 9.28 It is considered that the proposals will result in some low level harm to the character and appearance of the Conservation Area and setting of the NDHA (by way of the limited design features, proximity of the new building to NDHA and with the loss of the trees and within the important boundary hedging) and this is contrary to the aims and objectives of Paragraphs 135, 136 and 180 of the NPPF and SCLP Policies HQ/1, NH/2, NH/8, NH/13 and NH/14, SCDC's Development Affecting Conservation Areas SPD and SCDC's District Design Guide SPD. However, over time, some harm can be mitigated by additional planting and the retained trees can be protected during the construction phases. In addition, the hard and soft landscaping can be improved within the site.
- 9.29 The low-level harm identified above is considered to be 'less than substantial harm' and has to be balanced against any public benefits that the proposal would bring in accordance with paragraphs 208 and 209 of the NPPF.
- 9.30 It is considered that the public benefits of proposed new pre-school building would include, but not be limited to:

The provision of sufficient, suitable, and improved educational environment and play space to meet the pre-school educational needs of the area that have been identified, as well as predicted future demands for pre-school places.

Improved pupil safeguarding with direct access to the new building, without the need to be escorted through the primary school site.

The retention of a local childcare facility enables parents to work or undertake education or training which could lead to employment and also avoids the need for parents to travel to facilities further away from Teversham, increasing car journeys and pollution.

Children attending the pre-school generally move up to the adjoining primary school, maintaining the intake and ensuring the continued use of the primary school.

The economic benefits of the development would include investment in construction and related employment for its duration.

The replacement of an unsightly temporary mobile building with an improved permanent more sustainable and energy efficient building, high standards of insulation measures and the sustainable transport measures (cycling and walking) are clear environmental benefits that represent a move towards a low carbon economy and promoting more sustainable means of travel.

- 9.31 The public benefits detailed above are key objectives of the NPPF and the local development plan and the social, financial and environmental benefits carry significant weight which is considered sufficient to outweigh the less than substantial harm to the Conservation Area identified above.

Biodiversity

- 9.32 Paragraphs 180 and 186 of the NPPF and SCLP Policies NH/2, NH/4 and NH/8 focus on conserving enhancing and promoting biodiversity of the natural environment and 6 new trees will be planted to compensate for the removal of trees and a wildflower grassland as shown on drawing 'Landscape Plan Proposed, DR-A-2014'.
- 9.33 The roof of the main primary school building is identified as supporting roosting bats, and these will need to be adequately protected as part of a detailed design scheme which will be secured through the imposition of planning conditions. The supporting Addendum Report confirms there will be no planned work that would impact on the structure of the main primary school building, only minor drilling into the walls to install the communication equipment, once the new pre-school building has been built. These minor works would be undertaken during daylight hours and outside of the active bat season (May to September). The supporting reports also set out a series of mitigation measures that would be followed during construction and would be secured by condition.
- 9.34 The County Ecologist considers that the proposed scheme will have no adverse impact on wildlife sites, protected species or priority habitats / species, subject to conditions. It is considered that given the nature, scale and position of the proposal, there would be no harm to these protected sites or priority habitats/species. The scheme will provide some biodiversity enhancements with additional planting / landscaping. To ensure that the mitigation measures are incorporated, and the timing of the minor works are undertaken outside of the active bat season, suitably worded conditions are recommended. As such, the proposed development is consistent with Paragraphs 180 and 186 of the NPPF, SCLP Policies NH/2, NH/4 and NH/8.

Transport and Highway Safety

- 9.35 The wider primary school site has a small car park with 20 parking spaces for staff and visitors as well as secure covered cycle and scooter storage. The proposals will not result in an increase in staff numbers or children attending the pre-school and there will be no extra demands for additional spaces. CCC Highway Authority have not objected to the proposals, subject to a condition seeking the submission and approval of a Traffic Management Plan, prior to demolition and construction works taking place within the site and this condition needs to be discharged prior to commencement of these phases for highway safety reasons. The CCC Transport Assessment Team did not object to the proposals but advised that investments were needed in the future to ensure new safe and secure cycle and scooter parking provisions at the school, and identified that there may be a deficit in the future. An informative will be added to the decision notice to that effect.

- 9.36 The application site is within an Aerodrome Safeguarding Zone for Cambridge Airport who were consulted on the proposals and raised no objections, subject to a condition controlling lighting during construction phases and specifying restrictions on the design of lighting for the completed development. It is therefore considered to be necessary to secure the submission of a lighting scheme by condition attached to the decision notice to control light spill, in order to protect the safe operations of aircraft from confusion with aeronautical ground lights or glare. Subject to the recommended conditions, the proposals are considered to meet the aims and objectives of Paragraphs 108 and 115 of NPPF and SCLP Policies T1/2, T1/3, T1/6 and SC/9.

Residential amenity impacts

- 9.37 To the south of the application site, on the opposite side of Church Road are four residential dwellings (no's 27, 29, 31 and 33 Church Road) with the nearest dwelling being 46 metres away from the proposed location of the new building. The impacts of the proposed development on the amenity of the nearest neighbouring properties in terms of any lighting, overlooking, overshadowing, overbearing impacts and potential operational noise from the proposed childcare use of the building have been assessed. It is considered that there would be no significant amenity impacts given the small scale of the development, and the separation distances. The proposals have also been assessed in terms of potential noise impacts to the neighbouring properties and the future occupiers of the new building from the proposed ASHP. SCDC's EHO who raised no objections to the proposals subject to a condition securing the submission of a detailed noise assessment (including any noise insulation/mitigation where necessary) and it is recommended that a condition is included to protect the amenity of the neighbouring properties and the users of the site from noise nuisance from the ASHP and construction noise.
- 9.38 SCDC's Climate, Waste and Environment Officer has considered any potential contamination and whilst they did not object to the proposals, they identified the site as being sensitive to contamination from the adjacent Cambridge Airport site and requested a condition restricting works, should contamination be identified during the development..
- 9.39 Subject to the recommended conditions, the proposals are considered to be acceptable meeting the aims and objectives of Paragraphs 108, 189 - 191 of the NPPF and SCLP Policies CC/6, HQ/1, SC/9 and SC/10.

Flood risk and surface water drainage

- 9.40 Paragraph 173 of the NPPF explains how 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere'. The application site is under a hectare in area and lies within Flood Zone 1 (which indicates a low risk of flooding) and not at risk from any other forms of flooding. The proposed pre-school use is defined as a more vulnerable use, and is considered to be appropriate development within Flood Zone 1 in accordance with the Environment Agency's Flood Risk Vulnerability and Flood Zone Compatibility table. Therefore, there is no requirement to submit a site specific flood risk assessment. The proposed development would connect to the existing surface water and foul drainage system on site and will incorporate a pea shingle drainage channel. Therefore, the proposals are considered to

meet the aims of objectives of Paragraph 173 of the NPPF and SCLP Policies CC/8, and CC/9 and the Cambridgeshire Flood and Water SPD 2016.

Sustainability and climate change

- 9.41 Cambridgeshire County Council declared a climate change emergency in May 2019 and the Council's Climate Change and Environment Strategy 2022 sets the Council on a pathway to securing a sustainable future for the County and its residents. The Climate Change and Energy Services team have provided comments in relation to the carbon impact of the proposal which are noted, however the legal duty to provide education provision needs to be balanced against the climate change issues raised. The building has the benefit of PVC-u double glazed windows and doors and will use insulated materials and the building will employ modern construction methods, plus the heating will be via an air source heat pump. The application is accompanied by a Planning, Design and Access and Heritage statement which includes a section on sustainability and a water conservation strategy that is proportionate to the scale and nature of the proposed development.
- 9.42 The commitment to energy efficiency, on site renewable energy provision (ASHP), high standards of insulation and the sustainable transport measures are clear environmental benefits, representing a move towards a low carbon economy and promoting more sustainable means of travel. These are key objectives of the Framework and are environmental benefits that carry moderate weight. On balance, it is considered that the need to provide this facility for pre-school education outweighs the need for further detailed information relating to climate matters and energy consumption. As such, the proposal is compliant with Paragraph 162 of the NPPF and SCLP Policies CC/1, CC/3, CC/4 and CC/8.

10. Public Sector Equality Duties (PSED).

- 10.1 Section 149 of the Equalities Act 2010 places a statutory duty on all public bodies to consider the needs of all individuals in their day-to-day work, including those with protected characteristics. The protected characteristics under PSED are: disability, gender reassignment, pregnancy, maternity/ paternity, race, religion or belief (including non-belief), sex and sexual orientation. In May 2023, elected members of the Council agreed that those leaving care (care leavers) must be treated as having a protected characteristic. The Council, in the exercise of the planning functions, must have due regard to the need to the following aims in their decision-making: eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act; foster good relations between people who share a relevant protected characteristic and those who do not share it; and advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it. Furthermore, consideration must be given to removing or minimising disadvantages suffered by people due to their protected characteristics; meeting the needs of people with protected characteristics; and encouraging people with protected characteristics to participate in public life or in other activities where their participation is low. The proposed development would be for pre-school age children, including those with protected characteristics. The proposed pre-school building would be wheelchair accessible and have accessible washroom facilities. It is considered likely that this particular development would have a positive impact on those with protected

characteristics at the pre-school and there would be no known implications of the proposal in relation to the council's PSED duties under the 2010 Act.

11. Conclusion

Planning Balance

- 11.1 A large part of the footprint of the proposed building would be within the village framework and would align with Paragraphs 7, 8 and 99 of the NPPF, consistent with SCLP policies S/1, S/2, S/3, S/4, S/6, S/7 and S/10 and T1/9 which support educational facilities that contribute to an environment (built and social) in which communities can flourish. This support has been given great weight in the assessment of the acceptability of the application.
- 11.2 The report has set out that the proposal does represent inappropriate development in the Green Belt, which is harmful by definition and would cause a low level of harm to openness and limited harm to two of the purposes of the Green Belt. In accordance with Paragraph 153 of the NPPF, any harm to the Green Belt must be given substantial weight, and therefore the part of the proposed development that is located within the Green Belt does weigh against the proposal. However, any impact on the Green Belt and its purposes are limited because of the location of the development within the existing school site. Furthermore, the application site would be physically and visually well screened by the existing boundary vegetation which lessens any impact.
- 11.3 In terms of any other harms that need to be taken into account, the considerations set out in the paragraphs above conclude any impacts from the proposed development on the countryside would be limited.
- 11.4 In terms of the effects of the proposals on the character and appearance of the Conservation Area, the loss of trees and facilitating works would result in some low level harm to the character and appearance of the Conservation Area. In accordance with Paragraph 208 of the NPPF, the public benefits of the proposal for a permanent new pre-school are considered to outweigh the low level harm. The proposed development would secure the optimum viable use of the site for educational purposes which in turn would support the continued use of the Primary School.
- 11.5 There would be some low level harm (less than substantial) to the setting of the NDHA from the design of the building and its proximity to the NDHA but, in accordance with Paragraph 209 of the NPPF, the level harm is outweighed by the significant public benefits of the scheme. It is also considered that the proposals would also help to reveal the significance of the NDHA by introducing contrasting materials and preserving the historical elements of the building, in accordance with Paragraph 212 of the NPPF.
- 11.6 As set out fully in the planning considerations sections above, the other impacts of the development that could lead to planning harm could be overcome (in time) by additional planting, or satisfactorily mitigated by the imposition of planning conditions.
- 11.7 The proposed development would assist in addressing the great need for the County Council (in its role as the education authority) to deliver a sufficient choice of school

places for the existing and expected needs of the area, and this has been afforded great weight in the planning balance, in accordance with SCLP Policy T1/9 and Paragraph 99 of the NPPF. The proposals would also provide other public benefits which collectively are afforded significant weight in the planning balance.

- 11.8 The harm to the Green Belt by reason of inappropriateness, and any other harm identified as arising from the proposal, would be clearly outweighed by the other considerations that have been identified. Accordingly, it is considered that the very special circumstances necessary to justify the development in the Green Belt have been demonstrated and therefore the harm of the part of the development that conflicts with Paragraph 180 of the NPPF and SCLP Policies HQ/1, NH/2, NH/8 and NH/14 SCDC's Development Affecting Conservation Areas SPD and SCDC's District Design Guide SPD would be outweighed by the significant public benefits of the scheme. It is therefore recommended that planning permission should be granted.

12. Recommendation

- 12.1 It is recommended that planning permission is granted subject to the following conditions:

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 8, 9, 11 and 13 below requires further information to be submitted prior to the construction and demolition works commencing within the site and are therefore attached as a pre-commencement conditions. The developer may not legally commence development on site until this condition has been satisfied.

Commencement of Development

1. The development hereby permitted shall be commenced no later 3 years from the date of the decision notice. Within 14 days of the commencement of the development hereby permitted, the County Planning Authority shall be notified in writing of the date on which the development commenced.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004 and to be able to establish the timescales for the approval of details reserved by conditions.

Occupation of the Development

2. Within 14 days of the first occupation of any part of the development hereby permitted, the County Planning Authority shall be notified in writing of the date on the development was first occupied.

Reason: To be able to establish the timescales for the approval of details reserved by conditions and to enable monitoring of the development.

Approved plans and documents

3. The development hereby permitted shall be carried out in accordance with the details set out in the application form dated 30 November 2023 and the following approved drawings and documents received on 24 November 2023 (unless otherwise stated):

- Site Location Plan Existing, Drawing Number 305152-IWD-XX-XX-DR-B-2000, Revision P01, Received 11.08.2023.
- Block Plan Proposed, Drawing Number 305152-IWD-XX-XX-DR-A-2012, Received 08.03.2024.
- Floor Plan Proposed (Building), Drawing Number 305152-IWD-XX-XX-DR-A-2003, Revision P03, Received 08.03.2024.
- Landscape Plan Proposed, Drawing Number 305152-IWD-XX-XX-DR-A-2014, Received 08.03.2024.
- Door & Furniture Schedules, Drawing Number 305152-IWD-XX-XX-DR-B-2010, Revision P03, Received 08.03.2024.
- Roof Plan Proposed, Drawing Number 305152-IWD-XX-XX-DR-A-2006, Revision P05, 18.03.2024.
- Elevations Proposed, Drawing Number 305152-IWD-XX-XX-DR-A-2007, Revision P06 dated 15/03/24, Received 18.03.2024.
- Site Plan Removals, Drawing Number 305152-IWD-XX-XX-DR-B-2001, Revision P03, Received 11.03.2024.
- Planning, D & A and Heritage Statement, Final V2 dated March 2023, Received 27.11.2023.
- Teversham CofE VA Primary School Current Accreditation Level Approved TP Accreditation Expiry Date 03/10/2024, Received 18.12.2023.

Reason: To ensure the development is carried out in accordance with the approved plans and to define the site and to preserve the character and appearance of the area in accordance with Paragraphs 135,136, 142 and 143 of the NPPF 2023 and Policies HQ/1, HN/2 and NH/14 of the South Cambridgeshire Local Plan 2018 and the South Cambridgeshire District Design Guide SPD 2010.

External Materials

4. Notwithstanding the details shown on the plans hereby approved, no development above ground level shall take place until details of all the materials for the external surfaces of building to be used in the construction of the development have been submitted to and approved in writing by the County Planning Authority. The details shall include:
- i) A plan identifying the location of where the different materials are to be used within the development;
 - ii) A plan showing the location, design and colour of external flues, vents and meter boxes;

- iii) The profile, colour, material and method of attachment of rainwater goods including downpipes, gutters and hoppers;
- iv) Non-masonry walling systems or cladding panels; including colours, surface finishes/textures and relationships to glazing and roofing (this detail may consist of large-scale drawings and/or samples);
- v) Materials (including colour) for the construction of canopies and roof;
- vi) The product name and manufacturer where appropriate.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Paragraphs 135 and 136 of the NPPF 2023 and Policies HQ/1, NH/2 and NH/14 of the South Cambridgeshire Local Plan 2018 and the South Cambridgeshire District Design Guide SPD 2010.

Removal of Temporary Mobile Classroom

- 5. The existing mobile pre-school building as shown on drawing 'Site Plan Removals, Drawing Number 305152-IWD-XX-XX-DR-B-2001, Revision P03, Received 11.03.2024' shall be permanently removed from the site within one month of cessation of its use or the occupation of the development hereby permitted, whichever is the sooner.

Reason: To ensure the development is carried out in accordance with the approved plans and to preserve the character, appearance and quality of the area in accordance with Paragraphs 135, 136, 142 and 143 of the NPPF 2023 and Policies HQ/1, HN/2 and NH/14 of the South Cambridgeshire Local Plan 2018.

Hard and Soft Landscaping

- 6. Notwithstanding the details shown on the submitted plans, no development above ground level, other than demolition shall commence until details of both hard and soft landscape scheme have been submitted to and approved in writing by the County Planning Authority. These details shall include:
 - (a) Proposed finished ground levels or contours, pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. play equipment and play areas showing scope of proposed improvements, refuse or other storage units, signs, lighting); indications of all existing trees and hedgerows on the land and details of any to be retained
 - (b) Planting plans (which show the relationship to all underground services); written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;
 - (c) boundary treatments (including gaps for hedgehogs) indicating the positions, design, materials and type of boundary treatments to be erected;
 - (d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the County Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

Tree Replacement Strategy

7. Notwithstanding the details shown within the 'Arboricultural Impact Assessment, OAS 24-103-AR01, dated March 2024' no development above ground level, other than demolition shall commence until details of a 10 year tree replacement strategy have been submitted to and approved in writing by the County Planning Authority. These details shall include:
 - (a) Details of replacement tree planting for the trees T2 and G1 as shown on drawing reference/ arb report.
 - (b) Details of how the tree canopy lost through construction of the development will be replaced.
 - (c) Details of how T1 will be integrated with the playground and the sleeper wall and astroturf removed.

The replacement tree planting shall be carried out in accordance with the tree replacement strategy and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the County Planning Authority. If within a period of 10 years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the County Planning Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

Method Statement and Tree Protection Plan

8. No development, demolition or site clearance shall commence until a detailed Arboricultural Method Statement including piling and Tree Protection Strategy have been submitted to and approved in writing by the County Planning Authority, the details shall include:

- (a) timing of events,
- (b) protective fencing and ground protection measures. This should comply with BS5837. The tree protection measures shall be installed in accordance with the approved tree protection strategy before any works commence on site. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all of the construction works.

Reason: To safeguard the retained trees, shrubs and hedges on and adjacent to the site and in the interests of visual amenity, and to enhance the Character and appearance of the site, in accordance with Paragraphs 180 and 186 of the NPPF 2023 and Policies HQ/1, NH/2, NH/7 and NH/14 of the South Cambridgeshire Local Plan to 2018 and Trees and Development Sites SPD 2010.

Drainage Strategy Coordinated with Utilities and Retained Trees

9. No excavation and/or installation of any service runs for cables, pipes, foul and surface water drainage within root protection areas identified on plan 'Tree Layout Plan drawing number OAS 24-103-TS02 dated March 2024' as shown within the Arboricultural Impact Assessment by Oakfield reference OAS 24-103-AR01 March 2024 shall be carried out until details of their position, width, depth and method of installation have been submitted to and approved in writing by the County Planning Authority. The services shall be installed in accordance with the approved details.

Reason: To ensure the construction and installation of the service runs do not cause damage to retained trees, hedges and shrubs on and adjacent to the site in the interests of visual amenity, and to enhance the character and appearance of the site, in accordance with Paragraphs 180 and 186 of the NPPF 2023 and Policies HQ/1, NH/2, NH/7 and NH/14 of the South Cambridgeshire Local Plan to 2018 and Trees and Development Sites SPD 2010.

Noise Assessment Air Source Heat Pump/External Plant

10. No external plant, machinery, equipment or vents shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the County Planning Authority. Any required noise insulation/mitigation shall be carried out as approved and fully implemented before the use hereby permitted is commenced and retained as such thereafter.

Reason: To protect the amenity of the occupiers of the development and nearby properties, and to ensure the noise rating of the units are suitable for the specific location on the site considering the proximity of the office window in accordance with Policies CC/6, HQ/1, SC/9 and SC/10 of the South Cambridgeshire Local Plan to 2036.

Traffic Management Plan

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

- (i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- (ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- (iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible)
- (iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway
- (v) Possible local delivery time restrictions

The Traffic Management Plan shall be carried out for the duration of the development in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development in accordance with Policies T1/9 and HQ/1 of the South Cambridgeshire Local Plan 2018, and paragraph 111 of the NPPF.

Construction Works

12. The demolition, construction works and use of power operated machinery shall not be undertaken within the site except between the following hours:
- 0800 hours and 1800 hours Mondays to Fridays.
 - 0800 hours and 1300 hours on Saturdays.
 - No works are permitted at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

Construction Environment Management Plan (CEMP)

13. No construction or demolition work shall take place within the site until a construction environment management plan has been submitted to and been approved in writing by the County Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide details of:
- a) Minor construction works restricted to October – April, with all works to be completed during daylight hours;
 - b) sensitive construction lighting scheme to protect bats and to ensure there is no light spill above the horizontal;
 - c) all other ecological mitigation measures recommended in the Ecology Report (Wild Frontier Ecology, 2023)

Reason: To ensure the development protects biodiversity and to control light spill in order to protect the safe operations of aircraft from confusion with aeronautical ground lights or glare in accordance with Policies NH/4, SC/9 and T1/6 of the South Cambridgeshire Local Plan 2018.

Landscape and Ecological Management Plan (LEMP)

14. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the County Planning Authority prior to the occupation/use of the development hereby approved.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives (including biodiversity net gain).
- e) Prescriptions for management actions.
- f) Preparation of the work schedule (including an annual work plan capable of being rolled forward over a 30 year period and BNG audit).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the development with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the original approved scheme.

A 5 year report shall be submitted to the County Planning Authority by July 2030, confirming the progress of the LEMP and results of any monitoring work.

The LEMP shall be implemented in accordance with the approved details and all features shall be retained in the manner thereafter in perpetuity.

Reason: To ensure the development protects biodiversity in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018.

External lighting

15. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015, (or subsequent replacement or amending order), prior to the installation of any external lighting, a lighting scheme for the development shall be submitted to, and approved in writing by, the County Planning Authority.

The lighting scheme shall include:

- details of the appearance, height, type, position and angle of glare of any of the proposed external lighting within the school site;
- lighting impact assessment details of the level of illumination;
- details of how light pollution is to be controlled and lighting glare minimised; and,
- details of how the lighting has been designed sensitively for wildlife, so that all sensitive receptors can be considered and protected.

The detailed measures as approved shall be implemented in accordance with the agreed scheme and maintained thereafter for the lifetime of the development.

Reason: In order to safeguard the amenity of all sensitive receptors, including biodiversity and to control light spill in order to protect the safe operations of aircraft from confusion with aeronautical ground lights or glare from any future lighting provision proposed for the school site in accordance with policies NH/4, SC/9 and T1/6 of the South Cambridgeshire Local Plan 2018.

Contamination

16. If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination. The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Policies CC/6 and SC/11 of the South Cambridgeshire Plan to 2018.

Informatives

1. The Applicant is reminded that under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees/scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

2. All employees, contractors and sub-contractors visiting and or working on the site shall be made aware of the importance of the tree protection measures so as to avoid causing damage to retained trees.
3. Facilitation Tree Works. You are advised that where tree works are required to allow for construction to be undertaken, any specifications for pruning should follow the guidance and recommendations of British Standard 3998:2010 - Tree work – Recommendations.
4. This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
5. The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1)
6. The applicant is advised that investments are made in the future to ensure new safe and secure cycle and scooter parking provisions at the school. As it has been identified that there may be a deficit in the future.

Compliance with paragraph 38 of the National Planning Policy Framework

The applicant did not seek pre-application advice. The County Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. The applicant has responded positively to the advice and recommendations provided and amendments have been made (where required) to satisfy concerns raised. All land use planning matters have been given full consideration, which resulted in overall support for the development proposal from statutory consultees and will improve the economic, social and environmental conditions of the area.

Source Documents

[National Planning Policy Framework \(NPPF\) \(December 2023\)](#)
[South Cambridgeshire Adopted Local Plan 2018](#)

Appendix 1

The NPPF (December 2023) Paragraphs.

Paragraph 7 – Achieving sustainable development - The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 56 – Planning conditions and obligations - Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 96 – Promoting healthy and safe communities - Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 99 - It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: 29 a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Paragraph 108 – Promoting sustainable transport - Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Paragraph 109 - The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Paragraph 114 – In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree

Paragraph 116 – Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Paragraph 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 40
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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 users⁵²; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 136 - Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁵³, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users

Paragraph 142 – Protecting Green Belt Land - The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 143 - Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 152 – Proposals affecting the Green Belt - Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 - When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 - A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development;
 - or

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

Paragraph 155 - Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Paragraph 157 - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraph 159 - New development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards

Paragraph 162 - In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 163 - When determining planning applications⁵⁷ for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions;
- b) approve the application if its impacts are (or can be made) acceptable⁵⁸. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and
- c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable

Paragraph 173 - When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁹. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 180 - Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or

land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 186 - When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶⁷ and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

⁶⁷ For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

Paragraph 189 - Planning policies and decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 191 - Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁶⁹.

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Paragraph 203 - In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 - Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁷².

⁷² Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets

Paragraph 208 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 209 - The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 212 - Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, 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 the asset (or which better reveal its significance) should be treated favourably.

Green Belt Plan

