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South
Cambridgeshire
District Council

24 September 2007

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor CR Nightingale
All Members of the Planning Committee

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 3 OCTOBER 2007** at **2.00 p.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting. Members of the public wishing to speak at this meeting are requested to contact the Support Officer by no later than noon on Monday before the meeting. A public speaking protocol applies.

AGENDA

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	PROCEDURAL ITEMS	
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2.	Declarations of Interest Members are requested to complete the attached form, returning it to Democratic Services, and announce their declarations immediately prior to the relevant agenda items.	1 - 2
3.	Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 5 September 2007 as a correct record. Draft Minutes are available by visiting the Council's website at www.scambs.gov.uk/meetings and by then following the links to 'Committees' (left-hand menu) and then 'Planning Committee' (under the heading of Regulatory Committees).	
	PLANNING APPLICATIONS AND OTHER DECISION ITEMS	
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the former Bayer Cropscience Ltd site)

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INFORMATION ITEMS

The following items are included on the agenda for information and are, in the main, available in electronic format only (at www.scambs.gov.uk/meetings and in the Weekly Bulletin dated 26 September 2007). Should Members have any comments or questions regarding issues raised by the reports, they should contact the appropriate officers prior to the meeting.

19. **Appeals against Planning Decisions and Enforcement Action**
Summaries of Decisions of interest attached.
Contact officers:
Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155
John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268

EXCLUSION OF PRESS AND PUBLIC

The following statement must be proposed, seconded and voted upon. The officer presenting to report will provide the paragraph number(s).

“I propose that the Press and public be excluded from the meeting during the consideration of the following item number in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph of Part 1 of Schedule 12A (as amended) of the Act.”

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

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South Cambridgeshire District Council

Planning Committee – 3 October 2007 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

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Item no: App. No. Villlage:

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Item no: App. No. Villlage:

Reason:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

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Item no: **App. No.** **Village:**

Reason:

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 3rd October 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1293/07/F & S/1292/07/LB - GAMLINGAY
Creation of Café (A3), Relocation of Existing Chiller and New Roof, Mezzanine Floor at 38/40 Church Street for Mr J Crowther

Recommendation: Approval

Date for Determination: 7th November 2007

Notes:

This Application has been reported to the Planning Committee for determination because Gamlingay Parish Council has recommended refusal of the planning and listed building applications.

Conservation Area and Grade II Listed Building (Curtilage listed)

Members will visit the site on Wednesday 3rd October 2007.

1. This application was deferred at September Committee so Members could attend a site visit.
2. Since September Planning Committee I have received a revised site edged red location plan that now omits the toilet facilities in the butchers unit, as it turns out this is owned by the neighbouring property, a mistake in the earlier application that was raised in one of the objection letters from the rightful owner (point f. paragraph 22 of the earlier report).

Additional Representations

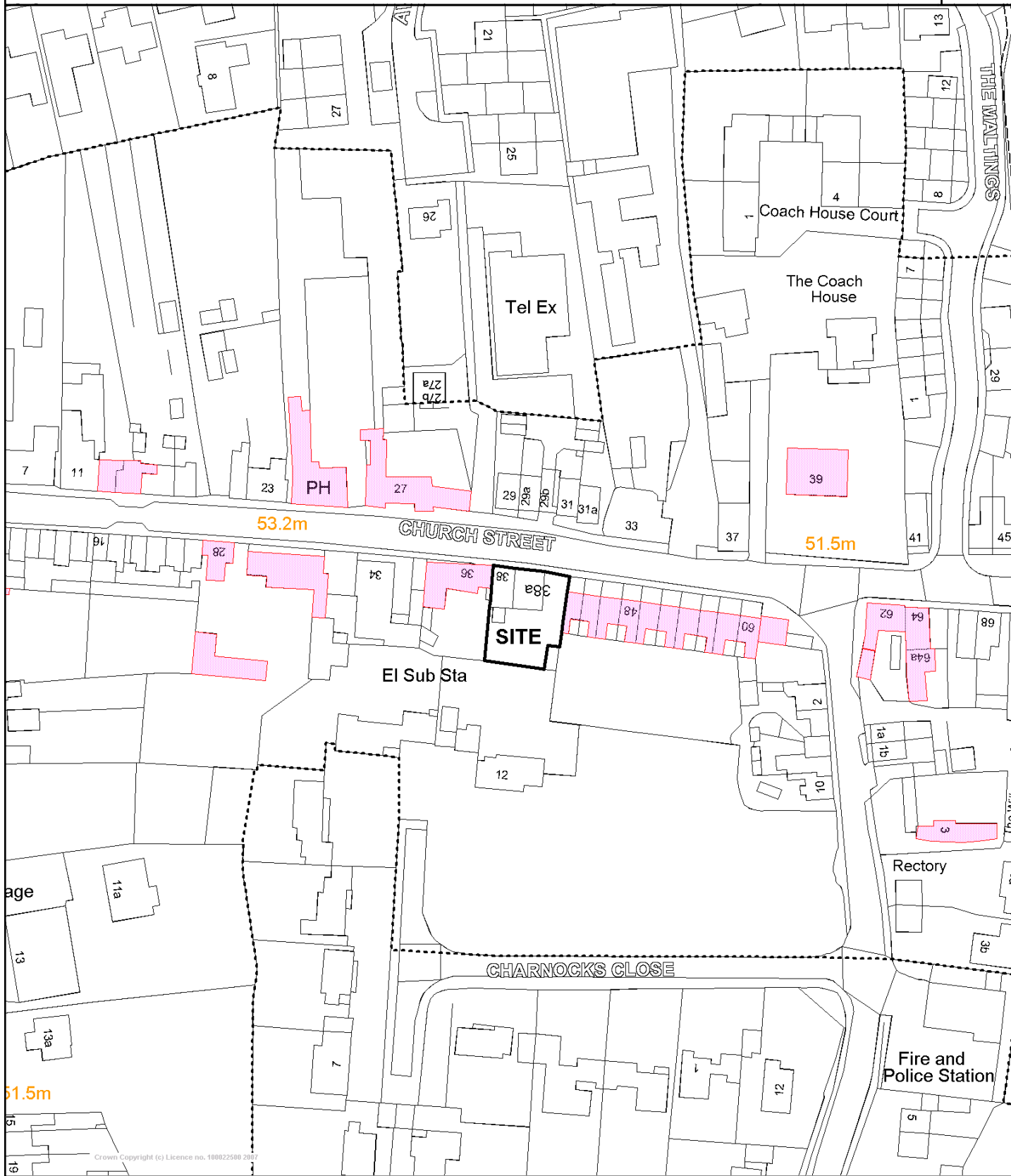
3. **Corporate Manager (Health and Environmental Services)** has responded to this application;

I wish to confirm I have received a copy of the above application and have considered the implications of the proposals. The existing chiller does not create any noise that is of concern. I do not therefore feel that moving it to its proposed location between the existing garage and refrigeration room will adversely affect the amenity of any surrounding residential properties. Therefore I have no further comments to add in respect of this application.

4. All neighbours were notified again of any amendments to this scheme, of which there have been minor adjustments, all of which are up to date and scanned. Another letter of objection has been received from the occupiers of No. 12 Charnocks Close. The concerns raised in the letter are the same as the first letter of objection. The points raised are as follows:

(a) Noise pollution from the chiller unit and cooling fans

S-1293-07-F



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October 2007 Planning Committee

(b) Customers in the café garden causing noise as well as the introduction of food noise, smells and increased refuse.

(c) Lack of customer parking

5. In response to an earlier amendment omitting a dormer window, the occupiers of No 36 Church Street have confirmed that they are not opposed to the objectives of the plans and agree to them subject to the following conditions:

- (a) latest technology fans are used to limit noise plus further sound proofing if necessary;
- (b) removal of No 36 toilet and cloakroom, cellar stairway and garden path from plans; and
- (c) change use of area from refuse (location 3 rubbish bins) to store area.

6. **Gamlingay Parish Council** has changed its recommendation to approval since receiving the amended plans – dated 31st August 2007. The revised site edged red has been sent out as information only and does not require further comment from the Parish Council.

Recommendation

7. As the earlier report for September Committee - Approval of both applications subject to Conditions

Planning Conditions

- 1. Standard Condition A – Time limited permission (Reason A);
- 2. Surface water drainage details; (Reason – To ensure satisfactory drainage of the site)
- 3. Assessment of noise exposure together with appropriate mitigation measures;(Reason – To ensure minimum impact on neighbour amenity)
- 4. Notwithstanding the scheme, hereby permitted, the use shall not commence until a scheme for the storage of waste and recycling has been submitted to and approved in writing by the Local Planning Authority in writing. The scheme shall be carried out in accordance with the approved details. (Reason – To ensure refuse storage is adequately provided on site without causing visual harm to the area and does not obstruct the access to the rear of the site)

Listed Building Conditions

- 1. The works to which this consent relates shall be started not later than the expiration of three years beginning with the date of this decision notice. (Reason - To ensure that consideration of any future application for works will not be prejudiced by listed building consents, which have not been acted upon.)
- 2. The works shall be carried out so that no damage is caused to the fabric and features of this listed building; any damage so caused shall be rectified to the approval of the Local Planning Authority. (Reason - To protect the fabric and features of this listed building. (Particular features may be specified)

3. Precise details of the proposed folding glass screen shall be submitted for the prior, written approval of the Local Planning Authority. Such detail shall show sections, opening arrangements and glazing bar patterns. All windows shall be of timber construction and painted.
(Reason - To ensure fenestration appropriate to this listed building.)
4. Precise details of all boundary walls, fences and gates shall be submitted for the prior, written approval of the Local Planning Authority.
(Reason - To protect the setting of this listed building.)
5. All new and matching materials, including a sample of the roof tile shall be approved on site by the Local Planning Authority.
(Reason - To ensure the use of matching materials.)
6. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority.
(Reason - To ensure the use of the appropriate mix of traditional lime plasters and mortars.)
7. The proposed rooflight(s) shall be inserted with flush detail to the approval of the Local Planning Authority.
(Reason - To safeguard the appearance of the listed building.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P7/6 (Historic Built Environment)
Policy P1/3 (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Development Framework**, adopted July 2007
DP/2 (Design of New Development)
CH/3 (Listed Buildings)
CH/4 (Development within the Curtilage or Setting of a Listed Building)
CH/5 (Conservation Areas)
SF/4 (Retailing in Villages)
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Impact upon the setting and character of the Listed Building
 - Impact upon setting of adjacent Conservation Area
 - Impact on neighbour amenity
 - Car parking and Highway Safety
 - Noise and Odour Pollution
 - Security
3. The proposed works would not adversely affect the special character or appearance of the building.

4. The proposed works would not result in any significant loss or harm to the historic fabric.
5. The proposed works would not have an adverse impact on the setting and appearance of the historic building.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (adopted January 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1293/07/F and S/1292/07/LB

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Historic Building Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2307/06/F- HAUXTON**Demolition of Buildings (including Nos. 90, 92 & 96 Church Road) remediation of land and formation of a development platform****At land to the East of the A10 known as the former Bayer Cropscience Ltd site****Recommendation: Approval****Date for Determination: 2 March 2007 (Major Application)****Notes:**

This Application has been reported to the Planning Committee for determination because there are outstanding objections to the scheme and the proposal is a departure from the development plan policies.

Site and Proposal

1. The application site is the former agro chemicals plant known as Bayer CropScience, which carried out the production and testing of agricultural related chemicals for over 65 years until its closure in 2003. The full Bayer site is divided into two by the A10 with the factory site located to the east side and the west side providing a mix of uses including associated sports facilities and the waste water treatment facility.
2. This current application relates to the main factory site on the east side of the A10, which due to its previous use has pockets of high levels of contamination. The site currently contains a mix of buildings in a state of partial demolition/dismantling as well as large areas of hard standing in the form of a 276 space surface car park and areas of internal infrastructure. In terms of scale the remaining buildings include large warehouses, production buildings, a number of 4 storey office blocks, large-scale infrastructure including storage towers of up to 7 storeys in height and 3 detached 2 storey dwellings fronting Church Road.
3. In addition to the factory buildings, the site also contains two listed buildings known as Hauxton Mill and the Mill House both of which are grade II listed buildings while to the north of the Mill is the new Mill house which although not listed in its own right is located within the curtilage of the listed Mill. A public footpath (number 5) cuts across part of the site which provides a loop route with footpath number 4, from the A10 through the site over the Riddy Brook and the River Cam past the Mill House and the Mill to reappear further along the A10 at the access point serving Westfield Cottages. A second public footpath (number 1) links with footpath number 5 at the footbridge over the Riddy Brook and provides a route partly along the western bank of the Riddy Brook before crossing it to run along the western bank of the River Cam to then re-cross the Riddy Brook and continue along the eastern boundary of the application site and onto Church Road.

4. The site is bounded to the west by the A10, to the north and east by a 2.5 metre high boundary wall, also along this part of the site and below the ground level a bentonite wall installed around 1972, provides a structural barrier preventing contamination crossing from the site into the Riddy Brook. To the south the site boundary is formed by Church Road, which provides the main link into Hauxton village from the A10.
5. The application, registered in 1st December 2006, relates to two main issues the first being the demolition of the existing factory buildings, along with the three dwellings fronting Church Road but not the Mill House, Hauxton Mill or the New Mill House. The second part of the application relates to the necessary remediation measures required to provide a platform for the redevelopment of 380 dwellings, employment units and open space provision. Details of the proposed redevelopment of the site are the subject of a second application S2308/06/O considered elsewhere in this committee report, but in short relate to the provision of 380 dwellings, new employment buildings of up to 4,000 sq metres (Class B1), area of retail development (Class A1), new access points, areas of open space and internal infrastructure.
6. The applicant on both applications represents a specialist company, which acquires this type of site, obtains outline planning permission for redevelopment carries out the remediation work and then sells the 'cleaned' site to a developer.

Planning History

7. This site has a very long planning history with numerous planning applications for development.

Planning Policy

8. Until recently, the adopted Local Plan 2004 formed part of the development Plan for South Cambridgeshire, setting out the planning policy framework for development within the District. With the introduction of the new planning system in 2004 the Council has to produce a suite of Development Plan Documents (DPD), known collectively as a Local Development Framework (LDF), which will replace the Local Plan.
9. The Core Strategy DPD was adopted in January 2007 with the Development Control Policies DPD adopted in July 2007 and as such a number of the Local Plan 2004 policies have now been superseded. However the Site Specific Policies DPD is currently in a draft form dated January 2006 with the hearings for this Examination expected to start on 27 November 2007. As such and until this DPD is formally adopted there are still some of the Local Plan 2004 policies which remain in force.
10. Core Strategy DPD (January 2007) policies relevant to this application: **ST/1 Green Belt; ST/3 Re-Using Developed Land and Buildings; ST/6 Group Villages. The site is a pocket of land excluded from the Green Belt.**
11. Development Control Policies DPD (July 2007) policies relevant to this application: **DP/1 Sustainable Development; DP/5 Cumulative development; SF/8 Lord's Bridge Radio Telescope; SF/9 Protection of Existing Recreation Areas; SF/12 River Cam; NE/4 Landscape Character Areas; NE/6 Biodiversity; NE/7 Sites of Biodiversity or Geological Importance; NE/8 Groundwater; NE/9 Water and Drainage Infrastructure; NE/11 Flood Risk; NE/12 Water Conservation; NE/15 Noise Pollution; NE/16 Emissions; CH/1 Historic Landscapes; CH/2 Archaeological Sites; CH/3 Listed Buildings; CH/4 Development within the Curtilage or setting of a Listed Building;**

12. **Site Specific Policies DPD** (January 2006) policies relevant to this application:
Policies SP/7 Bayer CropScience;
13. South Cambridgeshire Local Plan 2004 ("The Local Plan 2004") **Policies GB1 boundaries of the Green Belt; GB2 Green Belt General Principles; GB3 Location of Development; GB4 Major Developed Sites; GB5 Recreational role of the Green Belt; GB6 Access to the Countryside – Footpaths, Bridleways and cycle ways; GB7 Decline of the landscape.**
14. Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") **Policies P1/1 Approach to development; P1/2 Environmental restrictions on development; P5/2 Re-using previously developed land and buildings; P6/3 Flood defence; P6/4 Drainage; P7/1 Sites of natural and heritage interest; P7/2 Biodiversity; P7/3 Countryside enhancement areas; P7/4 Landscape; P7/6 Historic built environment; P7/8 Safe and healthy air, land and water; P8/9 Provision of public rights of way; P9/2a Green belt.**
15. Government Policies **PPS1 Delivering sustainable development; PPG2 Green belts; PPS7 Sustainable development in rural areas; PPS9 Biodiversity and Geological conservation; PPS11 Regional spatial strategies; PPG15 Planning and the historic environment; PPG16 Archaeology and planning; PPS23 planning and pollution control; PPG24 Planning and noise; PPS25 Development and flood risk.**

Consultation

16. **Hauxton Parish Council** supports the application subject to resolution of a number of significant issues involving the developer, statutory consultees and Local Authorities and subject to satisfactory benefit to the village of Hauxton. The Parish Council identifies the Bayer Site (East and West of the A10) as a major complex problem requiring (i) remediation of the whole Bayer site and the surroundings that is effective in perpetuity and (ii) sustainable redevelopment that both funds the remediation and enhances the southern entrance to Cambridge City. The two planning applications (S/2307/06/F & S/2308/06/O) are for the largest developments of Hauxton in its entire history, doubling the number of households. Hauxton Parish Council requests close participation in the deliberations of the planning authorities and the Environment Agency (for the remediation and the flood risk management) to ensure the complexity and extent of the remediation and development achieves suitable outcomes.
17. **Hauxton Parish Council** is seeking assurances that the Demolition and Remediation Strategy of the former Bayer CropScience site that is designated Contaminated Land under part 2a of the Environment Protection Act 1990 will be:
 1. **Robust in terms of Health, Safety and the Environment** using best practice to limit the impact of noise, dust and smells on the Village and the Environment.
 2. **Carried out using the "best practice"** remediation methods especially if house building starts before the whole East site and/or West site (not part of this application) and surrounding ground water outside the site is remediated.
 3. **Quantifiable for pollutants** by location and type sufficient to cover the full extent of the known pollution including groundwater beyond the site boundaries.
 4. **Sustainable long term** with a proper exit strategy that includes monitoring and continued treatment if necessary.
 5. **Carried out to a standard** that reflects the ultimate use of the site for residential development.

7. **Indemnifies owners and local stakeholders**, who may take on responsibility for part of the land, against future problems relating to or arising from the pollution and remediation.

KEY ISSUES

18. **Hauxton Parish Council is seeking dialogue with the Environment Agency on the criteria by which the remediation will be judged satisfactory by the Environment Agency so that it is released for development.** The criteria for success have yet to be provided or considered. The documents just state that chemistry and bacteria will be used to reduce the concentrations but to what levels?
19. **Hauxton Parish Council requests clarification from South Cambs District Council (SCDC) and the Environment Agency (EA) whether the lack of Stage 3 assessment is consistent with planning policy and procedures. The Parish Council wishes to have full information on the Stage 3 assessment once available.** The document **Remediation Strategy Summary For Planning** is just 24 pages and contains no data. Page 3 states "Stage 3 assessments are in development" and as the Stage 3 Assessment comprises exactly what remediation method will be used on precisely what location this document says precisely nothing. As the Stage 3 assessment also provides information as to "whether the remediation strategy will meet all the site specific objectives" the document is totally uninformative.
20. **Hauxton Parish Council is seeking dialogue with the Environment Agency to remove ambiguity and imprecision at present in the planning documents so as to arrive at a robust, effective remediation programme under effective scrutiny by the Environment Agency under Part 2a of the Environment Protection Act 1990.**
21. **Hauxton Parish Council urges both South Cambs District Council and the Environment Agency to have the remediation plan account for the 'worst case'.** Hauxton Parish Council notes that the whole site (both East and West of the A10) is officially designated Contaminated Land under part 2a of the Environment Protection Act 1990. The application documents refer to substance that could *potentially* require remediation; this is ambiguous. (Example: references in the documents to DDT and dieldrin). The Parish Council is seeking dialogue with the EA to remove this imprecision. Likewise the application apparently relates the degree of remediation to the end-use. Hauxton Parish Council urges both SCDC and the EA to recognize the stated complexity of the geological sequence and the complex groundwater flow and so have the remediation plan account for the 'worst case'. For example the documents identify hotspots under structures that may well be mobilized by demolition work.
22. **Hauxton Parish Council: urges both South Cambs District Council and the Environment Agency to accept that remediation plans must not assume natural spontaneous processes will complete the clean up of the site after remediation work halts.** Measured levels of key pollutants are reported in the documents to vary over time. The Parish Council is of the view that evidence of natural reduction in soil and groundwater pollution by natural degradation has not yet been demonstrated.
23. **Hauxton Parish Council is concerned that redevelopment of part of the East Site prior to completion of remediation of the whole East Site could compromise remediation to a satisfactory standard.** Clean cover applied before completion of remediation of the whole east site runs a risk of being contaminated by migration up to the time the site is declared fit for purpose by the EA.

24. **Hauxton Parish Council requests best practices throughout the remediation and strongly objects to any use of the imprecise weaker term ‘reasonable measures’.** There is only a single opportunity for remediation (i.e. when the factory is demolished thereby providing access and while there is funding for the remediation). Therefore the clean up has to be effective in perpetuity and there must be no prospect of an adverse legacy falling on owners of the properties created, SCDC or Hauxton Parish Council.
25. **Hauxton Parish Council is seeking dialogue with the Environment Agency on the extent of groundwater contamination outside the Bayer site (both East and West of the A10). It also requires assurances from the Environment Agency that responsibility for this rests with those who caused the pollution or their successors either severally or jointly.** The document **Preliminary Conceptual Model Report** gives a full history of the site, site maps since 1886 and much data on the contamination levels as measured. The maps showing levels of individual chemicals seem to show groundwater contamination beyond the boundaries of the site. Furthermore there are some remarkably big numbers for pollutant levels i.e. >100,000 µg/kg. Figure 28a for example in the Preliminary Conceptual Model Report appears to show the herbicide ethofumesate in groundwater at 1000µg/L reaching under Church Road to the South and into the gravel pits South of Church Road and 250µg/L reaching into the garden of the house West of the A10 opposite the works. The ground water at Hauxton Gap A10 bus stop apparently has some interesting components including copper at 6,000µg/L (Figure 38) (See also Figure 29a for MCPA; Figure 31a for 2,3,6 TBA at 20,000µg/L). On the West Site (waste water treatment works) trichlorethylene in groundwater apparently is >100,000µg/L at the edge of the field along the farm track. The xylene 3,000µg/L concentration line apparently runs through Rectory Farm to the West at the top of the hill from the A10 Hauxton Gap (Figure 35).
26. **Hauxton Parish Council would like to have seen an estimate in the documentation of how many tonnes of soil/subsoil they expect to remediate, how deep the remediation is expected to go and just how much (mass) of each chemical they are going to have to destroy.** The amount (mass) of material that has to be destroyed to remediate the site has not been estimated in the planning application. (Such mass balance calculations are commonplace in the chemical industry.) Simple arithmetic suggests depth 5metres x width 50 metres x length 100 metres = 25,000 cubic metres which is about 25,000 metric tonnes or 25,000,000 kg of land to clean up. As an example take 5,000µg/kg of ethofumesate herbicide in some of the soil (see Figure 15 & Figure 28a)) so *conservatively* that is up to around 100kg ethofumesate to remove/destroy and quite possibly much more than twice that amount. Then add mecoprop (Figure 17), MCPA (Figure 16), TBA (Figure 18), DDT (Figure 19), organic solvents etc. and then there is copper (Figure 27) (mean 438mg/kg concentration in some spots.) With the copper comes arsenic, cadmium and chromium that the documents note as a bit of a problem (p99)).
27. **Hauxton Parish Council seeks assurances that clean covering with a layer of unpolluted soil is not an acceptable substitute for remediation.** Hauxton Parish Council interpret the documents to say the remediation and redevelopment will include scraping soil off the north meadow to provide flood relief and putting that clean soil down on part of the factory site to raise the land as protection from floods - and raising the ground level one metre. It should be for that purpose alone and not a barrier layer.
28. **Hauxton Parish Council is seeking dialogue with the Environment Agency on the long-term ground water remediation including outside the Bayer site and on the monitoring programme short and long term.** Clarification is sought as to what will the remediation do precisely to which parts of the site and to what depth and what

will success be defined as in terms of measurements over a period of time in specified places at properly agreed depths for soil/substrate AND groundwater. The Parish Council notes the rebound phenomena and notes that remediation procedures will temporarily drop the ground water levels but once the remediation stops the remaining reservoir of chemicals in the soil/substrate could rebuild the levels in the groundwater back up and perpetuate their spread. Hauxton Parish Council also note that the two deep boreholes on the Site are or will no longer be used to abstract water and would like the EA and the appropriate water authority to ascertain that this will not have a long term adverse effect on the hydrology of the Site and surrounding area.

29. **The River Valleys - Hauxton Parish Council was mindful that POLICY EN2 should also be a factor for the Developers and South Cambs District Council in their considerations. Extract from POLICY EN2: The District Council will not permit development which has an adverse effect upon the wildlife, landscape and the countryside character of the River Valleys of South Cambridgeshire. Where appropriate the District Council will consider the use of Article 4 Directions to protect this setting.)** 10.15 The District Council is concerned about the river valley environments within South Cambridgeshire. The most important of these are the River Cam north of Cambridge, the River Rhee to the south and west, the River Great Ouse, the Granta to the south-east and the smaller tributary valley of the Bourn Brook.
30. These rivers are important elements within the rural landscape and also form an important part of the setting of many of the villages within South Cambridgeshire. They make attractive water features in the landscape and their associated valleys also add interest with trees and meadows. In addition to having amenity and recreational value the river valleys are also areas of importance as wildlife habitats, often in areas, which are intensively farmed. It is essential to maintain the quality of these environments particularly where public footpaths or bridleways follow the river, such as alongside the Cam to the north of Cambridge. The protected areas of river valleys, which are the subject of this policy, are indicated diagrammatically on the District-Wide Proposals Map.
31. Development, which could be harmful to riversides, includes fencing which is obtrusive because of its inappropriate scale or materials or the construction of outhouses, boathouses, gazebos or sheds which introduce buildings into an open part of the landscape. This may also include the development of mooring or marina facilities (see also the Recreation Chapter). In particularly sensitive areas such as within the Green Belt or within Conservation Areas, the District Council will consider the use of Article 4 Directions of the Town and Country Planning (General Permitted Development) Order 1995, which remove, permitted development rights.
32. **Dialogue with the Developers and South Cambs District Council Planners.** Hauxton Parish Council will continue to maintain the very valuable dialogue they have established with Harrow Estates, their Agents and SCDC Planning and will work to resolve any problems and issues that arise wherever possible
33. **Great Shelford Parish Council:** No objections to demolition of the buildings as long as suitable measures are put in place for bats or owls using them as a roost. The remediation is obviously a complex process, which we are happy to leave to the consideration of the experts of the Environment Agency (EA). No objection to the development platform as long as the E.A. is satisfied the soil can be cleared of all contaminants to make it safe for residential use.

34. **Haslingfield Parish Council:** raise no recommendation but have concerns about increased volume of traffic spilling out onto on the A10.
35. **Highways Agency:** has issued Article 14 holding direction and raise a number of concerns relating to the transport assessment submitted with the application.
36. **Environment Agency:** the application, as submitted, does not consider sufficiently the following issues: pollution control & effects of development within floodplain. A detailed report to consider these issues has been provided by the applicant and a verbal report of any additional comments by the Environment Agency will be provided at this committee meeting.
37. The application relates to a site that has been formally designated as a Special Site, as defined in the Contaminated Land Regulations. The Agency will require the Significant Pollution Linkages that have been identified, to be dealt with under the above Regulations, unless any development of the site permitted by the Local Planning Authority addresses these issues satisfactorily.
38. As the site delineated is within an area of environmental concern and flood risk (the flood risk assessment makes no reference to the proposals for this application). We therefore recommend a number of conditions be appended to any approval given. These conditions relate to:
 1. No spoil or materials deposited or stored in the floodplain
 2. Submission of site investigation of pollution risk
 3. Details of piling foundations
 4. Submission of statement to verify remediation works in accordance with Method Statement.
39. The Environment Agency will be pleased to assist in the assessment of proposals submitted by the applicant to meet these conditions. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures either affecting or within 9 metres of the River Cam. Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access. Please note that formal Consent is required irrespective of any Town and Country Planning Act Approvals/permissions. Consent is not implied by these comments.
40. Fisheries, Recreation & Biodiversity comments as follows:

In line with The Governments Planning Policy Statement 9: "Biological and Geological Diversity" the diversity of wildlife should be conserved, enhanced and restored. During the ecological survey carried out on the site in 2006 it was found that bats and barn owls were present on the site. Before removal of the present buildings commences long term mitigation should be provided for the loss of the habitat used by the bats and barn owls. This should take the form of alternative roosting and nesting sites. Further surveys may be required before work commences if there is some time between the previous survey and work starting on the site. The drains and ditches may be more suitable habitat for water voles than the main river so they should be surveyed for water voles if this has not already been carried out. Any habitat already present on the site should be retained, such as trees and grassland. The botanical surveys indicated areas of grassland where bee orchids and cowslips grow, these areas should be

protected. Important trees should also be protected - the black poplar is only found in wetland areas of lowland England and is becoming increasingly rare. Habitat enhancements and creation should be included in the overall site plans. A long-term environmental management plan for the site will be needed. This should include how the site will be managed for the benefit of wildlife.

41. **Environmental Health SCDC:** confirms that the noise impact assessment has addressed the key noise related issues associated with the development site. The air quality assessment for the proposed development is considered acceptable. The development should be designed to encourage the use of suitable measures to mitigate the impacts of the proposed development on air quality. The development is close to the M11 and adjacent to the A10, which are both busy roads. PPS23 confirms that air quality is a material consideration both in introducing receptors to areas of poor air quality and introducing new emission sources.
42. **Ecologist SCDC:** Whilst no objection in principle further habitat restoration and enhancement must be secured.
43. Aware of habitat creation measures, it is felt that they are all primarily flood defence driven and that the habitat works are merely provided to off-set the engineering works associated with the measures. Additionally, whilst the Riddy Brook is to be partially cleared of shading vegetation the drive is again flood defence.
44. Disappointing that the main degraded features of the application site (i.e. the dredged River Cam following creation of the back weir pool in the 1980's and the concrete walled Riddy channel) are not being restored through this application. Whilst useful discussion has taken place in the last two months the project appears to have been flood defence driven and has not sought to fully investigate the opportunities for habitat restoration and enhancement of the river habitats that the site provides. The River Cam will be an incredibly important feature of this development and one would expect an appropriate level of habitat restoration and enhancement of the riverside environment. Modelling of flood flows incorporating in-channel habitat improvements is possible but has time-delay implications. Following its dredging in the mid 1980's the river now lacks the natural pool and riffle sequence. It could be enhanced to provide an important fish nursery habitat in addition to making it safer.
45. It is requested that should the application be approved then a suitably worded condition be used to secure the further investigation of appropriate river-based habitat restoration and enhancement works.
46. Further discussions with the applicant have considered the following:
 - 1) Concern that the meadow north of the Cam will be subject to intense people pressure and will not provide for wildlife sensitive to disturbance. Applicant agrees in principle to enlarge ditch to provide "wet fencing" to the area but agrees that "no-access" will be hard to enforce.
 - 2) Policy NE/6 and SCDC Biodiversity Strategy seek to secure biodiversity enhancement, the application at present does not provide river-based enhancement appropriate to the scale of the development. However, a suitable condition may facilitate further progress on this issue. Enhancement of off-site land, such as the meadow to the west of the A10 and north of the Cam, should also be considered.
 - 3) Closer liaison is required between the engineers and the Ecology Officer with respect to the design of the flood defence measures for the Riddy and the

channel over the north meadow. The EA Fisheries and Biodiversity team should also be included within the discussions otherwise enhancement measures will be missed.

- 4) It is acknowledged that the potential for pollution of the Riddy exists if proper remediation works are not undertaken. However, once the remediation works have been completed it would appear right to seek the restoration of the Riddy's banks so that the concrete wall is removed or replaced with a softer and more ecologically sensitive edge treatment. A time or event related condition could be attached to seek restoration once appropriate.
 - 5) Concern remains at the level of siltation that is present behind the mill. The diversion of flows in the 1980's over the back weir resulted in silt settling behind the mill. The movement of further flood flows over the north meadow will carry more potentially high flows away from the mill thus reducing further the potential for natural scouring of the silt. The silt is smothering the riverbed leading the build-up of anaerobic gases. The mill head should be desilted as the current practice of simply opening the mill sluice does not appear to have achieved much and it would result in degradation of habitats downstream if large amounts of silt were released at once.
 - 6) It is accepted that no lighting should be provided along the footpaths adjacent to the River Cam and Riddy. Increased lighting would upset the diurnal patterns of flora and fauna.
 - 7) The development has the potential to cause disturbance to the water environment through chemical and sediment pollution. The application should provide a suitable scheme of ecological monitoring that extends to an agreed distance downstream (with EA input). Aquatic invertebrates, fish stocks and riparian plants should be recorded. Should any pollution event occur then baseline information would be present, furthermore the information may show future biodiversity gain (such as fish returning to the Riddy). (The EA letter 5 June 07 supports the need for an ecological monitoring.)
 - 8) The applicant has agreed in principle to provide the re-pollarding of willow trees, the creation of an otter holt, erection of bird and bat boxes. Further measures such as restoration of the old orchard that was once associated with the mill should be explored and secured by means of a condition requiring a Biodiversity Enhancement and Management Plan to be submitted and approved.
 - 9) Appropriate measures will need to be included with the S106 to secure the long-term management of features such as the north meadow, sensitive management of the Riddy, willow pollarding and ecological monitoring (list not all inclusive).
47. **Cambridgeshire County Council Countryside Access Team** confirms that 3 public footpaths cross the site. Applicant makes reference to possible need to divert or extinguish them to allow development but no information is provided to indicate the current or proposed routes of the footpaths. It is likely that some of the existing legal lines of these paths would be obstructed by some of the new properties, which constitute an offence under s137 of the Highways Act 1980. The developer should consider redesigning the development so current lines are unaffected or apply to divert the footpaths under the Town and Country Planning Act 1990. Furthermore due to the increased use of public footpaths as a result of the development, the developers should upgrade the paths to a segregated cycleway/bridleway with appropriate changes in

surface. Installation of Pegasus crossing on A10 to serve needs of future residents of the site would create a link to cycle route negotiated through Trumpington Meadows.

48. **Cambridgeshire County Archaeology** confirms that in view of the varied and particular circumstances prevailing in this brown field site, it is considered appropriate to release the proposed development from any archaeological requirements.
49. **Cambridgeshire County Development Control (Minerals and Waste)** confirms that this development will involve considerable demolition and removal of waste material from site. In the light of this the County Council as waste planning authority will require any waste material being removed from this site for disposal i.e. landfill to be taken to an authorised site. It is also necessary for a temporary waste management facility to be established on site, to maximise the recycling /reuse of waste arising from demolition/construction on site, as the development takes place. This site, which would involve the separation, storage, recycling and re-use of waste, should be in place when development commences and throughout construction. The emerging Minerals and Waste LDF highlights the need for major developments to be accompanied by a Waste Audit/Strategy addressing such factors as location of waste; types and volumes of waste; strategy for dealing with each waste stream; strategy for dealing with residues off and on site. These recommendations are considered consistent with the emerging County Council's Minerals and Waste Plan, and the District Council's own LDF, encouraging recycling of demolition material and sustainable re-use of spoil and disposal at authorised treatment and disposal sites of on-recyclable waste. The County would also like to point out that the Cambridgeshire and Peterborough Minerals and Waste Plan preferred Options (Nov 2006) policy SSP10 of the site specific plan, identifies land to the west of this site as a site for a Household Waste Recycling Centre (HWRC). Whilst the land identified in the Plan also includes a Safeguarding Area, which extends onto the eastern Former Bayer site (this application area), it is not envisaged that development of the Eastern site for the uses proposed would prejudice the proposal for an HWRC on the western site.
50. **Cambridge City Council:** confirms no comments on remediation.

Representations

51. **Cambridgeshire Local Access Forum:** notes the proposal to create area of land with "public access to open space" around the River Cam and this area appears to incorporate the existing public footpath. This proposal is welcomed but more detail is required such as how the land is to be managed to ensure unfettered public access in perpetuity.
52. **Cam Valley Forum:** Raise concerns about the impact of storage of agrochemical production to the River Cam and subsequent impact on soil contamination deriving from pollution events on the site previously. Proposals to undertake thorough remediation of the site is welcomed, but concern about the possible risks, to the Riddy Brook, River Cam, and quality of the river downstream and even within Cambridge City itself if remediation schemes were to go wrong or not be carried out sufficiently.
53. Have considered two reports regarding remediation strategies; the first produced by Atkins submitted as part of the planning application and the second the Enviro report, which was produced following a request from the Environment Agency. The Atkins report considers remediation for a developed site and the Enviro report considers remediation if the site as used by Bayer ceased. In terms of site contamination concerned that the Atkins report clearly indicates a wide range of noxious chemicals, harmful to human health present on the main site, and evidence that the levels of

pollutants has declined since the factory production ceased is not convincing. Therefore conclude that it will be necessary to remediate every part of the site in order to maximise the whole site and that targets for remediation should be included. Once development starts there would be no further opportunity to tackle problems on site and that there should be no reliance on “natural processes” to complete the work.

54. With respect to ground contamination, understand previous owners denied any risk of groundwater contamination to either the Riddy Brook or the River Cam, explaining the contamination events due to surface waters occasionally overtopping the bentonite wall. However remain concerned as the Atkins report indicates that contamination has migrated from other parts of the main site and that contamination flows from the wastewater treatment site towards the River Cam or Granta. Note that both reports highlight the importance of the bentonite wall, which separate the site from the Riddy Brook and protects the river system. Remain concerned that the Atkins report relied on higher water levels of the factory side, which does not reflect the changeable nature of this Brook. Concerned that Atkins report fails to include borehole data to the north and north-east of the factory site, which will show significant concentrations of pollutants.
55. To summarise the Cam Valley Forum has the following concerns:
 - a. The proximity of vulnerable watercourses adds a further dimension to the remediation problems;
 - b. The risk assessment procedures outlined in the “Remediation Strategy Summary for Planning” document have not been given sufficient weight;
 - c. No attention has been paid to the worse-case scenario in which the changes to the hydrology of the site or breach of the cut-off wall might lead to a major pollution event of neighbouring water courses;
56. In terms of the off-site contamination, concerned that although the Atkins report and maps show high amount of specific pollutants present or likely to be present to the west of the main site. No data on potentially vulnerable sites to the north and east of the main site is provided. Areas should be surveyed and remediation procedures extended if necessary.
57. Whilst accept the need for remediation on this site and recognise that it will be complex for a number of reasons, remain concerned that even at this stage there are no definite plans for precise remediation methods to be used on which parts of the site. The lack of information suggests that the applicant is struggling to find an adequate, secure and economically viable solutions to this problem and that they do not yet know the full extent of the contamination. In terms of the timing of the medium remediation proposals expressed in the Enviro report, concerned that the applicant may try to achieve this in a much shorter time period to accelerate the development. In terms of the options put forward Cam Valley Forum objects strongly to Option C as the wholesale disturbance of the ground on a site this size with such as heavy and varied contamination load could well lead to a major environmental disaster. Likewise Option D, which involves essentially burying the contaminants more deeply, does not control the groundwater pollution. To conclude would suggest that:-
 - a. Continuous monitoring takes place to progress the effectiveness and side impacts of the remediation processes by the Environment Agency; and that
 - b. No development on the southern part of the site prior to the completion of the remediation of the whole of the main site.
58. With respect to flood protection, not satisfied with the proposal to “quarry” the water meadow to the north of the site to create a ‘flood relief channel’ as this work is simply to obtain cheap local source of material to raise ground levels on the site therefore limit

flooding hazards and to conceal unremediated pollutants. This excavation should not be allowed for the following reasons:-

- a. Water meadows are officially recognised as an increasingly rare habitat;
- b. The proposal is contrary to policy EN2 of the South Cambridgeshire Local Plan;
- c. The excavation of a deep channel beside the River Cam and on the floodplain would lead to influxes of raw sediment into the river and transporting material off the site would lead to damage to the floodplain environment;
- d. The geological material is not suitable for raising ground levels;
- e. The need and effectiveness of such a channel is unclear;
- f. There is a possibility of low-level contamination of the sediments to be excavated as the vegetation between the Riddy Brook and River Cam shows evidence of chemical contamination.

59. To conclude due to the conflicting priorities of PPS23 and PPS25, the developers should not extend housing to the edge of the main site, along the Riddy Brook, but instead create a green corridor at least 40-50m wide from which development would be excluded. This would reduce the risk of flooding and reduce the need for unspecified volumes of fill that would need to be imported to raise ground levels over the rest of the site for flood protection. Would also like developers to address the impact of flood protection measures on the surrounding land in other ownership.

Ramblers Association: raise the following concerns/issues:

60. The 'connectivity' of the footpath network is important, and particularly so in helping people to get out of Cambridge itself, or from the Trumpington Park and Ride facility. It is therefore vital that the Trumpington Meadows development of footpaths connect through to Hauxton Mill, to reach fp Hauxton 1 on the eastern side of the A10. You may know that Great Shelford Parish Council has put forward a proposal to Cambridgeshire County Council to designate the farm track which runs from just north of Hauxton Mill through to Rectory Farm, Great Shelford as a Right of Way, on the grounds of usage by the public over many years. The Southern Fringe Development Plan gave a broad indication that it too would like to investigate the possibility of such a link. The former Bayer site is clearly adjacent to this possible development, and a positive attitude to it might be helpful. When the development of the western site is considered, would suggest that a connection is made down the western side of that site to the bridleway Hauxton 2, to lead westward towards Haslingfield, and the wider network of paths. The safeguarding of all the public footpaths during construction is important, and welcome the improvements, so long as it does not become attractive to cyclists. During construction work care should be taken to deal with adequate signposting; ensure that the surface of the path/diversion is suitable for pedestrians whatever the weather and stage of construction; materials and waste from the site should not be stored or dumped on the fps or the diversions; and there should be adequate warning signs for both vehicles and pedestrians about their mutual proximity.
61. The status of any new paths is a matter of concern, and in general we would hope to see new paths given the legal status of Rights of Way, rather than Permissive Paths. Agree that the footpath and cycle networks are to be kept separate, and this should be re-inforced not only by their legal status, but also by appropriate signing and street furniture. Safe crossing of the A10 from the western side to the eastern at Hauxton Mill is vital to the 'connectivity' to Hauxton 1. Understand that going under the road-bridge is not possible, and that a 'village gateway', with central refuge and a new speed restriction of 30mph are proposed. Would suggest that the 30 mph restriction should be placed further towards Cambridge, in an attempt to slow the traffic before they reach the refuge at which people would be trying to cross. This is particularly important

because of the bend, which would make the refuge etc virtually invisible to traffic coming from the Cambridge direction until they were right up to it.

62. **Cambridge Preservation Society** supports the overall redevelopment of the site, however there are a number of concerns and issues which the Society objects to and requires addressing at the appropriate stage to ensure long-term scheme. In terms of the Riddy Island it is welcomed that there is the retention of designated footpath and integration of recreational routes and bridges and retaining such as open/green space. Long-term maintenance should have some built-in ability for redress if any significant pollution issues arise. With regards to the Mill Island and green areas linked with A10 it is questioned on the future public access to this area. Would suggest that in the first instance the future needs of the Mill building and disused Mill House are secured prior to making this green area accessible, as permitting public access at this stage may significantly limit usage of these buildings and potential management/user partnerships and reduce long-term conservation and sympathetic usage of the listed buildings and their setting. Potential future uses of the two buildings could be a combined café/ restaurant and gallery, office or possibly some form of community village provisions. It is paramount that adequate access infrastructure for all potential needs to be retained and the commercial viability strengthened where possible.
63. Vision of spaces very limited and unimaginative a full feasibility study needs to be undertaken. Although not high nature conservation value it is welcomed that the area known as the north meadow will have no public access to act as a sanctuary for local wildlife. More features should be incorporated which support and improve wildlife values. It is important to retain character of meadow and setting of River Cam corridor and listed buildings within the Green Belt. Future public access along River Cam should link with the Shelfords and identified in the Green Infrastructure Strategy.
64. **Natural England** confirms no objection subject to the inclusion of conditions.
65. Consider that the proposal is unlikely to have a significant direct effect in the interest features of nearby SSSIs and that mitigation is sufficient to counter likely impacts to protected species. Natural England is satisfied with the outline mitigation and enhancement measure in the Environmental Statement, however in order to ensure the long term maintenance and enhancement of the wildlife value at the site, it is advised that these proposals be detailed further and agreed with the Local Planning Authority (LPA) prior to construction works taking place. The following points should be assured through planning conditions/obligations:
66. Prior to works on site, an Ecological Management Plan for the entire site will be agreed with the LPA, including details of:
 - a. Mitigation during construction to ensure minimal impacts to habitats and wildlife, such as timing and methodology;
 - b. Management measures including a work programme to maintain and enhance the value of the site for wildlife once the development is completed;
 - c. Sensitive planting plans including appropriate locally native species that will be of benefit to wildlife. To include details for providing plants of a local governance, ideally from seed collection from suitable habitats in the surrounding area;
 - d. A monitoring program to ensure that mitigation and enhancement is successful and to guide future management of the site;
 - e. Details of commuted funds to enable the site to be managed to benefit in the long-term, and detail who will be responsible for carrying out this work.

67. The plan would safeguard the short, medium and long-term wildlife interest and enhance that the development takes place with the confines of national and local planning policy and ensure that nature conservation legislation is adhered to by any developers at the site. This would help ensure there is no net loss of wildlife interests as a result of the proposal and the use of development to achieve enhancement of habitats for wildlife interests.
68. The extended Phase 1 habitat survey indicates that that there are several areas of potential botanical value, most notably the southwest field appears to be significant in the context of the application site, and has potential to be managed in a way to provide biodiversity enhancement as a result of the development. The EMP should include specific details of this and how it will be protected from negative impacts that will arise from increased human activity in the area.
69. Given that the aquatic habitats of the River Cam and Riddy Stream are of high importance, the protection of these habitats should be fully considered at the earliest stage in the design process. Buffering of the river corridor is welcome however; further measures should be taken to ensure existing interest is maintained. Wish to see further details as to how human disturbance will be minimised and biodiversity enhanced along this corridor. The potential for the development to provide nature conservation enhancements should be clearly distinguished from measures to mitigate or compensate for harm as set out in PPS9.
70. Natural England is satisfied with the species survey methodology and notes that protected and notable species are resident on the site, however further details should be included with the EMP:
 - a. Support in principle the creation of a bat barn and the provision of bat boxes across the site, however the bat barn should be in place prior to any works taking place at the site and that it is monitored to ensure that bats are using it. Specific details should be provided in the EMP and agreed in writing with LPA prior to works starting on site;
 - b. Works to any mature trees with bat potential which may need surgery or felling should be conducted in presence of, or following a survey by a licensed expert to ensure that works do not impact upon bats;
 - c. Although there does not appear to be a badger sett on the site, they are likely to use the site for foraging. The loss of the foraging area does not appear to have been fully investigated. Further information should be submitted regarding how any impact will be mitigated prior to works being carried out. Periodic site surveys should be undertaken to ensure that badgers have not colonised the site;
 - d. The EMP should include enhancement plans to encourage bird species present based on their habitat requirements. No vegetation clearance should take place in the main bird breeding season, unless agreement has been made in writing to the LPA and the area has been searched and no nesting birds located by a competent ecologist prior to clearance. A further survey for barn owls should be carried out as it is thought that they may use the site for nesting.
 - e. If development is delayed or phased, periodic reviews for protected species should take place, especially in the period immediately before operations are carried out on any potentially suitable parts of the site for protected species. Given that may protected species are mobile, occurrence in an area can change rapidly.
 - f. All contractors should be briefed by the applicant's ecologist regarding sensitive issues on site. Information should also be posted for reference in communal areas.
 - g. The applicants should be informed that planning permission would not absolve them from complying with the relevant law, including obtaining and complying

with the terms and conditions of any licenses required as described in Part IV B of Circular 06/2005.

71. Regarding hydrology, it is essential that the groundwater resource is fully protected from pollution in the short and long term. This is particularly important due to its location to the River Cam. The value of this site to wildlife is derived from the flow of a high quality, unpolluted water system, and therefore it is essential that the proposed development does not interfere with this. Natural England advises the applicant to obtain specialist hydrological advice to determine the best approach to working at the site to ensure that the quality of local hydrology is maintained. In terms of the biodiversity interests regarding the redesigning of the flood management scheme, any negative effects should be identified with details setting out how the impacts will be remedied to protect aquatic habitats as described in the Local Development Plan.
72. Natural England would look to the Environment Agency to ensure that the proposals follow their pollution prevention guidance and any mitigation will act as a sufficient effective safeguard. The applicant should incorporate Sustainable Urban Drainage (SUDs) into any detailed scheme and future schemes should combine ecological enhancements with reducing flood risk and direct or discrete aquatic pollution events.
73. Light pollution and inappropriate positioned lighting should be minimised both during construction and in the long term to ensure that sensitive lighting arrangements are used in areas that may be a roosting, feeding or commuting corridor for bats.
74. Sufficient open space for the estimated increase in the population should be provided on or in close proximity to the development site and made easily accessible. This will be necessary to reduce additional visitor pressure on natural conservation sites in the locality. The applicant should be directed towards meeting Natural England's standards as set out in 'Accessible Natural Greenspace Standards' that acknowledge and encourage the use of natural green areas within new developments.
75. **The Wildlife Trusts** raise no objections but request that the following points be taken into account:
 - (1) Proposed site is severely contaminated with a bentonite wall providing a barrier between Riddy Brook and River Cam. Wildlife Trust would highlight ecological importance of these waters and the serious impact, which could be caused by contaminants entering them. Require reassurance that bentonite wall is still effective barrier to movements of contaminants and will remain so until remediation is complete.
 - (2) Generally welcome buffering of River Cam, retention of riverside habitat features and proposed creation of flood meadow, but more needs to be done to preserve existing interest. Section of river corridor has good water quality, has a valuable biodiversity and a residential development would increase disturbance with many people using the footpaths. Proposals should therefore be further improved to mitigate for this impact on river corridor and deliver greater ecological benefits.
 - (3) The following biodiversity enhancements should be considered:
 - (a) re-design flood management system to promote greater flow through the Mill Race and Riddy Brook channels during normal flow conditions.
 - (b) Design of North meadow spillway should take ecological considerations into account.
 - (c) Significant benefit could accrue with the right hydrological design could be the restoration of the flood meadow immediately upstream of the development and south of the river. Meadow previously

supported breeding waders so desirable to try and re-create suitable flood conditions for passage and wintering waders.

- (4) Landscape and ecological enhancements in the ecological assessment report are supported. All enhancements must be delivered by appropriately worded conditions and/or planning agreement.
 - (5) With regards to the flood meadow (north meadow), concern is expressed that the natural regeneration alone will not provide the best ecological outcome or ensure the creation of a high quality Biodiversity Action Plan habitat, as there are very few upstream semi-natural meadows that could provide a seed source.
 - (6) The creation of a flood meadow (north meadow) should include seeding with a native wildflower and grass mix (ideally a locally native mix), rather than being left natural regeneration.
76. Three letters of comments from two local residents have been received. Two letters support the principle of the site remediation but also raise a number of concerns, but third letter objects to demolition of properties along Church Road:
77. Welcome opportunity for site to be remediated as well as surrounding land, but concerned that decision on remediation of site by members will be swayed by either a view that site needs remediation at all cost or alternatively that from the view of appeasing Government policy or satisfying current financial goals that development at all cost would be the right policy. The long-term sustainable future of the site and the maintenance of the River Cam and its immediate environment in a good condition, together with its biodiversity, as a special asset of South Cambridgeshire needs to be taken into account. Firm principles have to be laid down to protect the environment and that the public interest in long-term environmental protection and sustainability are absolutes and developers should not be permitted to cut corners.
78. Concerned about continued uncertainties about actual extent of contamination and methods to be used to tackle the wide range of contaminants. Particularly concerned that applicant intends to remediate full extent of polluted land both on and off the sites they control. SCDC and EA believe there is only groundwater pollution but our investigations made clear soil and subsoil itself had absorbed pollutant residues and these are unlikely to be remediated simply by treating groundwater's on factory site. Land to west of A10 poorly maintained corroding effluent pipes within 3 metres of our boundary leaking contaminated liquids.
79. As successors in title present developers have clear responsibility for remediation of whole area. More extensive history of pollution events, particularly via Riddy stream, than has been admitted. Bentonite wall protecting Riddy and River Cam is failing, any remediation or changes to operations of the pumping system taking contaminated waters to the waste water treatment plant were to affect either groundwater levels and pressures or the direction of groundwater flow, there could be a highly damaging pollution event affecting River Cam and Cambridge City. Against excavation of floodplain meadow to north of River Cam to provide material to raise land levels on site would inevitably involve pumping and greatly increase lateral groundwater flow putting further pressure on bentonite wall.
80. Insidious effects of highly toxic groundwater contamination from factory site led to part of our land being taken out of agricultural production on the orders of ADAS. Groundwater flowing through factory site constantly contaminated, given widespread sources of contamination and complex patterns of flow it would be impossible to restrict groundwater flow to just half site.

81. Strongly object to request to demolish dwellings on Church Road. Despite objections from local residents factory site expanded to the total destruction of that end of the village, which is the oldest part of the village, very attractive in appearance and important historically and archeologically. Dwellings are considerable interest and value to villages being the only pre-war dwellings remaining to west of Church Road, other than Mill house and new Mill House. Important archaeological aspect within this part of site with the gardens of these dwellings being cleared as areas where a moderate archaeological potential services.

Comments still awaited from:

Drainage Engineer:

Design Officer:

Planning Comments – Key Issues

Demolition

82. The main areas of demolition on the site relate to the former factory buildings in the form of office blocks, warehouses and production buildings. In addition to this there are large areas of hard standing across the site, ancillary structures such as water tanks and small-scale infrastructure as well as the three detached dwellings fronting onto Church Road. A large amount of demolition has already been carried out in the form of production buildings and small scale storage tanks in order to remove any asbestos material from the site and to allow for bore holes to test ground conditions. The remaining office buildings are prominent features when viewed from outside the site, while the relatively recent warehouse buildings are more low level and screened by existing landscaping. None of the factory buildings make a positive contribution towards the character of the area appearing more as an anomaly within the rural landscape. In terms of the three detached dwellings these properties do contribute towards the rural character of Church Road being relatively simple in design and appearance with mature and spacious gardens.
83. The loss of the factory buildings is not considered to be unacceptable and will provide the opportunity to consider a more appropriate development on the site. The removal of large areas of hard standing around the curtilage of the Mill House will help to improve the setting of this grade II listed building. With regards to the dwellings on Church Road, their removal will have some affect upon the character of the area but not to the detriment of the townscape or the entrance to the village of Hauxton and as they are not listed buildings are not subject to any special control. As with the removal of the factory buildings the area of the dwellings will allow for further development of the site the design of which will be a consideration under reserved matters approval.

Remediation

84. Due to the contamination on this site the applicant will need to ensure that the site is fit for use for development prior to any work commencing on site and this forms the second element of the application. Government Policies on Planning and Pollution Control within PPS23 (Planning And Pollution Control) states in paragraph 8 “any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to an impact on health, is capable of being a material planning consideration, in so far as it arises or may arise from any land use.” Paragraph 15 continues by stating “Development control decisions can have a

significant effect on the environment, in some cases not only locally but also over considerable distances. Local Planning Authority's must be satisfied that planning permission can be granted on land taking full account of environmental impacts." In the determination of individual planning applications, the potential for contamination to be present must be considered in relation to the existing or previous use and circumstances of the land. As part of this consideration the Council should satisfy itself that the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks, including those covered by Part IIA of the EPA 1990. Furthermore it is also the advice from Central Government that developers should be able to assure the Local Authority that they have the expertise, or access to it, to make such assessments.

85. In considering this application the applicant acknowledges that this is a contaminated site and that in certain areas the level of contamination is of significant amounts. Furthermore by their own admission the applicant states that they represent a specialist company, which acquires this type of site across the Country, obtains outline planning permission for redevelopment carries out the remediation work and then sells the 'cleaned' site to a developer.
86. The applicant has carried out a number of surveys of the site to establish the level and amount of contamination on the site. From this information the applicant states that it is clear that the southern part of the site provides the least amount of contamination and that the most heavily contaminated areas are to the centre and northern parts of the site. To address the contamination the applicant has put forward a detailed remediation strategy following consultation with specialist remediation contractors. Bench trials were carried out to investigate the suitability of various remediation approaches to the contamination. Following these trials further field trials were carried out to establish whether the proposed remediation methods would achieve the required remedial targets required on the site. The trials comprised of three components, namely chemical oxidant injection test; pump test – local hydraulic conductivity; and finally a biosparge test – air sparge radius of influence. In detail the chemical oxidation method is to inject an oxidising reagent into the area of contamination, the oxidising solution reacts with the contamination to reduce the pesticides in the ground to an acceptable condition. The pump test involves the installation of wells across the site and injecting water at pressure, the water is extracted from the site using the existing waste water treatment plant located on the west side of the A10. To a certain degree this method is being used at present as the applicant is continuing to use the waste water treatment plant to take groundwater from the factory site and clean it prior to the water being discharged into the River Cam. The third method of a Biosparge test comprises an injection of air under various pressures and flow rates into an injection well screened at the base of the contamination area. This last method allows and encourages the natural bacteria to react with the contamination to reduce it to an acceptable condition. From the field tests the applicant's consultant has recommended that the preferred option for the site is to incorporate a combination of the following methods:
 - a. Pump and treat
 - b. Chemical Oxidation
 - c. Biotreatment of soils and groundwater.
87. At the time of writing this report the applicants consultant is providing a detailed hydrological and contamination assessment of the site in order to confirm the wide range of remedial targets which will be appropriate to the contamination profile and development objectives for the site. These remedial targets will be provided to both the environmental health officers of this Council and officers at the Environment Agency before being accepted as the targets for the cleaning of the site. Overall the applicant

has set aside a period of 12-18 months to allow for the remediation and regular monitoring of the site. During this period the verification of the works will include sampling of soil and a period of ground water quality monitoring, all of which will aim to demonstrate the effectiveness of the remediation works and to confirm that no 'rebound effect' has occurred.

88. As part of the remediation process the applicant has confirmed that site levels across the site will be changed with the use of 'clean' cover over the development site. This material, which is likely to be sourced from the provision of the shallow swale and removal of the artificial levee, both within the north meadow, is not however viewed by the applicant as the primary methods of remediation for the site but as a consequence of the requirement to undertake land raise to accommodate the flood risk issue. The applicant continues by explaining that the use of a layer of 'clean' material is an accepted form of remediation for particular receptors and for certain situations as the cover can provide the necessary break in the source-pathway-receptor linkage by breaking the pathway for potential end users. Furthermore it is explained that previous schemes have seen the inclusion of a clean cover capping of 1.0m as an accepted remedial approach to remove human health impact. With regards to this aspect of the development the applicants flood risk assessment has demonstrated that the site will be raised as part of the flood risk mitigation measures. In considering this information it would appear that the increase in levels is centred on the footpath over the Riddy Brook and the weir located at the split in the River Cam and the Mill Race. The increase in heights at this point will vary between 1.11 metres at the footbridge and 0.514 metres at the weir. The increase in height will have an impact upon the setting of the listed buildings which is located to the east of the footbridge. Furthermore it is not clear what the levels increase for the rest of the site will be although there are references to a suggested 1.0 metres increase across the whole site. As with the listed buildings this increase is likely to have an impact upon the appearance of the site within the townscape which need to be taken into account and as such it is suggested that a condition be attached to any decision notice issued which requires details of site levels prior to the commencement of development.
89. The applicant has demonstrated a commitment to monitor the site to ensure the remediation works are carried out and, as required under paragraphs 24 and 25 of PPS23 where the potential for contamination is confirmed, further studies by the intending developer to assess the risks and identify and appraise the options for remediation should be required to allow for a full seasonal variation in groundwater, and the remediation of land should secure the removal of unacceptable risk and make the site suitable for its new use. However to ensure that the works are carried out in line with the measures/methods specified it is suggested that a condition be attached to any decision notice issued which requires no development to commence until the remediation works are carried out on the site subject to the satisfaction of both the Council and the Environment Agency.

FLOOD RISK

90. As the application site is located within an identified area of flooding due to a common boundary with the Riddy Brook and the River Cam the applicant has submitted a detailed flood risk assessment. The Environment Agency has considered this assessment but at the time of writing this report has not agreed the details and as such there is an outstanding objection from the agency. However discussions with the Environment Agency are continuing and it is anticipated that an agreement on the Flood Risk assessment will shortly be reached.

91. The site has some history of flooding which the applicant states has been located within parts of the surface car park in the north of the site. The applicant's information advises that this flooding was due to high water levels in the River Cam upstream of the main weir elevating the water level in the Mill Race and increasing the volume of flow into the Riddy Brook. The construction of the main weir in the River Cam has also resulted in the flood storage capacity of the field to the north of the river being under utilised. Furthermore the field to the north east of the River Cam is currently fallow and floods as a result of the high levels in the River Cam but due to the artificial rising of the riverbanks this has restricted access for floodwater into the field from the river.
92. In order to improve the situation the applicant proposes to create a shallow swale in the field to the north of the site to act as a flood relief channel and hence why the applicant has restricted this north meadow as an area of ecological enhancement with no public access. Any floodwater will enter the field area via an engineered breach in the levee, to be located within the channel of the River Cam upstream of the main weir. This will ensure that in the event of high water levels within the River Cam the excess water will breach the levee to allow the weir to the Riddy Brook to function as normal but limiting the amount of upstream water levels by allowing this excess flow to be stored within the field. The applicant is of the opinion that these proposals will minimise the risk of flooding to the development and in other areas in accordance with policy NE/11 of the Core Strategy. However until the Environment Agency confirms that the objection to the flood risk assessment is removed the issue of flooding is still outstanding.
93. Under the current situation all ground water and surface water from the site is collected and pumped to the waste water treatment facility located on the west side of the A10 where it is treated prior to the discharge into the River Cam. As part of the remediation measures on the clean-up of this site the applicant proposes to retain this method in order to clear any contaminates out of the ground and surface water on the site. As noted in the section on remediation there is the suggestion that part of the remediation measurers proposed the site levels will be changed although details of by how much are not clear from the information provided. As such it is suggested that a condition be attached to any decision notice issued which requires details of site levels prior to the commencement of development.

LISTED BUILDING

94. The Mill House was previously used by Bayer Cropscience as an office building and as such the interior has been significantly altered with partition walls, false ceilings and fire regulation doors although the wooden frames on the windows have been retained. With regards to Hauxton Mill, this has not been used for many years and the interior retains a number of original features. Unfortunately due to the lack of use the interior is in poor state of repair with many of the floorboards and staircases unsafe for use. The building does however have a large area of floor space and occupies a prominent position at the head of the River Cam, Riddy Brook and the North Channel as well as being clearly visible from the River Cam Road Bridge.
95. The applicant has confirmed that they understand the importance of securing an appropriate use to secure the long-term future of the buildings but they state that they will not rush into any agreements that would jeopardise the long-term future of the site or the listed buildings. As explained in the previous section of this report there are planned changes to the site levels and in particular to the levels of the footbridge located close to the Mill House linking the main site with that of the Mill Island. Although full details of the work around the listed buildings have not been provided the applicant has advised that, in the interim period, they will continue to maintain the properties to acceptable standards as statutorily required. For the Mill House the applicant proposes

to improve the setting by removing the tarmacadam surface to replace it with areas of public open space and ensuring that new buildings are sympathetic in mass and scale. With regards to Hauxton Mill the applicant has agreed that this building should form part of the neighbourhood development as part of the redevelopment application. Although not an ideal situation the applicant has demonstrated an understanding of the importance of the two listed buildings on the site and as such their future should be protected by the use of a condition requiring their use to form part of the second phase of development.

Conclusion

96. The case provided by the applicant in support of this application has demonstrated that with the removal of the industrial use and the cleaning of the site the proposal would represent an improvement to this part of Hauxton. The removal of the dwellings along Church Road is unlikely to result in a detrimental impact upon the character of the area or to the entrance to Hauxton village. Furthermore this improvement works would also allow for further ecological enhancements within the area and allow for the opportunity to provide an enhanced appearance to the edge of the Green Belt and the approach to Cambridge. The application site has been allocated as a potential site for a mixed-use redevelopment in the draft Site Specific policies, which although not formally adopted, are a material consideration.
97. Due to the level and type of contamination on the site this application represents a real opportunity to not only improve the site but also the appearance of the immediate area. This improvement work to the site will therefore allow for the provision of up to 380 dwellings on the site, which would contribute towards the Councils housing provision for the District. For these reasons it is considered that a case has been made to justify a departure to the adopted local plan. However it must be noted that the development could only proceed on the basis that the site is cleaned to a satisfactory level with the removal of unacceptable risks to allow the redevelopment.
98. Furthermore this will require additional works by the applicant in consultation with the Environment Agency and the Council's Environmental Health Officers.

Recommendation

99. At the time of writing this report the issue relating to flooding remained unresolved. Discussions with the applicants and their agents are continuing and a verbal report will be made at the meeting on the latest position.
100. If, by the time of the Committee meeting, the majority of the outstanding issues have been satisfactorily resolved or appear capable of being resolved quickly, I shall recommend Approval subject to suitable conditions, including the objections from the Environment Agency and Highways Agency.

Conditions:

1. Standard Condition - Time limited consent - Reason A
2. Prior to the commencement of development a methodology statement shall be submitted to cover the remediation works and approved in writing by the Local Planning Authority which shall include; drainage details, location of dust, odour and noise monitoring equipment, type of equipment to be used, frequency of monitoring, and details of an action plan to be implemented should monitoring

indicate conditions likely to cause disamenity to local residents.

3. Prior to the development hereby approved commencing, a scheme to protect the Riddy Brook and River Cam/Granta from materials during remediation and demolition shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented in accordance with the details approved.
4. During the implementation of the works hereby approved, should any unforeseen contamination be encountered during the development, the Local Planning Authority shall be informed immediately. Any further investigation remedial, or protective works shall be carried out to agreed timescales and approved by the Local Planning Authority.
5. No development shall commence until a Method Statement detailing the remediation requirements using the information obtained from the site investigation and refined conceptual site model and proposals for monitoring and verification of the remediation process has been submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.
6. Upon completion of the remediation process a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination has been carried out in accordance with the approved Method Statement including post remediation sampling and monitoring results.
7. Details of site levels before development commences.
8. Conditions requiring habitat restoration and enhancement.
9. Provision of a temporary waste management facility on site and a waste audit/strategy.

Reasons:

1. Standard A
2. To safeguard the amenities of nearby residents during development
3. To ensure satisfactory means of drainage and prevent pollution of nearby watercourses.
4. To ensure that the presence of contamination is detected and appropriate remedial action is taken in the interests of environmental and public safety.
5. To ensure that appropriate steps are taken to remediate the site in the interests of environmental and public safety.
6. To ensure that appropriate steps have been taken in respect of remediation and the appropriate levels have been achieved in the interests of environmental and public safety.
7. To protect the appearance of the site, the setting of Listed Buildings and adjoining land from flood risk.
8. To ensure ecological enhancement of the adjoining river valleys.
9. To maximise recycling/reuse of waste arising from demolition on site.

Background Papers: the following background papers were used in the preparation of this report:

- Government Policy Guidance referred to in Para 15.
- Local Development Framework Core Strategy and Development Control Policies 2007.
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003 Ref: S/2307/06/F Planning Application

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2308/06/O - HAUXTON**Redevelopment of 8.7ha of Previously Developed Land for a Mix of Uses Including Up to 380 Dwellings, up to 4,000 sq metres of Employment Use (Class B1), Retail Floor Space (Class A1), Open Space Provision and Access.****At land to the East of the A10 Known as the Former Bayer Cropscience Ltd site,****Recommendation: Approval****Date for Determination: 2 March 2007
(Major Application)****Notes:**

This Application has been reported to the Planning Committee for determination because there are outstanding objections to the scheme and the proposal is a departure from the development plan policies.

Site and Proposal

1. The application site is the former agro chemicals plant known as Bayer CropScience, which carried out the production and testing of agricultural related chemicals for over 65 years until its closure in 2003. The full Bayer site is divided into two by the A10 with the factory site located to the east side and the west side providing a mix of uses including associated sports facilities and the waste water treatment facility.
2. This current application only relates to the main factory site on the east side of the A10, which due to its previous use has pockets of high levels of contamination. The contamination will require remediation prior to any development on the site and is the subject of a second application S2307/06/F considered elsewhere in this committee report. The applicant on both applications represents a specialist company, which acquires this type of site, obtains outline planning permission for redevelopment carries out the remediation work and then sells the 'cleaned' site to a developer.
3. The site currently contains a mix of buildings in a state of partial demolition/dismantling as well as large areas of hard standing in the form of a 276 space surface car park and areas of internal infrastructure. In terms of scale the remaining buildings include large warehouses, production buildings, a number of 4 storey office blocks, large-scale infrastructure including storage towers of up to 7 storeys in height and three detached 2 storey dwellings fronting Church Road. In addition to the factory buildings, the site also contains two listed buildings known as Hauxton Mill and the Mill House both of which are grade II listed buildings while to the north of the Mill is the derelict building known as the New Mill House which although not listed in its own right is located within the curtilage of the listed Mill. A public footpath (number 5) cuts across part of the site which provides a loop route with footpath number 4 from the A10 through the site over the Riddy Brook and the River Cam past the Mill House and the Mill to reappear at the access point serving Westfield Cottages. A second public footpath (number 1) links with footpath number 5 at the footbridge over the Riddy Brook and provides a route partly along the western bank of the Riddy Brook before crossing it to run along the western bank of the

River Cam to then re-cross the Riddy Brook and continue along the eastern boundary of the application site and onto Church Road.

4. The site is bounded to the west by the A10, to the north and east by a 2.5 metre high boundary wall, which rests above a bentonite wall along the edge of the Riddy Brook. To the south the site boundary is formed by Church Road, which provides the main link into Hauxton village from the A10.
5. In detail this application, registered on 1st December 2006, seeks outline consent for the provision of 380 dwellings, new employment buildings of up to 4,000 sq metres (Class B1), area of retail development (Class A1), new access points, areas of open space and internal infrastructure.
6. With regards to the residential element it is proposed to provide a mix of dwelling type to a density of 47.5 dwellings/hectare, to allow for a variety of accommodation sizes and tenures across the development, and to encourage a diverse community on the site. The buildings will be predominantly 2 and 3 storeys in height with 4-storey development located at key locations such as entrance points. In terms of mix the proposal is to provide 1, 2 and 3 bed units with the majority as apartment accommodation. The majority of the residential development will be located within the southern part of the site, in order to benefit from proximity to the main part of Hauxton village. In terms of design, although this is only an outline application the submitted Design and Access statement (D&A) shows an illustrative layout and elevation details with a mix of contemporary and traditional design buildings across the site.
7. Turning to the proposed employment area the illustrative layout plan shown in the D&A shows this area allocated in the northern part of the site close to the listed Mill House. The total amount of floor space will be equal to 4,000 sq metres fronting onto the A10 and comprising smaller 'incubator' units for small to medium sized local businesses. A retail element is sought to serve not just the redevelopment but also the existing Hauxton village although in terms of size and location it is considered that this should be determined at the detailed application stage rather than at outline.
8. The primary access to the site is in the form of a new signalled controlled T-junction via the A10 and is combined with a number of traffic calming measures along this stretch of the A10. These measures include the reduction in speed limit from 50 mph to 30 mph, the creation of two pedestrian refuges on the A10 in the form of a village gateway feature to the north of the site and a second refuge located to the south of the Hauxton Mill Bridge. The main access point will provide an internal spine route through the development to link onto Church Road, although the initial access point into the development under phase 1 will be via Church Road.
9. On the issue of open space the revised D&A provides details on an open space framework, which confirms that the development will provide a series of open space facilities across the site. These facilities include the provision of a village green and a riverside walk along the Riddy Brook while the area located to the rear of Hauxton Mill on the Mill Island will be allocated as areas of informal open space within the development. The area known as the North meadow located to the north and east of the River Cam the area is allocated as an ecological area with restricted access and would not be open to the general public.

Planning History

10. This site has a very long planning history with numerous planning applications for development relating to the previous industrial use from 1948 to 2004.

Planning Policy

11. Until recently, the adopted Local Plan 2004 formed part of the development Plan for South Cambridgeshire, setting out the planning policy framework for development within the District. With the introduction of the new planning system in 2004 the Council has to produce a suite of Development Plan Documents (DPD), known collectively as a Local Development Framework (LDF), which will replace the Local Plan.
12. The Core Strategy DPD was adopted in January 2007 with the Development Control Policies DPD adopted in July 2007 and as such a number of the Local Plan 2004 policies have now been superseded. However the Site Specific Policies DPD is currently in a draft form dated January 2006 with the hearings for this Examination expected to start on 27 November 2007. As such and until this DPD is formally adopted there are still some of the Local Plan 2004 policies which remain in force.
13. Core Strategy DPD (January 2007) policies relevant to this application: **ST/1 Green Belt; ST/2 Housing Provision; ST/3 Re-Using Developed Land and Buildings; ST/6 Group Villages; ST/8 Employment Provision; and ST/9 Retail Hierarchy.**
14. Development Control Policies DPD (July 2007) policies relevant to this application: **DP/1 Sustainable development; Design of New Development; DP/3 Development Criteria; DP/4 Infrastructure and New Development; DP/5 Cumulative development; DP/6 Construction Methods; GB/1 Development in the Green Belt** (not finally determined or replaced as shown in the Local Plan 2004 until Site Specific Policies DPD adoption in 2008); **GB/2 Mitigating the Impact of Development in the Green Belt; GB/3 Mitigating the Impact of Development Adjoining the Green Belt; GB5 Recreation in the Green Belt; HG/1 Housing Density; HG/2 Housing Mix; HG/3 Affordable Housing; HG/4 Affordable Housing Subsidy; HG/5 Exceptions Sites for Affordable Housing; ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire; ET/2 Promotion of Clusters; ET/4 New employment Development in Villages; SF/2 Applications for New Retail development; SF/3 retail Development on Land Allocated for other Uses; SF/4 Retailing in Villages; SF/6 Public Art and New Development; SF/7 Underground Pipes, Wires, Fibres and Cables; SF/8 Lord's Bridge Radio Telescope; SF/9 Protection of Existing Recreation Areas; SF/10 Outdoor Playspace, Informal Open Space, and New Developments; SF/11 Open Space Standards; SF/12 River Cam; NE/1 Energy Efficiency; NE/2 Renewable Energy; NE/3 Renewable Energy Technologies in New Development; NE/4 Landscape Character Areas; NE/6 Biodiversity; NE/7 Sites of Biodiversity or Geological Importance; NE/8 Groundwater; NE/9 Water and Drainage Infrastructure; NE/11 Flood Risk; NE/12 Water Conservation; NE/14 Lighting Proposals; NE/15 Noise Pollution; NE/16 Emissions; CH/1 Historic Landscapes; CH/2 Archaeological Sites; CH/3 Listed Buildings; CH/4 Development within the Curtilage or setting of a Listed Building; CH/6 Protected Village Amenity Areas** (not finally determined or replaced as shown in the Local Plan 2004 until Site Specific Policies DPD adoption in 2008); **CH/7 Important Countryside Frontages** (not finally determined or replaced as shown in the Local Plan 2004 until Site Specific Policies DPD adoption in 2008); **TR/1 Planning for more Sustainable Travel; TR/2 Car and**

Cycle Parking Standards; TR/3 Mitigating Travel Impact; TR/4 Non-Motorised Modes.

15. **Site Specific Policies DPD** (January 2006) policies relevant to this application: **Policies SP/7 Bayer CropScience; SP/10 Allocations for Class B1 Employment Uses.**
16. South Cambridgeshire Local Plan 2004 (“The Local Plan 2004”) **Policies GB1 boundaries of the Green Belt; GB2 Green Belt General Principles; GB3 Location of Development; GB4 Major Developed Sites; GB5 Recreational role of the Green Belt; GB6 Access to the Countryside – Footpaths, Bridleways and cycle ways; GB7 Decline of the landscape. Appendix 7/1 Standards for car parking provision; Appendix 7/2 Standards for cycle provision; Appendix 11/1 Adopted noise standards; Appendix 11/2 Adopted protection against road noise.**
17. Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) **Policies P1/1 Approach to development; P1/2 Environmental restrictions on development; P1/3 Sustainable design in built development; P2/1 Employment Strategy; P2/2 General location of employment; P2/6 Rural economy; P3/3 Local facilities and services in urban areas; P3/4 Rural services and facilities; P4/2 Informal recreation in the countryside; P4/3 Recreation facilities; P5/1 Housing distribution; P5/2 Re-using previously developed land and buildings; P5/3 Density; P5/4 Meeting locally identified housing needs; P5/5 Homes in rural areas; P6/1 Development related provision; P6/2 Local and strategic partnerships; P6/3 Flood defence; P6/4 Drainage; P7/1 Sites of natural and heritage interest; P7/2 Biodiversity; P7/3 Countryside enhancement areas; P7/4 Landscape; P7/6 Historic built environment; P7/7 Renewable energy generation; P7/8 Safe and healthy air, land and water; P8/1 Sustainable development – links between land use and transport; P8/2 Implementing sustainable transport for new development; P8/5 Provision of parking; P8/6 Improving bus and community transport services; P8/8 Encouraging walking and cycling; P8/9 Provision of public rights of way; P9/1 Housing distribution – Cambridge Sub-Region; P9/2a Green belt; P9/8 Infrastructure provision.**
18. Government Policies **PPS1 Delivering sustainable development; PPG2 Green belts; PPS3 Housing; PPG4 Industrial, commercial development and small firms; PPS7 Sustainable development in rural areas; PPS9 Biodiversity and Geological conservation; PPS11 Regional spatial strategies; PPG13 Transport; PPG15 Planning and the historic environment; PPG16 Archaeology and planning; PPG17 Planning for open space, sport and recreation; PPS22 Renewable energy; PPS23 planning and pollution control; PPG24 Planning and noise; PPS25 Development and flood risk.**

Consultation

19. **Hauxton Parish Council** supports the application subject to resolution of a number of significant issues involving the developer, statutory consultees and Local Authorities and subject to satisfactory benefit to the village of Hauxton. The Parish identifies the Bayer Site (East and West of the A10) as a major complex problem requiring (i) remediation of the whole Bayer site and the surroundings that is effective in perpetuity and (ii) sustainable redevelopment that both funds the remediation and enhances the southern entrance to Cambridge City. The application is for the largest development of Hauxton in its entire history, doubling the number of households.

20. The Parish requests close participation in the deliberations of the planning authorities and the Environment Agency (for the remediation and the flood risk management) to ensure the complexity and extent of the remediation and development achieves suitable outcomes. Many of the issues, fears and aspirations of Hauxton and other local Villages' Parishioners have been documented in the reports arising from the two Public Consultation meetings, the latter Community Consultation Report an appendix to the Planning Applications.
21. In addition Hauxton Parish Council is seeking to ensure that the following issues are addressed and remedied:
 - a. Parish Council requests South Cambs District Council to support the process of determining sustainable use of the two listed buildings (Hauxton Water Mill and Old Mill House).
 - b. Parish Council requests South Cambs District Council to ensure the integrity of the public footpath from Hauxton Church to the Mill along the whole length of the river is maintained.
 - c. Parish is seeking dialogue with the Environment Agency on management of flood risk.
 - d. Parish is of the opinion that lack of traffic lights and some lane management at the Hauxton Gap will cause rat-running through the new development.
 - e. Parish Council is of the opinion that there is a lack of tangible benefits accrued from the development for the existing village and, given the high level of calls on 106 funding established already, will be limited benefits to the new community.
 - f. Parish Council would like to enter into a dialogue with South Cambs District Council to establish a mechanism whereby all new development by planning application within its control receives an agreed levy to contribute towards local facilities.
 - g. Parish Council has expressed interest to Harrow Estates to take on the management of the river corridor (mowing, tree management, litter control, dog walking control etc along the river banks) subject to suitable assurances and financial arrangements.
 - h. It is noted that the fate of the West site impacts on the sustainability and environmental quality of proposed housing on the east site. Parish Council wishes to initiate a dialogue with the appropriate Council Authorities on the objective of restoring sporting facilities on the West site. It should be noted that Hauxton Parish Council has expressed interest to Harrow Estates to take on the management of green field sports area subject to suitable assurances and financial arrangements. (The West Site is not covered in planning application S/2308/06/O). Parish Council is of the opinion that owing to the pivotal nature of the waste water treatment plant (located on the West Site) the fate of both the East Site and the West Site, plans for resolution of the West Site must inevitably be linked with the two planning applications (S/2307/06/F & S/2308/06/O).
 - i. The proposed bus service, raises important questions:
 1. The proposed bus would be of little or no use to older/less agile residents of the present village unless there was some way of extending the bus route into the centre of Hauxton Village. Likewise the proposed bus fails to transport children from the proposed housing on the Bayer site to Hauxton Primary School.
 2. Hauxton Parish Council is concerned that the proposed bus service is an experiment pioneering a transport initiative that fails to benefit the existing

village and may impose a disproportionate financial burden on the occupiers of the proposed offices and dwellings.

3. Parish Council requests information on the policy driving this proposal and asks whether there is to be a comparable bus service for the proposed Clay Farm, Glebe Farm, Addenbrooke's and Trumpington developments i.e. funded by a household levy. In policy terms what is the minimum size development and in what location for it to require the developer to provide a funded bus service?
 4. Information on how the Bayer site development fits into the wider general infrastructure planning e.g. for water, power and sewage viz a viz Trumpington, Clay Farm, Glebe Farm, Addenbrooke's developments is requested.
- j. The 3D visualisation of the proposed Development is noted but question the density and lack of public space. Would there be sufficient car parking spaces? Where would the wheelie bins go? What amenities and facilities would be provided for children, adults, the elderly and Disabled? Parish is concerned that the proposal appears at this stage to be a high density urban style development in a rural setting namely a village with distinct characteristics (river valley setting, Norman church and a preponderance of low rise dwellings).
 - k. On the M11 junction, the Parish Council is concerned that an integrated comprehensive South Cambridge fringe transport assessment is not already available given the advanced state of plans for house building in Trumpington etc. The Parish Council now requests information on the amount the proposed Clay Farm, Glebe Farm, Addenbrooke's and Trumpington developments are to contribute to the M11 Junction in order that the Parish Council can see proportionality of cost burden in relation to the number of households.
 - l. Further concern that the proposed pedestrian refuge crossing and the more northerly gate crossing over the A10 north of the site are neither safe nor consistent with the traffic density and current speed limits and support the planned reduction of speed limit to 30mph. The proposed cycleway through the development has to cross and run alongside the A10 on the West Side in order to safely cross the river bridge going north where presumably it meets other cycles coming south. It may be safer to route this via The Mill footpath and up to the crossing opposite the point where the proposed cycleway emerges from the Country Park.
 - m. On Hauxton School, information on the amount the proposed for the Clay Farm, Glebe Farm, Addenbrooke's and the development Trumpington developments are to contribute to the LEA and relevant schools in order that the Parish Council can see proportionality of cost burden in relation to the number of new households in Hauxton.
 - n. Primary Care Trust (PCT) the Parish Council is mindful that the proposed Clay Farm, Glebe Farm, Addenbrooke's and Trumpington developments will create a much larger number of additional patients than the housing on the Bayer site and requests information from the PCT on the contribution they require from each of these developments and the location(s) of the additional GP surgery capacity.

21. **Great Shelford Parish Council** raise no recommendation but consider that the density is too great and the layout does not include adequate open space within it to allow for creation of green areas suitable for children and the planting of large specimen trees. There is too much hard landscaping and it is preferred that the trees in the SE corner are retained.
22. **Haslingfield Parish Council** raise no recommendation but have concerns about increased volume of traffic on A10 causing delays when travelling towards the M11 and the Park and Ride.
23. **Highways Agency** has issued Article 14 holding direction and raise a number of concerns relating to the transport assessment submitted with the application.
24. **Environment Agency** OBJECTS: - The flood risk assessment (FRA) as submitted is unacceptable.

Our consultants have assessed the modelling undertaken as part of the June 2007 FRA and various problems have been raised such that they are unable to inform us whether the Flood Relief Channel has adequately mitigated flood risk by raising ground levels on site.

Whilst the FRA states that only areas 1 and 2 are considered in detail, the redline shown within Figure 2 does cover the entire site. We do not find the FRA represents the entire site and only gives details relating to Areas 1 for residential and commercial development and only gives details of flood mitigation for Area 2, if does not give sufficient detail for the renovations and residential proposal for Area 2, or any development proposal for Areas 3 and 4. As stated within our letter dated 8th January 2007 we presumed the Mill buildings will form part of a separate planning application and FRA as this FRA DOES NOT adequately address flood risk for renovation of the Island Mill buildings.

25. Section 6 Groundwater flooding. There is a shallow lens of groundwater which affects the site and requires constant pumping to prevent flooding. This is irrespective of the deep boreholes into the main aquifer, which you state have been sealed. GW Pumping must be continued long after the works have been demolished and remediated and construction started in order to prevent groundwater flooding in the future. Depending on the raising of ground levels as part of the new development, ground water pumping may need to continue into the future. We expected this to be considered within the residual flood risks of the FRA.
26. Section 8 - Even though we clearly stated within our letter dated 8th January 2007 and again reiterated within our meeting in March 2007, the FRA fails to mention that Surface water runoff will be contained up to an including the 1 in 100 year critical storm with climate change. A residential development must be sustainable and be able to contain (underground) an extreme event. The FRA has failed to acknowledge this and only relates to sewers for adoption criteria. All new sites have to contain the runoff for a 1 in 100 year critical storm with climate change. This is a national criterion. In our region we expect the pipe network be able to convey runoff to storage facilities so that the 1 in 100 year storm can be contained onsite. Please address this issue.
27. Section 9 describes the stages of flooding which explains the serious depth, velocity and isolation of the Mill buildings on the Island. Yet this is not taken account of in section 12. Point 9.4 our letter dated 10th March 2006 did indeed state the site was not within Zone 3 however this FRA has clearly shown that large areas of the site, esp. southern section of Area 1 and most of Area 2 are within the 1% flood plain. Our

flood Zone maps are indicative, which is also stated within our letter. Hence why all FRAs must submit a topographic survey.

28. Section 12, in particular section 12.6.1 and 12.6.2 describes how these areas could mitigate flooding. Have these options been demonstrated within the modelling, i.e. taken out of the floodplain, and then show what affects this would have on flood flows and levels? PPS25 discusses 'safe' access and egress. Have these been considered for the Island site? The possible renovation of these buildings for residential development needs to either: give much more detail within this FRA or be excluded from this application.
29. Our letter dated 8th January 2007 also requested a section 106 be considered due to the intricate nature of the flood mitigation associated with the proposal. There is no mention of S106 within the revised FRA. Again, how will the FRC be protected? Who will own and maintained the area and structures? We would wish to see flood mitigation works as part of the head of terms of a S106.
30. Regardless of any planning permission given, our prior written consent would be required for any works within 9 metres and in, under or over our Main Rivers within this locality, as referred to within our Byelaws and Water Resources Act 1991 and further works relating to Land Drainage Act 1991.
31. Notwithstanding the above, the following comments are those made in my earlier letter, dated 17 July 2007, to the local planning authority, and refer specifically to our Fisheries, Recreation & Biology team (FRB).
32. Comments from FRB regarding the Riddy Brook Character Assessment and Development Proposals.
33. An ecological baseline survey of the Riddy Brook site, including the watercourse, should be carried out prior to the start of any works, to determine the habitats and species present, including protected species listed under the Wildlife & Countryside Act 1981 (as amended). If any protected species are found to be present then Natural England should be consulted, regarding the potential effects of the proposed development on the protected species and their habitats. A fish survey should also be carried out to determine baseline populations.
34. As stated in the Government's Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation, development should have minimal impacts on Biodiversity and enhance it wherever possible. The proposed development offers a good opportunity to enhance the Biodiversity of the site if measures to increase habitat variability are incorporated at the design stage. A long-term management plan will be required for the site, which should aim to achieve clear environmental objectives. The plan should include ecological monitoring, both during the construction phase and once the site is established.
35. An area of wetland habitat is being created upstream of the site of the proposed development. Improvements to the ecology of Riddy Brook, its margins and surroundings should be made to link in with this scheme. Habitat improvements to the brook will also be of benefit to invertebrates, aquatic plants, birds and fish as well as mammals including otters.
36. Provision of new habitats and improvement of existing habitats should contribute to the local Biodiversity Action Plans for species and habitats and provide habitats for a range of species. The applicant should refer to the 'Biodiversity checklist for Land Use Planners in Cambridgeshire & Peterborough', published by Cambridgeshire County Council, for guidance regarding habitat creation and enhancement.

37. **Cambridgeshire County Council Highway Engineer** raise a number of concerns include the following:
38. More details are required on the proposed Speed control features on internal roads as it is not clear on the plans if the main road continues through the site. The suggestions to change the speed limits do not comply with the County Councils Policy, there is no frontage development therefore it would suit a 40mph rather than the suggested 30mph. There are not enough features on the main road to reduce speeds to 30mph even if the development did meet the policy. There is no reason to install a 40mph speed limit on ½ mile of undeveloped road between the M11 and the gateway feature. The design of the proposed Signal Controlled T-Junction may also be affected by speed limit comments. The gateway feature needs to display details of signs, construction of the wall and lighting, walls on the central island are not favourable. At the pedestrian island why does the cycleway end at the narrowing, no bollards or lighting is detailed. The red surfacing may confuse pedestrians and vehicles over who has priority. Are the 2 lane exits useful? Comments from Safety Audit and signals team within the County Council are still outstanding. There are 3 proposed junctions onto Church Road within 120m, which seems unnecessary, are they all just give way priority? No markings or signs are shown. Further clarification is required from the applicant.
39. In terms of the bus service proposal the Transport Assessment proposes an extension to the Cambridge Guided Bus. This should encourage travel by sustainable modes of transport and the principle of this is welcomed. If this application is given permission this should be secured through a S106 agreement specifying that the developer agree to provide the bus services and a suitable incentive scheme. The transport assessment suggests that the developer's obligation is to fund through stagecoach. The arrangements with stagecoach are one means of the developer providing the services and incentives but there could be others and it should be for the developer to deliver the requirements rather than simply fund them. Also, the draft heads of terms between stagecoach and the developer are subject to a formal agreement and are stated to be conditional on Stagecoach being awarded the guided bus contract. The Guided Busway would be open to all operators so it is not a question of Stagecoach being awarded a contract. The suggested funding / service charges are welcomed and will assist in achieving a modal shift. These include providing a free Gold Rider bus tickets to each household for the duration of their residency; offering a 25% reduction for additional season tickets purchased; and providing a bus shelter and real time bus information.
40. The initiatives provided in the Transport Assessment in terms of a travel plan are for both the residential element of the development and the employment use. However there are a number of points to consider. Paragraph 3.16 states the developer will provide the infrastructure and funding to introduce a bus link to Cambridge until the Guided Busway services the site. These buses, along with the number 26, only run Monday to Saturday, so there is no public transport available to residents on Sundays. There is no mention of the existing infrastructure and services on or near the site which needs to be included in order to ascertain what facilities are already present and what improvements or additions need to be made. For example it is not clear whether cyclists and pedestrians are able to safely access site and all areas within it although paragraph 1.8 states that the design of the site will be a pedestrian-friendly environment. It is recommended that details of how this will be achieved are included in the plan.
41. In terms of site design more details are required, such as how the site is accessed using modes of transport other than buses and what is the furthest distance a

resident would have to walk to reach the bus stop. The inclusion of more detail, which reflects how permeable to sustainable transport modes the site is, for example and it would be expected that this section would contain detail of routes and facilities for cyclists and pedestrians. With regards to parking, it is noted that paragraph 5.18 states that the parking provision for this development supports sustainability. However paragraph 3.29 goes on to advise that the parking provision for this development will be the maximum allowed by South Cambridgeshire District Council (an average of 1.5 spaces per dwelling plus visitor parking). This is high and it is felt that by providing the highest levels of parking allowed, undermines the sustainability of the site, especially considering the effort that has been undertaken to secure the bus route.

42. On the issue of Travel Plan measures paragraph 5.17 notes that the proposed development will include a working travel plan for both the residential and commercial elements. It is recommended that details of when the travel plans will be finalised and implemented as well as how they will relate to each other should be included. It is also noted that there will be phasing on site, details about how this relates to the implementation of the actions in the plan should be included. Setting up a car-sharing database is an effective way of reducing the number of single person vehicle trips. However details of how it will be run, who will run it; how it will be monitored and who will fund it needs to be included.
43. Draft Travel Plan Heads of Terms Proposed development at Hauxton: Residential
44. All the measures proposed in this section will help to encourage the use of more sustainable forms of transport. It is recommended that each of these points is expanded upon to explain how and when each measure will be implemented. The provision of public transport information to all residents on site is welcomed, however, details of how and when this will be provided should be included. It is suggested that this information, along with walking and cycling maps be included in a welcome pack, which is given to all property purchasers. The need for regular monitoring and review of the travel plan is noted and is very important. It is therefore recommended that the following information should be included:
 - a. Details on how the plan will be monitored and who will monitor it; and
 - b. Details on how the plan will be enforced and what will happen if the plan repeatedly falls below the targets.
45. Continuing to research examples of best practice in Sustainable Transport Planning is important to keep abreast of any new information and practices. Details on who will undertake this and how often should be provided. On the suggested walking initiatives details on how, when and who will promote the health benefits of walking needs to be specified in the plan. Promoting the health benefits of cycling could also be undertaken at the same time. While it is important to work with councils to continually improve pedestrian routes, this would only occur after occupation of the development. Adequate pedestrian routes and facilities must already be in place by the time the first property is occupied. How and when this will be achieved should be included in the travel plan. The provision of safe, secure and covered cycle parking is welcomed. However the ratio of one space per dwelling could be increased to encourage more bicycle users. Providing incentives such as discounts on bicycles, equipment and clothing are important in encouraging residents to cycle. Vouchers or details of these discounts could be provided in the welcome packs mentioned above. As previously mentioned in relation to pedestrians, there needs to be adequate cycling routes and facilities in the vicinity of the development by the time the development is occupied. How and when this will be achieved should also be

- included in the plan. Details of who would set up a Bicycle Users Group, and when, should be included.
46. Turning to the other initiatives the publicising of the Guided Busway and other public transport services is vital in encouraging residents to use public transport. It is recommended that the number of notice boards and their locations be provided, as well as details of the internet/intranet site(s) to be used. More information needs to be provided about investigating car-sharing software, including who will investigate it and who would fund the software. It is recommended that details of who will provide and maintain the car-sharing database and how the information will be used and distributed are included in the travel plan.
47. It is recommended that the following information is also provided in the draft travel plan, which can then be further expanded upon in the final travel plan:
- a. Objectives – what the plan is designed to achieve;
 - b. Targets – how SMART (specific, measurable, achievable, realistic and timely) targets will be determined;
 - c. Marketing – how residents will learn about the initiatives that will be implemented;
 - d. Management – who will manage the plan initially and long-term and the handover arrangements; and
 - e. Additional measures (ie reduced speed limits and facilities to reduce the need to travel).
48. Timescale for implementation of the travel plan – if the development is being phased, will the travel plan also be phased?
49. The Draft Travel Plan Heads of Terms for Employment includes many more initiatives than for the Residential plan. Many of the measures in the employment travel plan could be included in the residential one, such as the appointment of a Travel Plan Co-ordinator.
50. In conclusion, further information is required before a final agreement can be reached on this application. Various issues have been raised with the applicant including further clarification and evidence for the proposed bus mode split, impact on the M11 junction, and evidence of how the bus service would operate along the A10 including how to avoid getting caught up in delays. Some additional information has been provided, however the County Council still have concerns regarding the above.
51. **Environmental Health SCDC** confirms that the noise impact assessment has addressed the key noise related issues associated with the development site. The air quality assessment for the proposed development is considered acceptable. The development should be designed to encourage the use of suitable measures to mitigate the impacts of the proposed development on air quality. The development is close to the M11 and adjacent to the A10, which are both busy roads. PPS23 confirms that air quality is a material consideration both in introducing receptors to areas of poor air quality and introducing new emission sources.
52. **Landscape Officer SCDC** raises the following issues:
- 1) Are there any proposals for a better connection to the landscape on the opposite side of the A10 for cyclists and walkers? As the mill is developed this will be a busy area, and may need more than a pelican crossing.

- 2) Why is a large part of the River Cam excluded from the site? Works and management for public access, recreation, flood management, reduction in shading etc will affect the river, and any de-silting/flow management will affect the bank profiles and how the river - and its banks - will be used. The river should not be treated as separate from the islands and the north meadow.
- 3) The public green space near the main entrance should relate far more to the buildings and the pedestrian areas rather than the main roads and junction.
- 4) Vehicle routes across the local squares need to be managed to ensure that they are not just 'wide spots in the road'. Pedestrians should have priority over much of the area, with opportunities for use as 'outdoor rooms' etc.
- 5) As much of the proposed buildings are 3 or 4 storey, building specifications and spacing should allow for planting of large trees, which will be in scale, and connect to the riverside landscape.
- 6) Trees and planting along roads and in open space between Middle Street and Riddy Brook should form a strong connection with Riddy Island and North Meadow.
- 7) There should be some long views from within the development across Riddy Island to connect it to the wider landscape. This will be difficult on the other three sides, which are closed. The Riddy brook frontage will need careful design as this will be a well used area - how will private /public space and access be managed within a fairly narrow strip? What are the proposals for the bank treatments here?

53. **Ecologist SCDC:** Whilst no objection in principle further habitat restoration and enhancement must be secured.

Aware of habitat creation measures, it is felt that they are all primarily flood defence driven and that the habitat works are merely provided to off-set the engineering works associated with the measures. Additionally, whilst the Riddy Brook is to be partially cleared of shading vegetation the drive is again flood defence.

Disappointing that the main degraded features of the application site (i.e. the dredged River Cam following creation of the back weir pool in the 1980's and the concrete walled Riddy channel) are not being restored through this application. Whilst useful discussion has taken place in the last two months the project appears to have been flood defence driven and has not sought to fully investigate the opportunities for habitat restoration and enhancement of the river habitats that the site provides. The River Cam will be an incredibly important feature of this development and one would expect an appropriate level of habitat restoration and enhancement of the riverside environment. Modelling of flood flows incorporating in-channel habitat improvements is possible but has time-delay implications. Following its dredging in the mid 1980's the river now lacks the natural pool and riffle sequence. It could be enhanced to provide an important fish nursery habitat in addition to making it safer.

54. It is requested that should the application be approved then a suitably worded condition be used to secure the further investigation of appropriate river-based habitat restoration and enhancement works.

Further discussions with the applicant have considered the following:

- 1) Concern that the meadow north of the Cam will be subject to intense people pressure and will not provide for wildlife sensitive to disturbance. Applicant

agrees in principle to enlarge ditch to provide "wet fencing" to the area but agrees that "no-access" will be hard to enforce.

- 2) Policy NE/6 and SCDC Biodiversity Strategy seek to secure biodiversity enhancement, the application at present does not provide river-based enhancement appropriate to the scale of the development. However, a suitable condition may facilitate further progress on this issue. Enhancement of off-site land, such as the meadow to the west of the A10 and north of the Cam, should also be considered.
- 3) Closer liaison is required between the engineers and the Ecology Officer with respect to the design of the flood defence measures for the Riddy and the channel over the north meadow. The EA Fisheries and Biodiversity team should also be included within the discussions otherwise enhancement measures will be missed.
- 4) It is acknowledged that the potential for pollution of the Riddy exists if proper remediation works are not undertaken. However, once the remediation works have been completed it would appear right to seek the restoration of the Riddy's banks so that the concrete wall is removed or replaced with a softer and more ecologically sensitive edge treatment. A time or event related condition could be attached to seek restoration once appropriate.
- 5) Concern remains at the level of siltation that is present behind the mill. The diversion of flows in the 1980's over the back weir resulted in silt settling behind the mill. The movement of further flood flows over the north meadow will carry more potentially high flows away from the mill thus reducing further the potential for natural scouring of the silt. The silt is smothering the riverbed leading the build-up of anaerobic gases. The mill head should be desilted as the current practice of simply opening the mill sluice does not appear to have achieved much and it would result in degradation of habitats downstream if large amounts of silt were released at once.
- 6) It is accepted that no lighting should be provided along the footpaths adjacent to the River Cam and Riddy. Increased lighting would upset the diurnal patterns of flora and fauna.
- 7) The development has the potential to cause disturbance to the water environment through chemical and sediment pollution. The application should provide a suitable scheme of ecological monitoring that extends to an agreed distance downstream (with EA input). Aquatic invertebrates, fish stocks and riparian plants should be recorded. Should any pollution event occur then baseline information would be present, furthermore the information may show future biodiversity gain (such as fish returning to the Riddy). (The EA letter 5 June 07 supports the need for an ecological monitoring.)
- 8) The applicant has agreed in principle to provide the re-pollarding of willow trees, the creation of an otter holt, erection of bird and bat boxes. Further measures such as restoration of the old orchard that was once associated with the mill should be explored and secured by means of a condition requiring a Biodiversity Enhancement and Management Plan to be submitted and approved.
- 9) Appropriate measures will need to be included with the S106 to secure the long-term management of features such as the north meadow, sensitive

management of the Riddy, willow pollarding and ecological monitoring (list not all inclusive).

56. **Cambridgeshire Fire and Rescue Service** raise no objections but request a condition or Section 106 agreement for the provision and position of fire hydrants.
57. **Police Architectural Liaison Officer** has no comments to make at this stage.
58. **Cambridgeshire County Council Countryside Access Team** confirms that 3 public footpaths cross the site. Applicant makes reference to possible need to divert or extinguish them to allow development but no information is provided to indicate the current or proposed routes of the footpaths. It is likely that some of the existing legal lines of these paths would be obstructed by some of the new properties, which constitute an offence under s137 of the Highways Act 1980. The developer should consider redesigning the development so current lines are unaffected or apply to divert the footpaths under the Town and Country Planning Act 1990. Furthermore due to the increased use of public footpaths as a result of the development, the developers should upgrade the paths to a segregated cycleway/bridleway with appropriate changes in surface. Installation of Pegasus crossing on A10 to serve needs of future residents of the site would create a link to cycle route negotiated through Trumpington Meadows.
59. **Cambridgeshire County Archaeology** confirms that in view of the varied and particular circumstances prevailing in this brown field site, it is considered appropriate to release the proposed development from any archaeological requirements.
60. **Cambridgeshire County Development Control (Minerals and Waste)** confirms that this development will involve considerable demolition and removal of waste material from site. In the light of this the County Council as waste planning authority will require any waste material being removed from this site for disposal i.e. landfill to be taken to an authorised site. It is also necessary for a temporary waste management facility to be established on site, to maximise the recycling /reuse of waste arising from demolition/construction on site, as the development takes place. This site, which would involve the separation, storage, recycling and re-use of waste, should be in place when development commences and throughout construction. The emerging Minerals and Waste LDF highlights the need for major developments to be accompanied by a Waste Audit/Strategy addressing such factors as location of waste; types and volumes of waste; strategy for dealing with each waste stream; strategy for dealing with residues off and on site. These recommendations are considered consistent with the emerging County Council's Minerals and Waste Plan, and the District Council's own LDF, encouraging recycling of demolition material and sustainable re-use of spoil and disposal at authorised treatment and disposal sites of on-recyclable waste. The County would also like to point out that the Cambridgeshire and Peterborough Minerals and waste Plan preferred Options (Nov 2006) policy SSP10 of the site specific plan, identifies land to the west of this site as a site for a Household Waste Recycling Centre (HWRC). Whilst the land identified in the Plan also includes a Safeguarding Area, which extends onto the eastern Former Bayer site (this application area), it is not envisaged that development of the Eastern site for the uses proposed would prejudice the proposal for an HWRC on the western site.
61. **Cambridgeshire County Council Education** raise concern that this development would place considerable pressure on local education facilities, particularly provision for under-fives and primary age children. Hauxton Primary School will require significant additional facilities to enable it to accommodate these children while continuing to meet existing local needs. An appraisal of the investment required

enabling the school to be suitably expanded shows that the total cost of the necessary works is estimated at £2,000,000. In these circumstances the County Council asks that a contribution to this amount be sought from the developers as part of a Section 106 agreement. In terms of local secondary school, Melbourn Village Collage appears to have some capacity for additional students so expansion there should not be necessary.

62. **Cambridge City Council** confirms that although the principle of the development is considered acceptable there are a number of issues, which require further consideration:
63. Policy 9/1 of the Cambridgeshire and Peterborough Structure Plan 2003 makes provision for additional housing within the Cambridge Sub-Region. Policy ST/2 of South Cambridgeshire District Council Core Strategy seeks to make provision for new homes of which this site will help meet that target. Policies P2/1 and P2/2 of the Structure Plan supports economic growth and the balance of jobs and housing and policy ST/8 of the Core Strategy supports employment provision. In principle, therefore, the development is considered acceptable. The Cambridgeshire and Peterborough Minerals and Waste Local Development Framework – Preferred Options Report (November 2006) allocates the former Bayer Cropscience site – west as a location for a Household Waste and Recycling Facility (HWRC). The City Council supports the inclusion of this site to the South of the City as an appropriate location for a HWRC because it is not allocated for other uses including residential, it is previously developed land and it has adequate access to the A10 and is close to Cambridge. Given the distance between the proposed residential development on the Bayer Cropscience site and the HWRC allocation on the west together with the fact that the A10 bisects the two sites, such a facility could be suitably integrated with additional landscaping within the surrounding area and would therefore not be incompatible with the proposed residential development.
64. The clarity and status of the Design and Access Statement (D&A) is unclear. Section 3 presents a series of objectives, strategies and principles for the proposed development while drawings on pages 25-27 show illustrative principles to guide the future development such as townscape, public spaces, and active frontages. It is not however clear how elements contained in the illustrative drawings will be fixed as part of the outline application. Parameter plans to clarify the elements of the masterplan that are intended to be fixed at the outline stage should be provided.
65. The location and mix of uses is a vital part of creating sustainable places. There is concern regarding the proposed location and possible segregation of uses. The provision of an employment only area to the north west of the site should be reconsidered and of employment uses incorporated within the body of the scheme as part of a mixed-use development. In particular, the location of employment uses along the principal bus route and within the main local square. Such an approach would create activity and vitality throughout the day. Given the mix of use and number of dwellings proposed, the scheme should allow for the provision of a small retail unit within the local square, which could accommodate a corner shop or a café to complement the employment use. It is acknowledged that at the time of development this may not be considered feasible and therefore the incorporation of flexible ground floor units (floor to ceiling heights of 3.5m) within the main local square should be considered.
66. The use of perimeter blocks and principle of creating active frontages, a network of well-connected streets and public spaces that are well overlooked, is supported. It is considered that the D&A provides a reasonably good understanding of the sites

context; however the historical context of the site should be explored further to establish if previous uses or features (e.g. historic hedgerows) could inform the proposed layout. The south-eastern edge of the proposed development is of particular sensitivity given the proximity to St Edmunds Church (Hauxton), which acts as a local landmark. A built form and layout that creates a relationship with St Edmunds Church should be explored. This could be achieved through a layout that creates framed views from key spaces within the scheme such as the main public square and Middle Street.

67. Overall the scheme appears to be very intense in a rural setting and there is concern regarding the setting of the listed buildings. It is understood that the details for these buildings are not going to be looked into until a later date but the indication of employment units close to the Mill House may restrict its future consideration. The setting of the Mill House should be considered at this stage to provide for its future. The proposed development in relation to Riddy Brook with a 10m minimum buffer between the built frontage and the brook is not sufficient to provide a suitable buffer and a minimum buffer of 20m with the building line indented would form a more interesting frontage and allow greater permeability and views from the development. Also a wider buffer zone would enhance the setting of the brook and encourage wildlife. There appears to be a general lack of linkages or green corridors to link areas of open or green space running east west, including a lack of avenue or similar along the main street where large scale trees with skyline impact could help break up the development. Space will be required along the main route through the development for such large-scale trees. There is a lack of indication in the proposals of boundary hedgerows and trees, especially along the south-eastern boundary facing St Edmunds Church, where the boundary needs to integrate the development into the surrounding countryside.
68. Policy 4/14 of the Cambridge Local Plan 2006 requires consideration of the impact of developments on air quality and the applicants will need to demonstrate that the proposal does not have a significant adverse effect on air quality in the area. Consideration must be given to the potential traffic growth and air pollution created if inhabitants see the city as a main destination. The timely provision of a new bus route is fundamental to delivering a scheme, which minimises the need to travel by car. A greater level of certainty should be provided regarding the provision of a new bus route to avoid the creation of a new community that is based upon the car. Policy P8/1 of the Structure Plan requires sustainable development providing links between land use and transport. Section 2.40 of the Design and Access statement states 'On the western side of the A10 there is an off-carriageway shared pedestrian/cycleway that forms a link north to the Trumpington interchange'. This route is currently sub-standard with insufficient widths for cyclists and pedestrians to pass each other (see attached photos). This route is also often degraded by overgrown vegetation. However it is an important direct off road cycle and pedestrian link to Cambridge City Centre via the M11 Roundabout and Trumpington that could easily be improved. It will also be an important future link to the Addenbrooke's Access Road. Section 3.29 states 'site access and entry feature will include facilities for pedestrians and cyclists to cross the A.10'. This will be an important aspect of the design, as cyclists and pedestrian will be crossing from the site to the shared pedestrian/cycleway on the west side of the A10. The bridleway that runs from the A10 near to Church Road to Haslingfield is a useful link from the site to Haslingfield avoiding a long trip along the A10 through Harston. Improvements to these routes should be sought through the application.
69. In terms of Renewable energy/sustainability, Policy P1/3 of the Structure Plan 2003 requires sustainable design in built development. It is disappointing that the proposals

lack detail for the potential use of renewable energy and sustainable design. These issues need to be considered at the outline stage in order to influence the masterplan should land be required; for example, use of Biofuels, district/communal heating systems, Combined Heat and Power systems and orientation of buildings to maximise solar gain.

70. **Cambridgeshire Primary Care Trust** advises that a development of this size could result in an increased population of approximately 950 people, depending on actual type and mix of dwellings. Currently the nearest GP Practices that serve this area are Harston and Great Shelford but, both practices have confirmed that due to constraints with buildings and available car parking they currently could not provide Primary Medical Services to new patients living within the new development. As any improvements to these practices would be required as a direct impact of this development, it is considered that a Section 106 Planning Obligation to pay for such improvements should be incorporated into any planning approval. Without such an appropriate obligation being included, the Primary Care Trust would object to the application.
71. **The Wildlife Trusts** raise no objections but request that the following points be taken into account:
- (1) Proposed site is severely contaminated with a bentonite wall providing a barrier between Riddy Brook and River Cam. Wildlife Trust would highlight ecological importance of these waters and the serious impact, which could be caused by contaminants entering them. Require reassurance that bentonite wall is still effective barrier to movements of contaminants and will remain so until remediation is complete.
 - (2) Generally welcome buffering of River Cam, retention of riverside habitat features and proposed creation of flood meadow, but more needs to be done to preserve existing interest. Section of river corridor has good water quality, has a valuable biodiversity and a residential development would increase disturbance with many people using the footpaths. Proposals should therefore be further improved to mitigate for this impact on river corridor and deliver greater ecological benefits.
 - (3) The following biodiversity enhancements should be considered:
 - (a) Re-design flood management system to promote greater flow through the Mill Race and Riddy Brook channels during normal flow conditions.
 - (b) Design of North meadow spillway should take ecological considerations into account.
 - (c) Significant benefit could accrue with the right hydrological design could be the restoration of the flood meadow immediately upstream of the development and south of the river. Meadow previously supported breeding waders so desirable to try and re-create suitable flood conditions for passage and wintering waders.
 - (4) Landscape and ecological enhancements in the ecological assessment report are supported. All enhancements must be delivered by appropriately worded conditions and/or planning agreement.

- (5) With regards to the flood meadow (north meadow), concern is expressed that the natural regeneration alone will not provide the best ecological outcome or ensure the creation of a high quality Biodiversity Action Plan habitat, as there are very few upstream semi-natural meadows that could provide a seed source.
- (6) The creation of a flood meadow (north meadow) should include seeding with a native wildflower and grass mix (ideally a locally native mix), rather than being left natural regeneration.

Representations

- 72. **Cambridgeshire Local Access Forum** notes the proposal to create area of land with “public access to open space” around the River Cam and this area appears to incorporate the existing public footpath. This proposal is welcomed but more detail is required such as how the land is to be managed to ensure unfettered public access in perpetuity.
- 73. **Cam Valley Forum** note that there are uncertainties still unresolved, about the precise methodology, efficacy and extent of the remediation processes, as such consider outline application is premature at this stage. The development depends upon a successful and through remediation of the site and surrounding land. Although applicant would like certainty implied by outline consent, the precautionary principle must prevail. The Forum consider that if outline consent were granted now the Council would put themselves into a dangerous position where it would be difficult to resist commercial where pressure to sign off part or all of the site even if the remediation were not fully completed. Essential that environmental issues take precedence over commercial concerns. There should be no disturbance of water meadow to the north of the site, no construction of a flood relief channel. Development should be set back from the present boundary of main site adjacent to Riddy Brook to provide green corridor/buffer, which will be essential for integration of site into the landscape of the Cam valley. Current proposal with dense row of houses at 3 storey high overlooking the Riddy Brook would create an urban riverscape into the area. Proposed 3 and 4 storey buildings on east side of main site looking out across to St Edmunds church will be un-screenable so that the view from Hauxton village and from the church would be of rather high buildings. No buildings on the site should exceed 2 stories and screening is essential. Position of industrial buildings should not be cited close to the river, adjacent to the listed buildings or in an area most likely to be developed for public use. The A10 in the vicinity of the Hauxton turning is already extremely busy particularly at peak times and as such the proposed exit as shown on the plans is traffic madness for a site that might generate 400 vehicles at peak times. A traffic survey of the area should be carried out by developers and the highway authority and it will be necessary for the applicants to fund major road alterations for the construction of a roundabout in order to make access to this site viable. Due to these points the Forum question whether the site is being over developed. Although support development of the site, the scale has to be appropriate and that it is essential for the planning authority to keep wider environment of the Cam valley under consideration. The first priority is to get the site fully remediated before basic development plans can be agreed.
- 74. **Ramblers Association** raise the following concerns/issues:
The 'connectivity' of the footpath network is important, and particularly so in helping people to get out of Cambridge itself, or from the Trumpington Park and Ride facility. It is therefore vital that the Trumpington Meadows development of footpaths connect through to Hauxton Mill, to reach fp Hauxton 1 on the eastern side of the A10. Great

Shelford Parish Council has put forward a proposal to Cambridgeshire County Council to designate the farm track which runs from just north of Hauxton Mill through to Rectory Farm, Great Shelford as a Right of Way, on the grounds of usage by the public over many years. The Southern Fringe Development Plan gave a broad indication that it too would like to investigate the possibility of such a link. The former Bayer site is clearly adjacent to this possible development, and a positive attitude to it might be helpful. When the development of the western site is considered, would suggest that a connection is made down the western side of that site to the bridleway Hauxton 2, to lead westward towards Haslingfield, and the wider network of paths. The safeguarding of all the public footpaths during construction is important, and welcome the improvements, so long as it does not become attractive to cyclists. During construction work care should be taken to deal with adequate signposting; ensure that the surface of the path/diversion is suitable for pedestrians whatever the weather and stage of construction; materials and waste from the site should be stored or dumped on the fps of the diversions; and there should be adequate warning signs for both vehicles and pedestrians about their mutual proximity.

75. The status of any new paths is a matter of concern, and in general we would hope to see new paths given the legal status of Rights of Way, rather than Permissive Paths. Agree that the footpath and cycle networks are to be kept separate, and this should be re-enforced not only by their legal status, but also by appropriate signing and street furniture. Safe crossing of the A10 from the western side to the eastern at Hauxton Mill is vital to the 'connectivity' to Hauxton 1. Understand that going under the road-bridge is not possible, and that a 'village gateway', with central refuge and a new speed restriction of 30mph are proposed. Would suggest that the 30 mph restriction should be placed further towards Cambridge, in an attempt to slow the traffic before they reach the refuge at which people would be trying to cross. This is particularly important because of the bend, which would make the refuge etc virtually invisible to traffic coming from the Cambridge direction until they were right up to it.
76. **Cambridge Preservation Society** supports the overall redevelopment of the site, however there are a number of concerns and issues which the Society object to and require addressing at the appropriate stage to ensure long-term scheme. The central green space to NE of the site is welcomed, but considered insufficient in scale to permit active sports to be carried out. Appears previously promised open space to SW of A10 no longer part of the proposal and no direct proposals linked with this application have been submitted. In terms of the Riddy Island it is welcomed that there is the retention of designated footpath and integration of recreational routes and bridges and retaining such as open/green space. Long-term maintenance should have some built-in ability for redress if any significant pollution issues arise. With regards to the Mill Island and green areas linked with A10 it is questioned on the future public access to this area. Would suggest that in the first instance the future needs of the Mill building and disused Mill House are secured prior to making this green area accessible, as permitting public access at this stage may significantly limit usage of these buildings and potential management/user partnerships and reduce long-term conservation and sympathetic usage of the listed buildings and their setting. Potential future uses of the two buildings could be a combined café/ restaurant and gallery, office or possibly some form of community village provisions. It is paramount that adequate access infrastructure for all potential needs to be retained and the commercial viability strengthened where possible.
78. Vision of spaces very limited and unimaginative a full feasibility study needs to be undertaken. Density has increased by 20% from original public consultation, which the Society does not support particularly if this is not supported by adequate open space. Although not high nature conservation value it is welcomed that the area

known as the north meadow will have no public access to act as a sanctuary for local wildlife. More features should be incorporated which support and improve wildlife values. It is important to retain character of meadow and setting of River Cam corridor and listed buildings within the Green Belt. Shelterbelt planting along eastern edge needs to be sufficiently wide enough to mitigate proposed 4 storey buildings. Future public access along River Cam should link with the Shelfords and identified in the Green Infrastructure Strategy. Unclear where safe crossing over A10 is to be provided to Trumpington Meadows development. A relatively direct link is required to make an attractive and safe recreational corridor and enable adequate walking/cycling/riding routes to Cambridge. Site community provisions should be provided at the eastern part of the site to ensure easy access by the existing Hauxton village residents. There is no reference made to the old street or settlement patterns on the site.

79. **Hauxton Primary School** in general welcomes the development but has a number of concerns regarding the potential impact of the proposal. Main concerns relate to likely rise in children numbers at school due to the development in addition to that expect without the development, leading to overcrowding. Concern that the lack of planned strategy for schooling in Hauxton may lead to children from the village, both old and new, being distributed amongst a number of schools in the locality. Finally there is a concern over the fact that the absence of a hall at the school large enough to cater for increased numbers and to deliver the P.E. National Curriculum.
80. **Local Residents:** 6 letters of comments from 5 different local residents have been received all of which support principle to development on the site but also raise the following concerns:
81. Very high density with significant increase from 250 to 380 dwellings will create urban development. Impact upon existing village infrastructure and community facilities needs to be considered.
82. Density will benefit trade for proposed retail unit and improved/enhanced bus service. A10 a dangerous and busy road particularly during peak times, additional traffic will require significant modifications to present junction possible use of round about or traffic lights onto Church Road. Traffic calming measures in village required. Plans not clear in terms of how secure parking will be provided on the site. Development will increase amount of traffic going to and from the Primary school and Church Road is already overloaded.
83. Recreational provision is poor while riverside walk is potential danger to children. Important to link public footpath from Hauxton Mill with Trumpington Meadows country park.
84. Disappointing that restoration of Mill is not part of the scheme. Public transport to support existing service is welcomed. Section 106 money needed to acquire community bus service to link new development will village. Need to integrate development with existing Hauxton village, existing village hall, for instance is poor. Hauxton waste recycling centre with the new development will create chaos through the village.
85. Affordable housing should not be poor design/construction. Existing village hall too small and thought should be given to its re-location. Welcome opportunity for site to be remediated as well as surrounding land, but concerned that decision on remediation of site will not be based upon technical

scientific advice and timescale are over a short period, long-term sustainable future of the site needs to be taken into account.

Concern over measures to alleviate risk of flooding and against excavation of floodplain meadow to north of river Cam to provide material to raise land levels on site. Concern with regards to impact upon flood plains upstream of A10 bridge towards Shelfords. Applicant is attempting to take control of river system and we do not want our water meadow being drained.

86. Proposed 3 and 4 storey will dominate entire valley whereas parts of the factory were intrusive much was low and screened by vegetation and perimeter wall. New development will be inappropriate from landscape view so close to Riddy Brook, River Cam is not an urban waterway.
87. Landscaping is both misleading and opportunistic using trees outside applicants site. Question if site is sustainable due to isolated and difficult to integrate into greater Cambridge.
88. Ownership of the land to the east of the River Cam at Hauxton Mill is questioned, understood it was owned by Jesus College.

Comments still awaited from:

Drainage Engineer; Design Officer.

Planning Comments – Key Issues

Principle

89. This site clearly represents a vacant brownfield site for which the Government provide clear planning guidance in the form of Planning Policy Statements (PPS). The advice within PPS3 (Housing) under paragraph 36 is that housing should be developed in suitable locations which offer a range of community facilities with good access to jobs, key services and infrastructure, and that priority for development should be previously developed land and in particular vacant and derelict sites and buildings. Paragraph 40 of PPS3 continues by stressing that a key objective of Local Planning Authorities is that they continue to make effective use of land by re-using land that has been previously developed. In addition to this the advice continues in paragraph 44, that Local Planning Authorities should consider whether industrial sites could be more appropriately reallocated for housing development when considering, previously developed land. The redevelopment of this former industrial site for housing would clearly comply with this National advice.
90. It is however important to note that due to the contamination on this site the applicant will need to ensure that the site is fit for development use prior to any work commencing on site. Guidance for this is provided within PPS23 (Planning And Pollution Control) and the applicant has submitted a second application to address this particular issue along with that of demolition on the site. This further application (S/2307/06/F) is considered else where in this committee agenda and development on this site could only proceed on the basis that the site was considered fit for use by this Authority and the Environment Agency.
91. With regards to Local Plan Policy, Hauxton is identified within Policy ST/6 of the Core Strategy DPD as a Group Village. In such locations, Policy SE4 of the South Cambridgeshire Local Plan 2004 states that residential development up to a

maximum of 8 dwellings will be permitted providing the site does not form an essential part of village character, and providing development is sympathetic to the historic interests, character, and amenities of the locality. Part of the site is also located within the Green Belt for which this type of major redevelopment would be considered as inappropriate under policy GB2 of the Local Plan 2004. This is not to say that development of this nature could not be permitted but in order to do so the proposal must demonstrate very special circumstances and other considerations which outweigh the harm to the Green Belt. In this instance the main benefit to this redevelopment is the removal of a large and contaminating use within essentially a rural area, which does little to contribute towards the landscape or approach into Cambridge. The remediation works required for the development of this site for residential and employment use would also have a beneficial impact upon the ecology in the area in terms of the Riddy Brook and the River Cam. In addition to this the applicant is of the opinion that, it was shown at the Examination in to the Core Strategy that the Council has a shortfall in its residential provision which an increased housing provision on this site would contribute to.

92. The site is identified as an area for redevelopment to provide a mixed use of housing and employment under policy SP/7 of the Site Specific policies. This policy has not been considered at a public examination and hence is not formally adopted, however, it does relate directly to the application site and as such it is a material consideration in the determination of this application. The policy underlines the fact that this brownfield site is located close to the edge of Cambridge and offers a specific opportunity for redevelopment. In considering this site it was initially envisaged that an appropriate redevelopment would comprise a mix of uses, to maximise sustainability of the site with a balance of employment uses split with a residential development anticipated at 250 dwellings. The redevelopment of the site will enable a visual improvement to this prominent location along the A10 with an enhancement, in appearance, to a major approach into Cambridge.
93. In considering the details of the proposed development against the local Policies it is clear there is a significant difference in numbers of dwellings proposed to that anticipated in the draft policy. The application is for 380 dwellings, which is 130 more than the Local Planning Authority had anticipated under the Site Specific policy. This level of development is achieved with a density across the site equal to 47.5 dwellings/hectare, but this is at a cost to the amount of land allocated within the development for employment use. The applicant recognises that that there is a difference between the policy and the submitted details, and has approached the consideration of balance between the uses on the site from both a viability and overall sustainability position. The applicant considers that a bias towards a residential use is more beneficial in terms of delivery, infrastructure and sustainability. This is explained by the fact that a residential development will provide the necessary funding to facilitate a high standard remediation scheme as well as other planning contributions; allow for an appropriate balance of affordable and market housing; will facilitate and sustain a significant improvement of sustainable public transport which will benefit the site and the wider local community; will allow for improved local amenities and public access to the area; and the current market demand for employment is orientated towards a modest local B1 business class development rather than large scale employers, and employment land supply is currently good and therefore not subject to the same pressures as the need for residential development in the District. This view is supported by paragraph 18 of PPS23 in that the Government's objectives for contaminated land in Circular 02/2000 *Contaminated Land* are: (a) to identify and remove unacceptable risks to human health and the environment; (b) to seek to bring damaged land back into beneficial use; and (c) to seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate,

manageable and economically sustainable.

94. In considering this justification it is important to recognise that this is a highly contaminated site for which significant levels of investment will be required to ensure the land is cleared fit for development. It could be argued that the applicant knew the condition of the land when they purchased the site and that as such these costs should have been taken into account at that stage. Again the applicant has accepted this point and in response confirms that this cost was taken into account when the site was purchased. However, although they specialise in dealing with this type of site throughout the Country, this particular site has complex contaminated issues more detailed exploratory work to ascertain the precise contamination issues were still required after the site had been acquired and the applications submitted. It was therefore not possible to forecast the exact remediation costs during the purchase process and due to the contamination on the site those costs have increased since further tests have been carried out. This level of uncertainty in bringing forward contaminated brownfield sites and the associated financial risks is partly why relatively few developers are willing to become involved with such sites. Nevertheless, sites of this nature require a positive development resolution, if they are not to remain and result in environmental degradation.
95. For these reasons it is considered that the mix on the site although not in line with the draft policy is considered appropriate in this instance and that a justification to allow a departure to the Green Belt policy has been made in this instance. As such the principle of the proposed redevelopment on this site is considered acceptable.

Transport

96. At the time of writing this report the Highways Agency had issued an Article 14 Holding Direction, which prevents this authority from granting permission for this development. The main area of concern listed with the Direction is that *'the information submitted with the application is insufficient to allow the Secretary of State to determine whether or not the proposal would generate traffic on the trunk road to an extent that would be incompatible with the use of the trunk road as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highway Act 1980, and with safety of traffic on the trunk road.'* Until this direction is lifted by the Highways Agency this Council will not be in a position to formally determine this application.
97. The Site Specific policy SP/7 for the redevelopment of this site states that the proposal should be capable of being developed with good links to the Trumpington West development, the Trumpington Park and Ride, as well as the village of Hauxton itself. The redevelopment should also make contributions towards the improvement of public transport provision along the A10 corridor. To address this point the applicant proposes to improve the public transport links with the site to the Park and Ride facility at Trumpington which will be further enhanced at a later stage with improved links with the Cambridgeshire Guided Bus route. The applicant plans this bus service in a three-stage approach. The first stage will provide an interim shuttle bus service between the site and the Park and Ride while the second stage follows the implementation of the Guided Bus service and a service will be provided by the Guided busway buses between the site and Cambridge city centre. Both the first and second stage will provide a 20 minute frequency service between the hours of 0700-1900 during Monday to Saturday. The third and final stage will allow for the extension of the Guided Bus service to evening services.

98. To fund this public transport initiative it is proposed that a new bus service is set up by the developer of the site and the applicant has been in discussions with Stagecoach who have confirmed that a service could be provided on a 20 minute basis. The continuation of the service and its extension would be funded through a service charge raised against each property. As part of the package of improvements each household on the site will be issued with a single Gold Rider ticket at no charge. This ticket (or a renewal) will be available for the period of a legal agreement, which has been suggested by the applicant to be in the region of 15 years. The free Gold Rider ticket will be available for use by any one member of the household, while other occupants will be able to purchase additional tickets at specified discounted rates. As an extra incentive, all members of each new household will be allowed to travel for free on Stagecoach buses for the first month of occupation.
99. The Highways Agency have stated that as a result of this development the level of traffic on the A10 and the M11 junction will create an inconvenience on the A10 during short commuter periods. The applicant has carried out traffic surveys, which include the A10 and state that their survey evidence suggests that the A10 currently functions adequately. Both the Highways Agency and the County Engineers still question whether or not the bus service will operate efficiently in the traffic generated along this stretch of the A10 and if not whether the residents of the development will use the service or continue using their private cars. To counter this, the applicants bus operator, Stagecoach, have considered this point but do not believe that this to be a significant issue in the delivery of the agreed service. Furthermore it is accepted that if there is inconvenience to bus travel during these short periods, there will be the same inconvenience to car travel and that on a 'whole of the journey' basis, bus travel into Cambridge will still be much more convenient due to the bus priority measures north of the M11. The applicant has also stated that this site could be reused for a commercial use at any time without further planning permission and that on this assumption the details as set out within the Traffic Assessment shows that the planned redevelopment would generate similar or slightly lower levels of traffic movement. The applicant is therefore of the opinion that the development will not create a significant impact upon the adjoining highway network including junction 11 of the M11. Further discussions on the issue of highway capacity are continuing and, as such, until these discussions conclude it is not possible to confirm that the proposed redevelopment of this site would not result in any detrimental impact upon the adjoining highway network.
100. In considering pedestrian and cycle provision the Site Specific policy also requires the redevelopment of this site to establish links to the Trumpington Meadows Development, the Trumpington Park and Ride, as well as with Hauxton village. The proposal will achieve these requirements with a proposed pedestrian/cycle link to the Country park area of Trumpington West and a contribution towards the improvement of the existing cycle way serving the Park and Ride. The transport assessment also shows a new cycle link along the A10 fronting the development site leading to Church Road to provide access to the main village of Hauxton. The proposed traffic calming measures along the A10 are designed to improve the safe crossing of the A10 for residents to access the pedestrian/cycle way and the country park within the Trumpington Meadows development. The crossing will also provide a safer access point to the sports pitches on the west side of the A10, which are also within the ownership of the applicant. Subject to minor design issues the proposed traffic calming measures are considered acceptable.

Flood Risk and River Frontage

101. As the application site shares a common boundary with the Riddy Brook and River Cam and is located within an identified area of flooding the applicant has submitted a detailed Flood Risk Assessment (FRA). The Environment Agency has considered this assessment but to date have not agreed the details and as such there is an outstanding objection from the agency. However discussions with the Environment Agency are continuing and it is anticipated that an agreement on the FRA will shortly be reached.
102. The site has some history of flooding which the applicant states has been located within parts of the surface car park in the north of the site. The details submitted in the latest FRA state that the flooding in the past can be tracked as 4 stages. The first stage is where rising water in the River Cam overflows the weir into the Riddy Brook which acts a relief channel. As the rate of water flow in the Riddy Brook increases the bank is overtopped at the first low point of the numerous obstructions cutting across the channel (pipes and bridges) and in October 2001 this occurred along the Old Mill House wall and the footbridge connecting the main site with the island. Should the river levels continue to increase stage 3 is that the Mill Race overtops its banks spilling flow in the River Cam downstream of the main weir into the Riddy Brook, which increases the flooding within the Bayer site by the Old Mill House. Stage 4 is where the River Cam tops the north bank at its lowest point, which generally occurs through a breach in the levee, which protects the field from flooding.
103. In order to improve the situation the applicant proposes a number of features along the Riddy Brook and within the north meadow. Along the Riddy Brook it is proposed to remove or raise as many obstructions as possible, increase the site level adjacent to the Mill House above the levels of flooding and to provide a high level flow channel excavated along the eastern side of the Riddy Brook. This feature would allow for an increase in the capacity during periods of increased flows within the Riddy Brook. Furthermore it is also proposed to excavate a shallow storage channel in the field to the north of the site to act as a flood relief channel and hence why the applicant has restricted this north meadow as an area of ecological enhancement with no public access. Any floodwater will enter the field area via an engineered breach in the levee, to be located within the channel of the River Cam upstream of the raised and refurbished main weir to the Riddy Brook. This will ensure that in the event of high water levels within the River Cam the excess water will breach the levee to allow the weir to the Riddy Brook to function as normal but limiting the amount of upstream water levels by allowing excess flow to be stored within the field. The stored water will then be released back into the River Cam in a controlled fashion through a new engineered weir and low level drain located up stream in the River Cam and directly to the north of the derelict New Mill House building. The applicant is of the opinion that these proposals will minimise the risk of flooding to the development and in other areas in accordance with policy NE/11 of the Core Strategy. However until the Environment Agency confirm that the objection to the flood risk assessment is removed the issue of flooding is still outstanding.
104. Turning to the main development on the site the illustrative layout plan shows that the residential dwellings could be aligned to front onto the Riddy brook as well as the Mill Island to the north of the site. The plans also show the retention and improvement of a river side walk along the edge of the Riddy Brook and the use of this area and the Mill Island as an area of informal open space associated with the main development. Although the final details will be provided at the detailed stage of the application it is clear that this proposal would comply with the requirements of both adopted and emerging LDF policies.

Infrastructure

105. The applicant has accepted that the development will impact upon the existing infrastructure in terms of the primary school located in Hauxton and the health centre. The County Education Officer has made a request for a contribution of £2 million to allow for an extension/improvement of the Hauxton primary school to ensure that the capacity of the school is met. In considering this request the applicant has employed an educational consultant who has advised that based upon the information provided by the Education Authority there is sufficient capacity within Hauxton and Harston Primary Schools to accommodate the number of primary aged school children arising from the proposed development. As such any contribution made for educational facilities should be viewed as a positive contribution towards the village and community facilities. The applicants consultant has identified the capacity at Hauxton School as 90 children, but that the development would result in a requirement for a school of 135 places. The additional accommodation necessary to improve the capacity of the school from 90 pupils to 135 pupils is 202.5 square metres. The applicant's education consultant does not agree with the figure suggested by the County for this size increase and as such applicant has only agreed pay a figure of £410,670 as part of any Section 106 agreement.
106. In response the County Education Officer has stated that the demand from the existing village is about 50 pupils and the School is adequate for this number with two classrooms and a larger hall/classroom, plus ancillary accommodation. The development proposal will make it necessary to plan a five class school with a hall. It will need to be some 1015 sq metres in area, plus provision for an 80 sq metre under-fives unit. The final area to be built could well be more than this, hence some contingency provision in the original figures. Discussions with the applicant and the County Council are continuing in order that a compromise can be reached.
107. On a second point the applicant has made an offer to the Primary Care Trust (PCT) of £168,750 towards the improvements to the health centre at Great Shelford as requested by the PCT. To date confirmation from the PCT that this amount is adequate is awaited, although it does represent the estimated value for the works provided by the PCT during negotiations.
108. On affordable housing the applicant has demonstrated that due to the cost of the remediation works on the site the provision of affordable units will be limited. However the applicant recognises the need for affordable housing on the site and has stated that they are committed to providing a viable level of provision. Following a meeting with officers of this Authority the applicant has been in contact with a local Registered Social Landlord, to consider the provision of Extra-Care Housing on the site. This type of housing provides integrated care and support for frail older people and should not be confused with nursing or residential care homes. The Extra-Care units are purpose built housing which can be in the form of self-contained apartments with communal facilities providing a range of support and leisure services to enable residents to live independently. In terms of number the applicant has confirmed that 70 units would be provided on the site, which will be equal to 20% of the housing stock.
109. The Council housing officers have supported this type of development and advise that the most authoritative assessment of need for Extra-Care sheltered housing is the Best Value Review (County Wide) of sheltered housing which was carried out in conjunction with all agencies involved in the Supporting People process. This assessment identifies a need for 402 extra care sheltered housing units in South Cambridgeshire by 2015/16 and as such even with the provision of 70 units there will

still be a significant shortfall but this proposal will go some way to help alleviate this shortfall in the demand for this type of accommodation.

110. In considering the provision of affordable housing against local policy, within the Development Control DPD Policy HG/3 states that the amount of affordable housing to be sought on new development will be 40% or more, which this proposal clearly does not comply with. However the policy makes clear that the proportion of affordable housing will be subject to negotiations with applicants and account will be taken of any particular costs associated with the development such as site remediation and other viability considerations which need to be given priority as part of the development. In this instance the main issue affecting viability is that of the remediation costs associated with this site. The applicant has demonstrated that the costs of this element of the scheme means that the provision of 40% affordable housing is not viable but that the extra care housing at 20% would in principle be acceptable. Taking all the information submitted into account it is considered that a justification has been made to warrant a reduced level of affordable housing on the site below that normally sought.

Open Space/Recreation/Ecology

111. The applicant has accepted that there is no provision for formal open space on the site and that this development would normally require 3.6 acres in total. However the area on the west side of the A10 provides a number of formal pitches, which had previously been operated by the Bayer CropScience for its work force and this is a potential provision for this development. The applicant does not wish to hand over the land if it is not maintained correctly or does not have a use. The Parish Council have expressed an interest in carrying on the running of the sports pitches for the benefit of the community but this will come at a cost which officers are currently considering with all parties. As an alternative solution to the lack of formal pitches the applicant could make an off-site contribution, which again officers are considering.
112. Turning to the issue of informal open space the applicant has agreed that a Neighbourhood Equipped Area of Play (NEAP) will be provided on a location to be agreed within Hauxton village. The illustrative layout plan submitted with the application shows that a Local Equipped Play Area (LEAP) will be provided within the site possibly on the 'village green' area, which could include a kick-about area. The creation of an informal open space area providing a riverside walk is a welcome feature within the development and will comply with the requirements of the Site Specific Policy as well as presenting an attractive elevation along this frontage of the development and to the Green Belt. The creation of the walkway and the improvements to the Riddy Brook will also allow for opportunities for ecological enhancements to take place as part of the development. The main ecological improvement will be the creation of the northern meadow as a species rich wetland that will have significant ecological content which initially restricted in terms of public access the area may, in the future, act as an educational resource. In addition to this the application has agreed to carry out bat, bird and fish surveys as well as provide an otter holt further up the River Cam. For these reasons the proposed re-development of the site will have significant ecological benefits for the area in accordance with local and national policy.

Listed Building

113. The Mill House was previously used by Bayer CropScience as an office building and as such the interior has been significantly altered with partition walls, false ceilings and fire regulation doors. With regards to Hauxton Mill, this has not been used for many years and the interior retains a number of original features. Unfortunately due to

the lack of use the interior is in a poor state of repair with many of the floorboards and staircases unsafe for use. The building does however have a large area of floor space and occupies a prominent position at the head of the River Cam, Riddy Brook and the North Channel as well as being clearly visible from the River Cam Road Bridge.

114. In terms of potential reuse no plans for either of the buildings are submitted with this application. The applicant explains that this is due to the fact that there is a reluctance of any third party to suggest a use of the buildings until the development of the main site is agreed. Concern has been expressed by officers of this Authority that the listed buildings appear to be placed to one side and will not be successfully incorporated into the final design. Furthermore it is considered by officers that the listed buildings should form part of the final design for the development, as they are an important and valuable feature within the site and their future should be addressed at an early stage.
115. The applicant has confirmed that they understand the importance of securing an appropriate use to secure the long-term future of the buildings but they state that they will not rush into any agreements that would jeopardise the long-term future of the site or the listed buildings. In the interim period the applicant states that they will continue to maintain the properties to acceptable standards as statutorily required. Some details have however been submitted as part of the revised D&A which address the concern over the Mill House by improving the setting around this building by removing the tarmac surface around the building to replace it with areas of public open space and ensuring that new buildings are sympathetic in mass and scale. Furthermore the revised D&A shows an opportunity to re-create the route of the original Mill Lane towards the Mill House to provide a direct link with the Mill and Riddy Brook footbridge. With regards to Hauxton Mill the applicant has agreed that this building should form part of the neighbourhood development and that the current proposal is to maintain the building with due regard to its setting and status. Although not an ideal situation the applicant has demonstrated an understanding of the importance of the two listed buildings on the site and as such their future should be protected by the use of a condition requiring an appropriate use to form part of the second phase of development.
116. There is a further listed building which also needs consideration in relation to this development. St. Edmunds church located along Church Road is grade I listed and located approximately 150 metres from the boundary of the application site. The area of land between the church and the application site is currently used, as an open field and this will act as a green buffer between the church and the development. In terms of proposed building heights the revised D&A shows buildings in the south eastern corner to be between 2 and 3 storeys in height although it should also be noted that the levels of the site are likely to be increased as part of the remediation measures associated with the contamination on the site. The final design of this area of the site will be in the reserved matters application and this area is shown as part of phase 1 of the redevelopment of the site.

Sustainability Appraisal

117. Due to the outline nature of the site it is difficult to commit to specific sustainable and renewable energy measures at this stage in the development process. However, the applicant has confirmed that they are committed to the provision of sustainability and renewable energy features as part of the development of the site and would be willing to agree to an appropriately worded condition being attached to the planning permission. This condition would require residential dwellings to be built to standards meeting Code Level 3 of the Code for Sustainable Homes and suggested wording for this condition has been provided.

118. In considering this approach it is important to recognise that code level 3 is possibly the best the applicant could achieve on this site as in order to obtain code level 4 or above would require an approved SuDs scheme on the site which due to the contamination issues would not be appropriate even when the contamination is cleaned. For this reason the applicant's suggestion for a condition is considered appropriate on this application.

Section 106 Agreement

119. Any permission that might be granted would be subject to a range of conditions to ensure that the development is carried out satisfactorily and these are outlined at the end of this report. There are also other matters, which will need to be the subject of a (Section 106) Planning Obligation Agreement between the Council and the other owners of the land. They all relate to issues covered elsewhere in the report, but for convenience they are listed below:
- a. Provision of a NEAP within Hauxton village;
 - b. Provision of LEAP within the site;
 - c. Contribution towards public transport improvements;
 - d. Contribution towards cycleway improvements along the A10;
 - e. Provision of Extra-Care units on the site;
 - f. Contribution towards Great Shelford health centre improvements;
 - g. Contribution towards Hauxton primary school improvements;
 - h. Contribution towards River Riddy trees and walk maintenance.

Conclusion

120. In accordance with Section 54A, planning applications should be determined in accordance with the policies in the development plan, unless material considerations indicate otherwise. The adopted Local Plan is in the process of being reviewed with the introduction of a suite of Development Plan Documents (DPD), known collectively as a Local Development Framework (LDF), which will replace the Local Plan.
121. The Core Strategy DPD was adopted in January 2007 with the Development Control Policies DPD adopted in July 2007 and as such a number of the Local Plan 2004 policies have now been superseded. However the Site Specific Policies DPD is currently in a draft form dated January 2006 with the hearings for this Examination expected to start on 27 November 2007. As such and until this DPD is formally adopted there are still some of the Local Plan 2004 policies which remain in force
122. The application site is partly located within the Green Belt where large-scale housing and employment would be discouraged as inappropriate development unless there are very special circumstances. The site is also allocated for a mixed-use development under policy SP/7 Bayer Cropscience within the Site Specific Policies DPD but this policy is currently in draft as the public examination is not until November 2007.
123. The case provided by the applicant in support of this application has demonstrated that with the removal of the industrial use and the cleaning of the site the proposal would represent an improvement to this part of Hauxton. Furthermore this improvement works would also allow for further ecological enhancements within the area and allow for the opportunity to provide an enhance appearance to the edge of the Green Belt and the approach to Cambridge. This improvement work to the site will therefore allow for the provision of up to 380 dwellings on the site, which would contribute towards the Councils housing provision for the District . The application site has been allocated as a potential

site for a mixed-use redevelopment in the draft Site Specific policies, which is a material consideration.

124. Due to the level and type of contamination on the site this application represents a real opportunity to not only improve the site but also the appearance of the immediate area. It is considered that a case has been made to justify a departure from the adopted local plan, but can only proceed on the basis that the site is remediated to a satisfactory level in consultation with the Environment Agency and the Council's Environmental health Officers.

Recommendation

125. At the time of writing this report a number of issues relating to transport and flooding remained unresolved. Discussions with the applicants and their agents are continuing and a verbal report will be made at the meeting on the latest position.
126. If by the time of the Committee meeting the majority of the outstanding issues have been satisfactorily resolved or appear capable of being resolved quickly, the Committee may wish to indicate whether it is minded to grant consent, subject to suitable conditions, to the completion of a S106 agreement, to the satisfactory resolution of any remaining issues and to the withdrawal of the Highways Agency's Article 14 direction and the objection from the Environment Agency. This would allow the application to be referred to the Secretary of State, via the Government Office for the East of England, to decide whether the application should be "called in" for the Secretary of States decision. Reference to the Secretary of State is necessary because the application is a departure from current adopted policies.
127. Finally, if the Committee is minded to grant permission, they may wish to consider delegating the final decision to issue permission to the Executive Director / Head of Planning Services, in consultation with the Chair and local Member. This would minimise further delay, should the Secretary of State decide not to call in the application (assuming also that the Highways Agency's Article 14 direction had by then been withdrawn).

Conditions:

1. Approval of reserved matters before the expiration of 3 years
2. Approval of the details of the siting, design and external appearance
3. surface water drainage details
4. Ecological Management Plan (EMP) submitted to and approved
5. art strategy
6. Code 3 sustainability
7. Details of list building works
8. Phasing plan

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Government Policy Guidance referred to in Paragraph 18
- Local Development Framework Core Strategy and Development Control Policies 2007
- Planning File Ref: S/2308/06/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1585/07/F – HARSTON**Extension and Conversion to form Dwelling - No 1 Hurrell's Row, for Mr & Mrs May-Gillings****Recommendation: Approval****Date for Determination: 9th October 2007****Notes:**

This Application has been reported to the Planning Committee for determination because the recommendation is contrary to the response of the Parish Council.

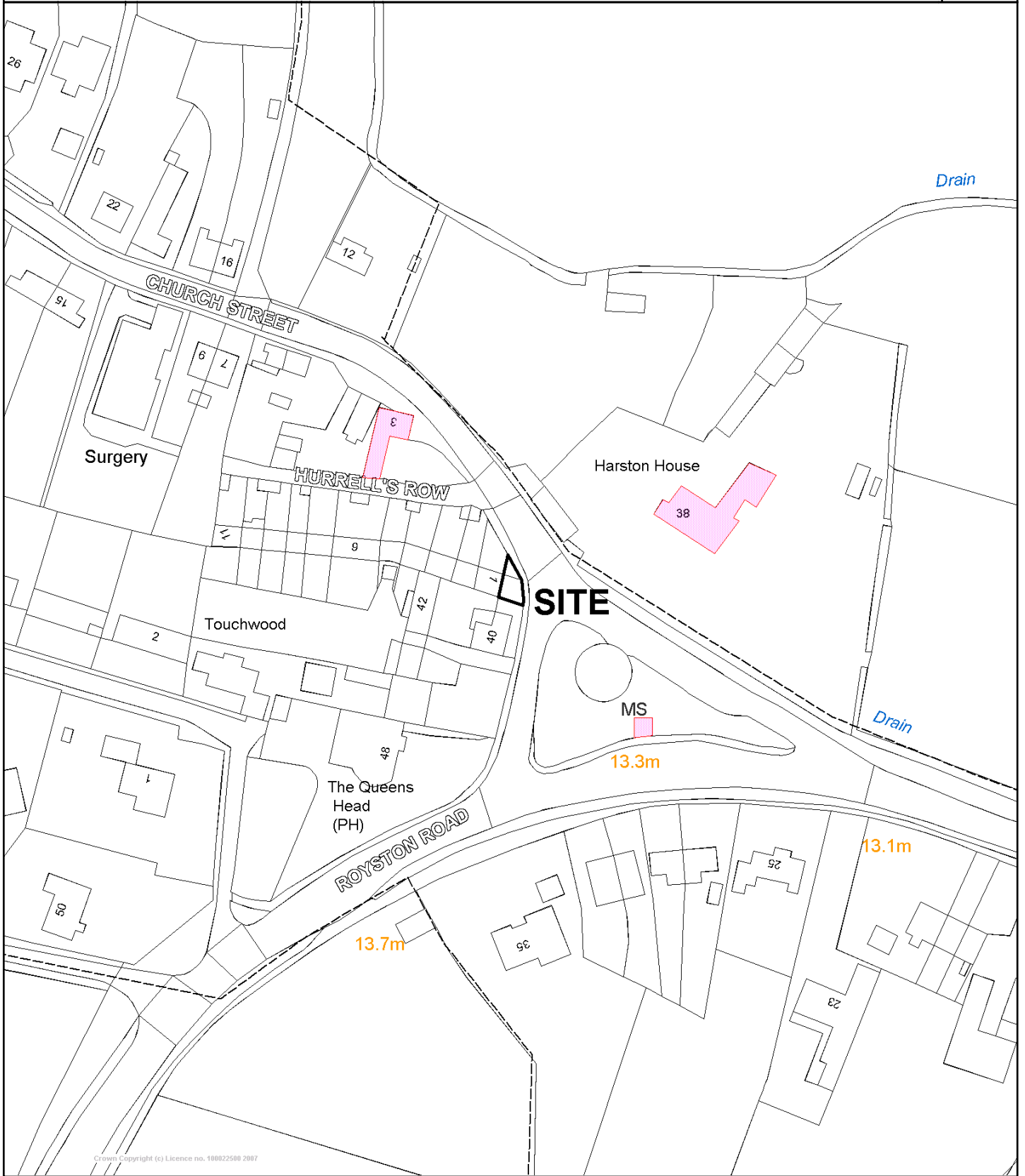
Site and Proposal

1. The 35m² application site is located on the end of a row of terrace cottages at a corner site fronting Church Street and next to No 40 Royston Road, a 3 storey detached house. The property is set in a trapezoidal plan with a gable end to the east facing the junction of Church Street and Royston Road. The existing single storey building formed part of the curtilage of No 1A Hurrell's Road and was used as a shop (watch makers shop and hairdressers). The last use of the building was a hairdresser and the use ceased in April 2006. No 1A is set on lower land than No 1 and the road level. There is no on-site parking. A nearby lay-by alongside the amenity area opposite the site provides parking spaces for 4 or 5 vehicles. The site is not within a Conservation Area but there are some listed buildings in the locality: No 3 Church Street, to the north west, and Harston House, to the north east.
2. The full application, submitted on 14th August 2007, is a resubmission following a refusal of a previous application. It proposes to extend the existing property to create a two storey 1-bedroom house. The revision includes a reduction in the depth of the proposed 2 storey extension, from 2.25m to 1.3m, set 0.7m away from the edge of No 1A. The resultant front elevation of the building would be in line with No 1A. The eaves height in the north elevation would be changed from 3.6m to 3.9m. The proposal includes 2 rooflights and a first floor toilet window in the north elevation, and a first floor bedroom window in the east elevation. The scheme also includes a 1.8m high boundary fencing and gate. The density of the development equates to 286 dwelling/hectare, but in the context of the Hurrell's Row terrace, some 60 dph.

Planning History

3. **S/0635/07/F** – Application for extension and conversion to form dwelling was refused on the grounds of affecting residential amenity interests to the occupiers of No 1A Hurrell's Row (Agenda item 22, 1st August 2007 committee).

S-1585-07-F



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S/2427/06/LDC – Application for a Certificate of Lawfulness for Existing Use as Shop (Class A1), the application was withdrawn.

C/0553/71/D – Planning consent granted for extension to enlarge kitchen, lounge and bedrooms at No 1 Church Street/ Hurrell's Road (currently No 1A Hurrell's Row).

Planning Policy

4. **Policy P3/4** of the Cambridgeshire and Peterborough Structure Plan 2003 supports the vitality of rural communities by encouraging the retention and expansion of village shopping facilities on a scale appropriate to their location and serving a local function, and key community services.
5. **Policy SF/1** of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies Development Plan Document (DPD) 2007 resists the loss of shops as a village service, where such loss would cause an unacceptable reduction in the level of community or service provision in the locality.
6. **Policy DP/7** of the LDF Development Control Policies DPD 2007 supports development within village frameworks provided that, amongst other criteria, development would be sensitive to the character of the location and the amenities of neighbours; and development would not result in the loss of local employment, or a local service or facility.
7. Harston is identified within **Policy ST/6** of the LDF Core Strategy adopted 2007 as a Group Village. In such locations, residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village frameworks.
8. **Policy DP/2** of the LDF Development Control Policies DPD 2007 states that all new development must be of high quality design, and as appropriate to the scale and nature of the development that in the case of residential development, provide higher residential densities.
9. **Policy DP/3** of the LDF Development Control Policies DPD 2007 resists development that would have an unacceptable adverse impact on residential amenity, village character, community facilities, and from traffic generated and undue environmental disturbance.
10. **Policies TR/1 & TR/2** the LDF Development Control Policies DPD 2007 partly states that the Council will seek, to ensure that every opportunity is taken to increase accessibility to non-car modes by any appropriate measures such as restricting car parking to the maximum levels. Maximum car parking standard for shops (non-food shop under Use Classes Order A1) is 1 car space per 20 sq. metres, and an average of 1.5 space per dwelling.

Consultations

11. **Harston Parish Council** objects to the application for the following reasons:
The development would be an inappropriate and overdevelopment of the tiny, very exposed site.
12. Hurrells Row cottages adjacent to the proposed development on one side, is a 200-300 year old terrace of very small, 1-up/1-down clunch cottages, most of which have the interior floor level below the external ground level, with low ceiling heights, and low ridge heights. In spite of the revised proposal for the west elevation in line with 1A

Hurrells Row, the addition of a second storey would make the development overbearing. This is particularly so, as the northeast elevation of the existing single storey garage projects well beyond the building line of the adjacent house, 40 Royston Road, and extends to the very edge of the narrow footpath. To add another storey would increase the overbearing impact unacceptably, to both Hurrells Row, and Royston Road.

13. The proposed extension and projection towards the Hurrells Row access would result in unacceptable loss of light, and air, to 1A Hurrells Row, next door.
14. The dustbins indicated to be sited directly under the ground floor ventilation to the north/east wall of 1A Hurrells Row is unacceptable, and there us no other place on the abnormally small site that dustbins could stored out of sight from the Village Green and the street scene.
15. The external elevations of the proposed development with skylights, contemporary windows, and an oddly pitched roofline is out of keeping with the existing village street scene.
16. The existing single storey building currently projects towards Royston Road and Church Street, beyond adjacent property 40 Royston Road and the proposed additional height on this elevation would be overbearing and unacceptable.
17. The application site is in a sensitive, historic part of Harston, opposite the Village Green and with at least 4 listed building within 50m.
18. Traffic issues: The application site is on the busy corner where Hurrells Row intersects with Church Street and Royston Road; there is busy traffic all day, in both directions of Church Street and Royston Road, to and from the adjacent A-10.
19. There is inadequate provision for car parking for the proposed development. A parking survey conducted by the applicant would be prejudiced and therefore should not be considered with the application.
20. There are existing car parking problems on both stretches of road; and the lay-by in Church Street generally is not available, being already in full use, especially overnight and at weekends.

Other comments:

Endangering the fabric of adjacent buildings.

21. The 2 storey south wall of Melbourn House, 40 Royston Road, is 4" (100mm) from the north elevation of the proposed 2-storey development. An existing gutter to the existing single storey roof 1 Hurrells Row overflows onto this clunch wall of 40 Royston Road. The consequences of this abnormally close proximity would be worse with 2 storey walls on this elevation, resulting in damage to the fragile fabric of the wall of 40 Royston Road.
22. The east wall of 1A Hurrells Row is also of fragile clunch construction. The single storey building of 1 Hurrells Row was formally a wash house for the cottages of Hurrells Row. It was then a watch makers shop; the watch maker lived at 1A Hurrells Row, with a door through the wall to 1 Hurrells Row. Later the door was closed off, and 1 Hurrells Row became a hairdressers amongst other commercial uses.

23. **Conservation Officer** has no objections and considers that the revised design follows the principles suggested to the applicant on the previous application but revised to overcome the issue of overshadowing to the adjacent dwelling. Impact on the streetscape is acceptable.

Representations

24. Letters of objection have been received from the occupiers of No 1A Hurrell's Row, No 12 Church Street, Nos 38, 40 and 46 Royston Road. The main points raised are:

25. Occupier of No 1A Hurrell's Row:

- a. No 1A is set more than 2 feet lower than No 1. The difference in levels and the resultant 2 storey building would be overbearing;
- b. The proposal would affect light and air to No 1A;
- c. Drainage capacity;
- d. Parking problem at weekends and evenings;
- e. The proposed extension would damage the fabric of No 1A;
- f. Out of keeping with Harston House (a Grade II listed building), and the character of this part of the village, particularly the historic cottages of Hurrell's Row,
- g. The revised proposal does not address the reason for refusal of the previous application S/0635/07/F;
- h. The applicants have purchased the building for the residential development and have made little attempt to show the potential demand for retail use on the market. The number of commercial uses in this type of location has reduced;
- i. The proposed landing window would overlook the garden area at No 1A; and
- j. The site is located within 250m of a fluvial flood plain;

26. Occupiers at No 12 Church Street, Nos 38, 40 and 46 Royston Road:

- a. The present building has not been used as a dwelling;
- b. Overdevelopment;
- c. Affecting light to neighbouring houses;
- d. A 2 storey modern structure in this location would be out of keeping and detract from the character of this historic part of the village;
- e. Parking problems occur at mornings and evenings rather than during working hours, the previous commercial use of the site caused no parking problems since customers came during the day;
- f. The reason for refusal has not materially changed given the size and position of the building;
- g. The proposed affordable housing does not relate to local affordability as the sale price would be determined by the open market; and
- h. Site boundary and access to No 40 Royston Road for the proposed structure.

27. Councillor Mrs Lockwood is a bit concerned that it is now too small to be acceptable as a dwelling.

Planning Comments – Key Issues

28. The key issues to consider in the determination of this application are:
1. Affect upon the residential amenities of No 1A Hurrell's Row;
 2. Impact upon the character of the area;
 3. Parking/highway safety; and
 4. Loss of shop in the village

Residential amenity interests

29. The proposed 2 storey front extension would be 1.3m deep which is in line with the front elevation of No 1A. The extension would be set 0.7m from the boundary with No 1A and the resultant dwelling at No 1 would be sited on the east side of No 1A. No 1A has a kitchen window and a first floor bedroom window adjacent to the boundary fencing with No 1. Although there is a level difference between Nos 1 and 1A, I consider that the scale of the extension is modest and would not cause any loss of light to the garden and ground floor window at this adjoining property.
30. The proposed extension would be visible from the garden/ sitting out area at No 1A. Given the extension would be set away from No 1A and the north elevation would be parallel to this neighbouring property and the height of the resultant building at No 1 would set lower than No 1A, the proposal would not be harmful to residential amenity by affecting the outlook from the garden area at No 1A.
31. The first floor landing window in the north elevation would be enclosed by walls on both sides, set back 1.3m from the rear wall of No 1A and would be at an oblique angle to overlook the garden area at No 1A.
32. I am satisfied that the revised design addresses the reason for refusal of the previous application in relation to unacceptable adverse impact on residential amenity to the occupiers at No 1A.

Impact upon the character of the area

33. The application site is not within a Conservation Area. It is noted that the configuration of the site is abnormal and the building is located at a prominent position and there are listed buildings in the locality: Harston House, the Milestone on the Green and No 3 Church Street. The proposal would increase the mass and height of the existing building which would be visible from Church Street and Royston Road. However, the design of the new dwelling would result in a continuation of the existing row of terrace properties and set down from the adjoining property following the roof design of No 1A. I am therefore satisfied that, in design terms, the proposal would be in keeping with the character of the area. I do not consider that the proposed development would have an adverse impact on the setting and character of listed buildings.
34. The Parish Council has expressed concerns about the roof lights. Having considered that No 40 Royston Road has a velux window in the hip roof on the north elevation, which is visible from the road, I do not consider that the proposed two rooflights would have an adverse visual impact.

Parking/highway safety

35. The comments about existing car parking problem in this part of the village are noted. There is no existing on-site car parking provision but the Councils maximum parking standard for a residential dwelling would not exceed the number car parking spaces required for this small shop. Having considered the on-street parking spaces along Church Street, Royston Road and the lay-by to the north of the Village Green, it is my view that the proposal would have no adverse impact on traffic and parking conditions nor worsen the existing situation. I consider that the lack of car parking provision would not be significant enough to substantiate a refusal of the application.

Loss of shop in the village

36. Based on the information submitted by the applicants and the estate agent for the previous application ref. S/0635/07/F to demonstrate that the property had been marketed as a commercial unit, and having considered the presence of a post office, public houses, hairdresser and village store on High Street that provide alternatives with convenient access in the village, I do not consider that the established use of the premises is a significant contribution to the social amenity of the local community. The proposal to convert the shop is not crucial to the loss of a commercial unit or an employment site within the village framework.

Other issues

37. The air vent and airbricks at No 1A would be facing the side elevation of the proposed extension at No 1. I consider that the height of wheeled bins to be placed in the gap between the proposed extension and No 1A would be lower than the height of the air vent and airbricks, the location of the wheeled bins is acceptable.
38. Drainage/soakaway capacity would be assessed against Building Buildings.
39. The site is outside the floodzones 2 and 3 on the Environment Agency's Indicative Floodplain Maps. A Flood Risk Assessment is not required.

Recommendation

40. Approval

Conditions

1. Standard Condition A - Time Limited Permission A (Reason - A).
2. Sc5a Details of external materials (Rc 5a ii).
3. No windows, doors or openings of any kind shall be inserted at first floor level in the west side elevation of the dwelling, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To safeguard the privacy of occupiers of the adjoining property to the west, No 1A Hurrell's Row).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007:
ST/6 (Group Villages)
- **South Cambridgeshire Local Development Framework (LDF) Development Control Policies**, Development Plan Document, adopted July 2007):
Policy SF/1 (Protection of Village Services and Facilities)
Policy DP/2 (Design of New Development)
Policy DP/3 (Development Criteria)
Policy DP/7 (Development Frameworks)
Policy TR/1 (Planning for More Sustainable Travel)
Policy TR/2 (Car and Cycle Parking Standards)
- **Cambridgeshire and Peterborough Structure Plan 2003:**
P3/4 (Rural Services and Facilities)

2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential amenity;
 - Impact on character of area;
 - Parking provision/ Highway safety;
 - Loss of shop in the village.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, Development Plan Document, adopted July 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/1585/07/F, S/0635/07/F, S/2427/06/LDC, C/0553/71/D

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 3rd October 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0673/07/F - HARSTON

Retention of and use of land for siting of one static caravan, one touring caravan and one mobile day room; Carefield, Button End, for Mr and Mrs Hedges

Recommendation: Temporary Approval

Date for Determination: 30th May 2007

This Application has been reported to the Planning Committee for determination because approval of the proposal would represent a departure from the development plan.

Departure Application**Site and Proposal**

1. Button End is an area of sporadic residential development in the rural area and Green Belt to the north of Harston. The application site, which has an area of 0.19ha, is located in a spacious gap between dwellings known as Serotina and Apple Cottage on the north eastern side of Button End. The site contains a chalet home and mobile day room. In addition, brick walling and tall gate piers have been placed at the entrance, low-level brick retaining walling has been erected to form a garden area, timber stables and a raised patio have been developed at the rear of the mobile home, and the land beyond this to the north east of the site has been brought into use for the grazing of ponies. A stallion box has been erected on one paddock.
2. The full application, dated 2 April 2007, seeks permanent permission for the stationing of two caravans (one static, one touring) and a mobile day room, for one Gypsy family. The site area is given as 0.19 hectare.

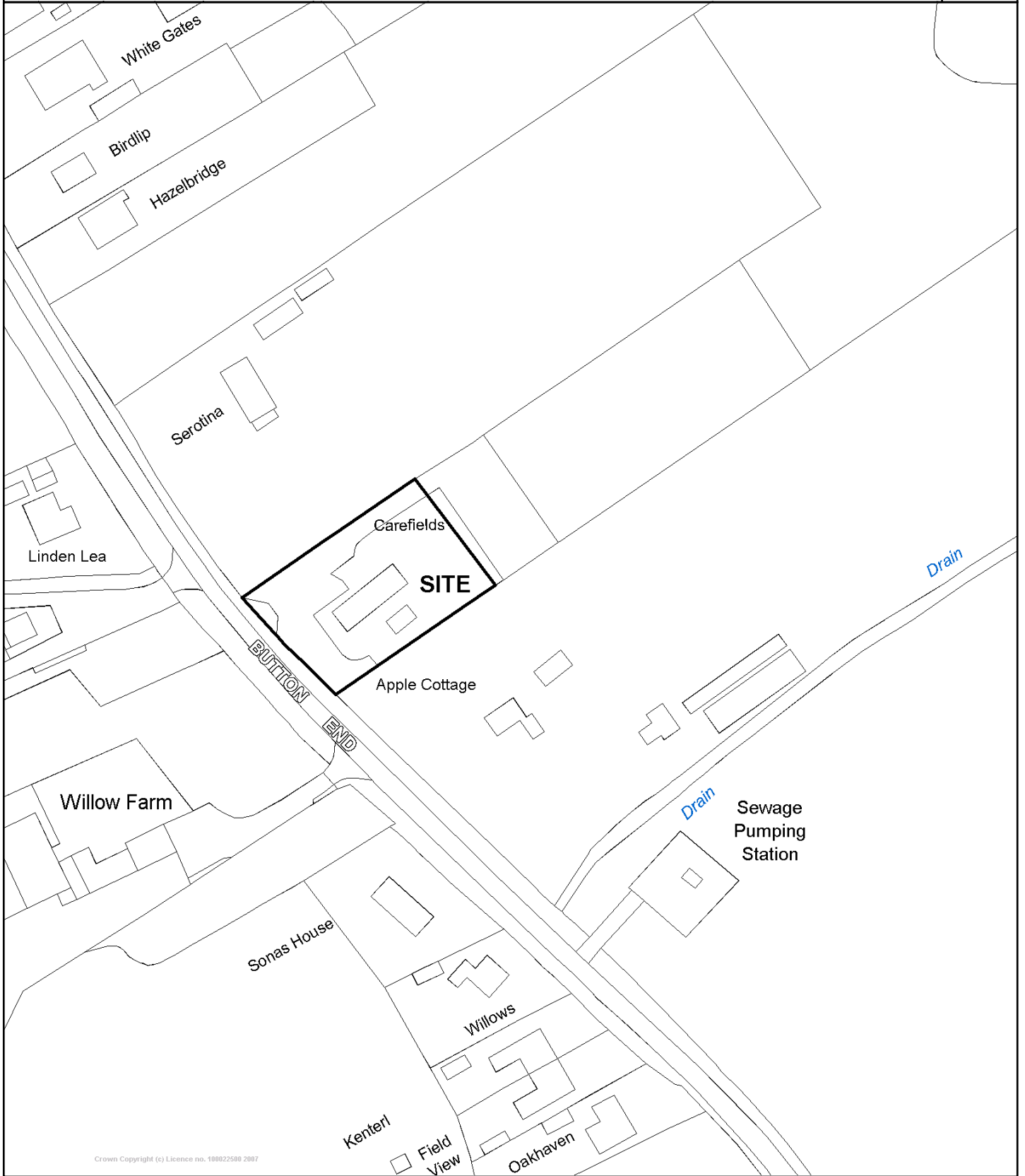
Personal Circumstances

3. Since the granting on appeal in April 2004 of a temporary planning permission, the personal circumstances of the applicants have changed. The family now has five sons (compared with three in April 2004), the youngest being two years of age. Mrs Hedges health continues to require attention, sometimes at hospital. Her third eldest (13 years old) has started at Melbourn Village College, whilst her fourth child (3 years old) is about to start nursery school in Harston. The agent for the applicants has pointed out that the educational needs of this family will continue for a considerable number of years, and that this factor should continue to carry substantial weight.

Planning History

4. The applicants first occupied the site on 2nd July 1999. In the absence of any planning permission, an enforcement notice was issued on 23rd July 1999. An appeal against

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the enforcement notice was dismissed by letter dated 10th January 2000. The applicants were required to cease using the land for the siting of caravans or mobile homes and to remove these along with ancillary structures and area of hardstanding. The Council extended the period for compliance to allow for Mrs Hedges to have a hip operation. Shortly after the operation had been carried out, the applicants applied for planning permission to remain on the site (S/0040/03/F). This was refused. An enforcement notice was issued on 19th December 2003 that required the removal of hardcore, hardstandings and a lamppost.

5. Planning permission was granted at appeal S/0040/03/F, in a decision dated 7 April 2004. The Inspector limited the permission for the siting of two touring caravans and one mobile utility unit, with associated hardstanding (30m x 30m) for a period of three years, for occupation by Mr and Mrs Hedges and their children. The occupation was limited to Gypsies as defined in the Caravan Sites and Control of Development Act 1960. No commercial activity, including the storage of any materials or other items unrelated to the residential occupation of the land, was permitted. In coming to this decision, the Inspector commented;
6. "It is a fundamental objective of the Green Belt to maintain openness. However, the site is flanked on both sides by dwellings with associated boundary screen planting to Button End; the appeal site frontage also has a tall mature hedge and trees, except where the site is located. As a consequence, the development, which would be perceived only by those having occasion to go to this end of Button End, is seen only at close quarters when actually passing the site frontage, and even then in filtered views through gaps in the boundary vegetation for much of this length. I fully recognise the importance of maintaining the openness of the Green Belt, and I acknowledge that repeated incremental small-scale erosion of openness can cumulatively, over time, have significant consequences. Nonetheless I regard the extent of harm by reason of loss of openness in this case to be relatively minor, given the unobtrusive location of the site and the extent to which it is surrounded by existing development." (Paragraph 20)
7. "Permission for a temporary period would ensure a settled base from which to provide a continuity of the current secure educational environment through the completion of primary education transition to secondary education for Mrs Hedges' third child. It would enable continuity of Mrs Hedges' existing GP and specialist healthcare arrangements during the forthcoming review of any need for further hip replacement surgery. It would also provide a period of time, against the background of current levels of gypsy site provision and the policies in place in the District, to make a concerted effort in consultation with the Council to find a suitable site outside the Green Belt to use as a future settled base after Mrs Hedges' third child has moved through to secondary education. In my opinion permission for a period of up to three years would be an appropriate response to these particular circumstances."(Paragraph 50)

Planning Policy

South Cambridgeshire Development Control Policies Development Plan Document (2007)

8. **DP/7** (Development Frameworks). Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.

9. **Green Belt Objectives: GB/b** - To maintain the purposes and openness of the Cambridge Green Belt. **GB/c** - To preserve the unique setting of the city by maintaining the character and appearance of the surrounding villages.
10. **GB/1** (Development in the Green Belt) There is a presumption against inappropriate development in the Cambridge Green Belt as defined on the Proposals Map.
11. **GB/2** (Mitigating the Impact of Development in the Green Belt)
 1. Any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
 2. Where development is permitted, landscaping conditions, together with a requirement that any planting is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.
12. **Housing Objective: HG/a** - To ensure the provision of a range of housing types and sizes, including affordable housing, to meet the identified needs of all sectors of the community, including Key Workers.
13. **NE/4** (Landscape Character Areas) Development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located.

South Cambridgeshire Local Plan 2004

14. Policy **HG23** (Gypsies and Travelling Show people) does not apply to sites within the Cambridge Green Belt. The supporting text, at paragraph 4.55, states that 'Gypsy sites within the Green Belt are not an appropriate form of development.'

Gypsy and Traveller Development Plan Document

15. Consultants CDN Planning began working on this project in April 2006. The Issues and Options Report was considered by the Member Reference Group in February 2007. The Member Reference Group recommended to Council that:
 - (a) The responses to representations on the GTDPD Issues and Options Report and the Sustainability Appraisal at Appendix 3 are agreed.
 - (b) The list of Preferred Options at Appendix 2 is approved in order for stage 2, the site options search to begin.
 - (c) The actions put forward in Appendix 1 and summarised in Appendix 2 be addressed and taken forward into stage 2 of the Issues and Options process (Site options selection).
 - (d) The three-tier scoring matrix at Appendix 4 is used in the next stage of the GTDPD Issues and Options process.
 - (e) Authority be delegated to the Corporate Manager for Planning and Sustainable Communities, to make any minor editing changes necessary to the responses as set out in appendices 1 and 3 with any which involve a material change being delegated to the Planning and Economic Development Portfolio Holder.
16. A second Issues and Options report will be prepared, and this will specifically identify potential sites within South Cambs for Gypsy/Traveller sites using the criteria already

agreed. At this stage we expect the second Issues and Options report to be consulted on in Summer 2007. Under our policies, Harston is a group village (Policy ST/6 of the Local Development Framework Core Strategy 2007). The site is within 2000 metres of key local amenities, and hence is likely to be considered under the site options report.

Cambridgeshire and Peterborough Structure Plan 2003

P1/2 (Environmental Restrictions on Development)- development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

P5/4 (Meeting Locally Identified Housing Needs) - Local Plans should make provision to meet the locally assessed need for housing specific groups including Gypsies and Travellers.

P7/4 (Landscape) – Development must relate sensitively to the local environment and contribute to the sense of place, identity and diversity of the distinct landscape areas.

P9/2a (Green Belt) – within the Green Belt, new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area

17. Also relevant is Circular 01/2006 (Planning for Gypsy and Traveller Caravan Sites) and PPS3 (Housing). Circular 01/2006 confirms that the Government is committed to ensuring that members of the Gypsy and Traveller communities should have the same rights and responsibilities as every other citizen and provides updated guidance on the planning aspects of finding sites for Gypsies and Travellers and how Local Authorities and Gypsies and Travellers can work together to achieve that aim. The policies in this Circular apply throughout England.
18. Advice on the use of temporary permissions is contained in paragraphs 108 – 113 of Circular 11/95, *The Use of Conditions in Planning Permission*. Paragraph 110 advises that a temporary permission may be justified where it is expected that the planning circumstances will change in a particular way at the end of the period of the temporary permission. Where there is unmet need but no available alternative Gypsy and Traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, Local Planning Authorities should give consideration to granting a temporary permission. Such circumstances may arise, for example, in a case where a Local Planning Authority is preparing its site allocations DPD. In such circumstances, Local Planning Authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified.
19. The fact that temporary permission has been granted on this basis should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site. In some cases, it may not be reasonable to impose certain conditions on a temporary permission such as those that require significant capital outlay.

Consultations

20. **Harston Parish Council** – Recommendation of refusal. The Parish Council has made the following comments:

- “1 The application site is within the Greenbelt, and therefore does not comply with the laws relating to Green Belt.
- 2 The present settlement and occupation on the site were established without authority or permission and were a direct infringement of South Cambridgeshire District Council's Planning regulations and ruling; although on compassionate grounds (Mrs Hedges illness, and her young children), the Hedges were given a temporary stay for 3 years.
- 3 Building development of a permanent nature has been carried out by the Hedges on the Green Belt land (Application Site).
- 4 The rule of law however must be upheld, without which the situation here, as elsewhere, could be subject to inconsistency and injustice. It is not acceptable for laws to be applied differently on ground of race, religion, ethnicity, etc. To do so implies discrimination of one group against another. (In this case, that the Hedges (Gypsy) could be permitted to develop within the Green Belt, whereas a similar application by a settled applicant (non-Gypsy) would be refused.)

The Harston Parish Council are very much aware of the issues which this Planning Application raises, and of the effects and consequences which any decision could have on the neighbourhood as a whole, and the Hedges family in particular.

In the interim years, since Mr and Mrs Hedges moved onto and occupied the land in contravention of planning law relating to Green Belt, some observations can be made however, which deserve comment:

There has been a measure of stability in the area, and a stable family unit created, living in Carefield. Any change at this time (happening without safeguards already in place) could be disruptive to the lives of the Hedges family. We are singularly mindful of the situation as it concerns the Hedge's children, their needs and welfare, and their education in our local schools.

We therefore recommend a Stay of Enforcement for a period of 5 years, provided that two provisos are made as legally binding Conditions, and become part of a signed, legally binding agreement made with Mr and Mrs Hedges:

- 1 First, that at the end of the 'granted period' of continued residence, (or at the end of such time as the Hedges family voluntarily move away from Harston, whichever is the sooner) the land's status as Green Belt is reassented.
- 2 Secondly, the binding agreement states that, during the 'granted period' at no time may the ownership, use or occupation of the land, or any part of it, pass into other hands, or be occupied by any person or persons other than the present members of the Hedges family.

We recommend that this agreement remain permanently in force, and may not be changed without local consultation and a formal lifting of the embargo by South Cambridgeshire District Council on the recommendation of the Planning Department.

These measures will protect the well being of the environment and Green Belt; the welfare of the Hedges family, and the welfare of the residents of Harston.”

21. **Housing Support Team Leader (Affordable Homes)** – No objection to grant of planning permission for a further temporary period.

22. **Local Highway Authority** – No objection.

Representations

23. None received.

Equal Opportunities Implications

24. Under the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, the Council has a statutory duty to eliminate unlawful discrimination and to promote race equality and good race relations. The Race Equality Scheme, updated by the Council in July 2006 with an update of the 2005 - 2008 action plan, gives priority to actions relating to Travellers, as the biggest single ethnic minority in the District (around 1.0% of the District's population). The Council is committed to treating everyone fairly and justly, whatever their race or background and the scheme gives priority to actions relating to Travellers. It also incorporates recommendations from the Commission for Racial Equality's "Common Ground" report.

Planning Comments

25. The comments of the Inspector in 2004 are still of relevance to consideration of the application. The Inspector acknowledged that this caravan site constituted inappropriate development in the Green Belt, however he assessed the loss of openness to the Green Belt to be relatively minor, and that it involved some countryside encroachment. He found no other harm.
26. Since that time, the applicants have added to the original development by replacing the two touring caravans with a chalet home. They have constructed a raised patio, brick entrance piers and walls, low walling and steps adjacent to the chalet home, a stable block (currently in domestic storage use) and, in the paddock, a stallion box. This development may be unauthorised, but I recommend that it be considered separately from the assessment of the residential occupation of the site by Mr and Mrs Hedges and their family.
27. In assessing this application, Members will wish to take into account advice in Circular 1/2006 concerning temporary consent while councils such as South Cambs are preparing a Development Plan Document.
28. In terms of the relevant criteria it is reasonably well located for schools, shops and other local services. Indeed children from the site attend local school. It performs well against the site criteria within the emerging Gypsy and Traveller Development Plan Document. I am not aware of any service provision issue. The site is well landscaped on its boundaries and, except for the vehicular entrance, is not conspicuous to passers by.
29. The Parish Council has raised legitimate concerns about the previous history of unauthorised use of the site, but has accepted that a further grant of planning permission for a temporary period is warranted. The consultation on the options for Traveller site provision within the District is proceeding and it seems to me that this is an entirely appropriate case to be considered for a temporary consent on a without prejudice basis. Such consent would of course be in accordance with the Government's advice in Circular 1/2006. Such consent would enable the reasonable concerns of the Parish Council to be properly considered against the locational criteria, since this is one of the issues that the Council will be consulting on in preparing it's G&TDPD.

Recommendation

30. Approval subject to conditions:

Conditions

1. The use, hereby permitted, shall be carried on only by the applicants, Mr J H and Mrs P Hedges and their children and shall be for a limited period being on or before 31 October 2010, or the period during which the premises are occupied by them, whichever is shorter. (Reason- In accordance with the advice in Circular 01/2006 'Planning for Gypsy and Traveller Caravan Sites', the Council is preparing a Gypsy and Traveller Development Plan document, and on a without-prejudice basis to a permanent consent on this site, a time-limited consent will enable the Local Planning Authority to properly assess the impact of Traveller development on Harston. The permitted use would not normally be granted in the absence of the personal circumstances of this case.)
2. When the premises cease to be occupied by Mr J H Hedges and Mrs P Hedges, and their children, or by 31 October 2010, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed, and the land restored to its former condition. (Reason –In accordance with the advice in Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites, the Council is preparing a Gypsy and Traveller Development Plan document, and on a without-prejudice basis to a permanent consent on this site, a time-limited consent will enable the Local Planning Authority to properly assess the impact of Traveller development on Harston. The land should be reinstated in the interests of the appearance of the countryside and Cambridge Green Belt).
3. The occupation of the land shall be restricted to persons defined as Gypsies in paragraph 15 of Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites. (Reason – The site is in a rural area and Cambridge Green Belt where residential development will be resisted unless it falls within certain limited forms of development that is allowed for in Government guidance and the development plan. As such, the occupation of the site should be limited to qualifying persons in the interests of the proper planning of the area)
4. No commercial activity shall take place on the site, including the storage of any materials or other items unrelated to the residential occupation of the land. (Reason- To protect the amenity of adjoining residents and to limit the visual impact of the development on the countryside and Cambridge Green Belt)

Informatives

The planning permission hereby granted relates solely to change of use of the land for occupation by named persons, and not to any operational development which may require planning permission in its own right.

Reasons for Approval

1. The site is located in the countryside and Cambridge Green Belt where there is a presumption in the development plan (Cambridgeshire and Peterborough Structure Plan, and South Cambridgeshire Development Control Policies Development Plan Document 2007) against development unless it can be

shown to be appropriate in the Green Belt and essential in a particular rural location. However, the applicants have had the benefit of a limited-period planning permission granted on appeal reference APP/W0530/A/03/1121732 dated 7 April 2004, and the Council is preparing a Gypsy and Traveller Development Plan document to consider the provision of Gypsy and Traveller sites in the District. The grant of a time-limited consent would accord with Government advice in Circular 01/2006 'Planning for Gypsy and Traveller Sites', and would enable the Local Planning Authority to properly assess the impact of Gypsy and Traveller development on Harston.

2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise: openness of the Green Belt.

Background Papers: the following background papers were used in the preparation of this report:

- Circular 01/2006, 'Planning for Gypsy and Traveller Sites'
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File refs S/0673/07/F, S/0040/03/F, planning appeal reference APP/W0530/A/03/1121732

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3rd October 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0878/07/F - HARLTON

**Removal of Condition 3 of Planning Permission S/0464/04/F
for Mr Daish at the Hare and Hounds Public House, 60 High Street, Harlton**

Recommendation: Approval

Date for Determination: 10th July 2007

Notes:

This Application has been reported to the Planning Committee for determination because the officer recommendation is contrary to that of the Parish Council.

Site and Proposal

1. Harlton is a village of a linear character with the High Street running through the centre of the village east to west. The site lies on the southern side of the road within the defined village framework. It is adjacent the Cambridge Green Belt which surrounds the village. The application site is located to the rear of the local village public house, The Hare and Hounds.
2. The Hare and Hounds Public House is an eighteenth century, cream render and thatch Grade II listed building that is positioned on the back edge of the footway. Land immediately east of the building is a large gravel car park. The land immediately south is the application site, the bounded residential curtilage for the site and the remaining public house garden.
3. The residential property to the rear of the public house comprises a 1.5 storey dwelling house, clad in dark stained timber with an integral garage. Internally the approved scheme comprises 2 double bedrooms and bathroom at first floor and living room, study, kitchen/dining room an additional shower room at ground floor.
4. The application received 15th May 2007 seeks to remove Condition 3 of Planning Consent reference S/0464/04/F which reads as follows:

The occupation of the dwelling shall be limited to a person solely or mainly employed at the Hare and Hounds Public House, Harlton, or any widow or widower of such a person, or any resident dependants.

(Reason – To protect the amenity of the neighbouring properties.)

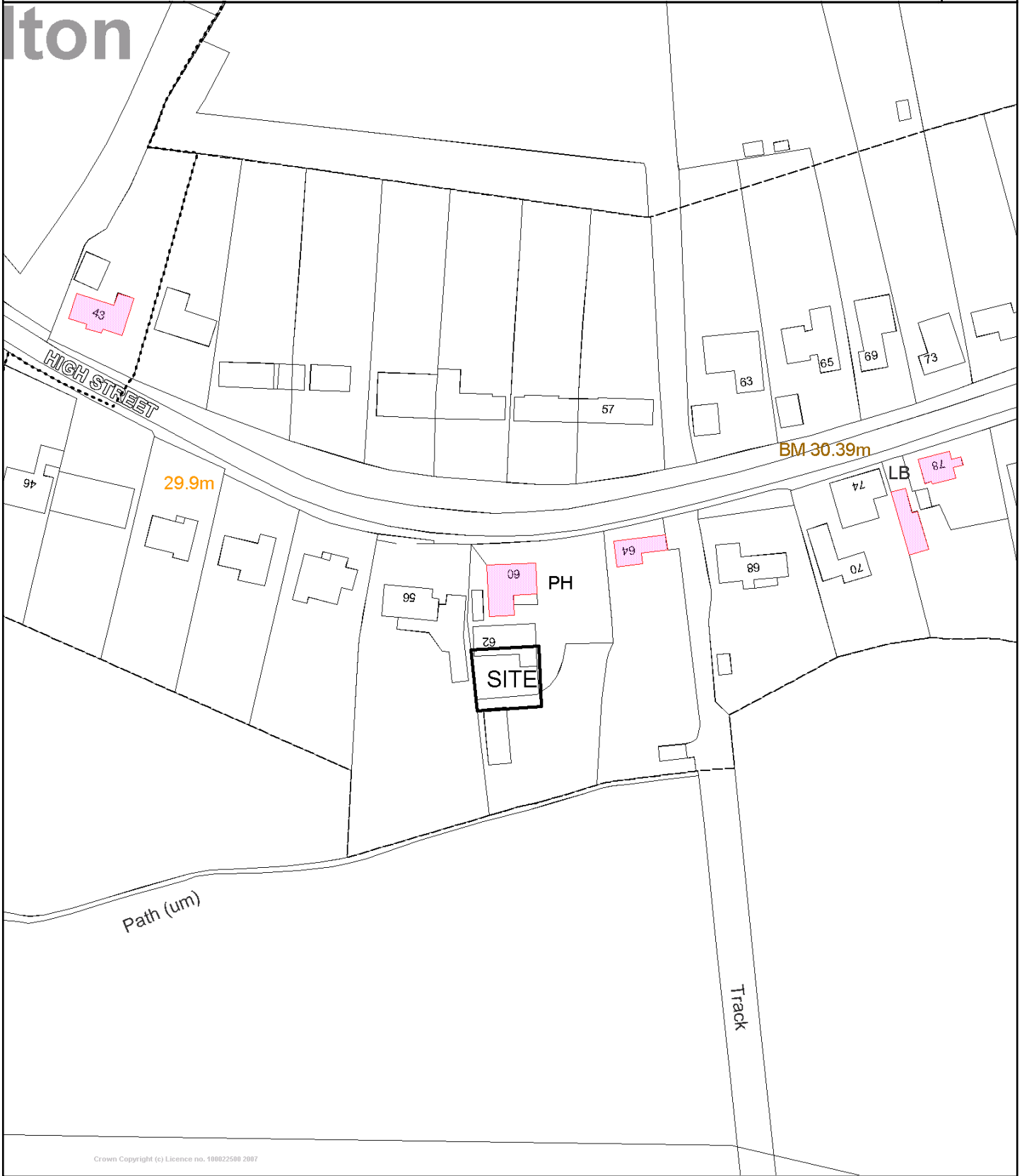
Planning History

5. In 2000 planning permission was refused for an extension to the public house (S/1843/99/F.)

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lton



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6. In 2002 a full planning application (**S/1478/02/F**) was submitted to build an additional dwelling within the curtilage of the public house, a 6.8 metre high chalet style dwelling located 35 metres back from the road in the rear public house gardens. This was refused. As a material consideration in the appeal statement the appellant made a strong case about the limited accommodation within the public house, comprising of only 3 bedrooms and a lounge at first floor with no kitchen, WC, bathroom or dining room, stating that the occupiers had to use the public house bar and kitchen for their own residential purposes as well as for working. It was also stated that the appellants were willing to accept a condition tying the public house to the occupation of the dwelling to prevent separate occupation and subdivision of the property. The case was dismissed at appeal.

7. The appeal decision in paragraphs 16 and 17 considers the above information submitted by the appellant and reads as follows:

I sympathise with the needs of the appellants, whose living accommodation within the public house is very restricted, who have no separate kitchen or bathroom facilities, and who take their meals within the public rooms. There is to my mind a possibility that the future of the public house could be in jeopardy if additional living accommodation is not provided. I am aware that the council have refused previous applications to extend the building itself.

Nevertheless I consider that the case such as this should be given to the effect of the proposal on the character of the listed building and its curtilage, in accordance with the Councils policy. The needs of the appellants and the business do not in my view outweigh the objections to the appeal proposal in terms of its effects on the setting of the listed building and its relationship with its surroundings.

8. In 2004 another application (S/0464.04/F) was submitted for a dwelling on the site. This was the result of ongoing discussions between the planning officers and the Conservation Manager, finding a possible solution to the inadequate accommodation within the public house and addressing the impact on the listed building. It is this application that was approved and the said condition that was put in place, tying the public house to the dwelling and preventing separation of the properties.

Planning Policy

9. **Cambridgeshire and Peterborough Structure Plan 2003**

Policy P1/3 'Sustainable Design in Built Environment' states that a high quality of design will be required for all new developments and promotes more compact forms of development through higher densities.

Policy P7/6 'Historic Built Environment' states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

10. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007**

Policy SF/1 'Protection of Village Services and Facilities' sets out the criteria for the protection of village services and facilities.

Policy DP/3 'Development Criteria' sets out the criteria for all development within the district.

Policy CH/4 'Development within the Curtilage or Setting of a Listed Building' sets out the requirements for development within the curtilage or setting of listed buildings.

Consultation

11. **Harlton Parish Council** – Recommends refusal.

Unanimous decision (absence of 1 Councillor due to conflict of interests), separation of house and public house does not make sense. The Parish Council thinks that keeping them together is more likely to keep the public house in the village.

12. **Corporate Manager (Health and Environmental Services)** – Has no objection from an environmental health standpoint.

Representations

13. A supporting statement was submitted as part of the application. The main reason for the removal of the condition stems from the applicant having a change in personal circumstances, the applicant now wishing to sell the public house and find alternative employment. The statement also questions the validity of the occupancy based condition against Circular 11/95, "The use of conditions in Planning Permissions.

Planning Comments – Key Issues

14. The key issues to be considered in this application are as follows;

The impact of the removal of the condition on the neighbouring properties

Impact on neighbouring properties

15. The reason for the condition reads as follows ***To protect the amenities of the occupiers of neighbouring properties.*** The building was designed so to appear as an ancillary outbuilding to the main public house and therefore it is situated extremely close to the rear projection of the listed building. In light of the already dismissed appeal it was clear that the earlier scheme, set so far back in the surrounding grounds detracted from the listed building and its setting, therefore the new design approach was very carefully considered.
16. The condition was put in place to tie the two units together, however this is not reflective in the reason for the condition. Though the condition still has a strong and valid reason I am of the opinion that it does not reflect the requirement to protect the viability of the public house and therefore can not be part of the discussions in not allowing the said condition 3 to be removed.
17. The comments from Environmental Health Officer are positive despite the proximity of the buildings. Each application is judged individually on its merits and though there is sufficient history with regards to this site and the question of viability and protection of the public house as a fundamental reason for the consent being granted, I am confident that if this application were to be assessed at the appeal process the reason for the condition would not stand the relevant tests of circular 11/95.

Conclusion

18. Firstly, the statement included with the application, amongst other things, focuses on condition 3 and its relevance to planning. In paragraph 4.10 it suggests that officers

fail to acknowledge the Inspectors decision and resulted in undue weight being attached to the applicants' personal circumstance. It also suggests that the significant material considerations for allowing the dwelling to be built should have continued to be related to those identified by the Inspector during the earlier appeal not personal circumstance. To this point I would like to reiterate that all applications are judged individually on their merits and I believe to be an unfair statement.

19. I am of the opinion that the statement fails to recognise the ongoing discussions and negotiations which took place between the applicant and the LPA. I am of the opinion the applicant would not have addressed the reasons for the appeal dismissal inclusive of his apparently much needed requirement for accommodation without this input.
20. Had the applicant wanted the wording of the condition altered to better suit his 'personal circumstances' this could also have been dealt with via an application. The tie was not put in place to restrict the applicant in a 'normal adult life' as indicated in paragraph 4.16 of the statement, but to ensure the public house and the dwelling remained as one unit. Moreover, I am of the opinion that in light of the inspectors earlier comments personal circumstances should not be outweighed by material planning considerations one of which has regard to the protection of village services and facilities, specifically village pubs.
21. However whether the dwelling is occupied by a public house employee or not should not impact either way on the amenity of neighbouring properties. There is no evidence to substantiate the reason for the condition. Moreover paragraph 101 of circular 11/95 states that conditions tying the occupation of dwellings to that of a separate building should be avoided. An exception might be made in regard to an existing business in the countryside. That circumstance does not apply in this case. For these reasons the application is supported.

Recommendation

Approval

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3** (Sustainable design in built development)
 - P7/6** (Historic Built Environment)
 - **South Cambridgeshire Local Development Framework Development Control Policies 2007**
 - Policy SF/1** (Protection of Village Services)
 - Policy DP/3** 'Development Criteria'
 - Policy CH/4** 'Development within the Curtilage or Setting of a Listed Building'
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1478/02/F, S/0464/04/F and S/0878/07/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1327/07/F - LINTON**Very Sheltered Housing Scheme including 40 Flats with Communal Facilities, Car Parking and Landscaping, following the Demolition of Existing Dwellings (17-33 odd and 18-34 even), Flaxfields for Hereward Housing Association****Recommendation: Approval****Date for Determination: 10th October 2007 (Major Application)****Notes:**

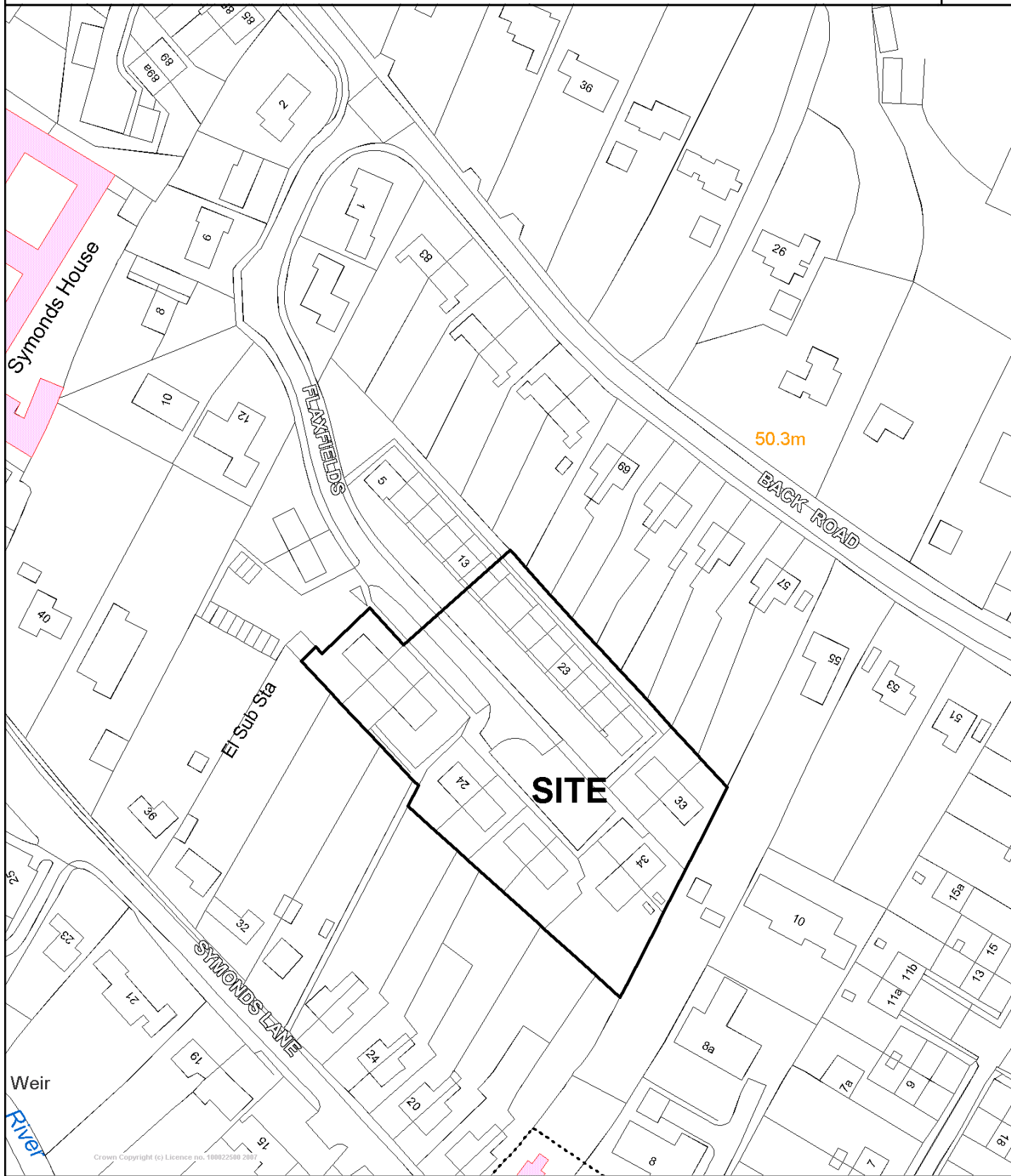
This Application has been reported to the Planning Committee for determination because it involves Council owned land and the Parish Council's objection does not accord with the Officer's recommendation.

Members will visit this site on Committee day.

Site and Proposal

1. The 0.5 ha site is currently occupied by 17 semi-detached and terraced bungalows and a two storey warden's house. The properties are owned by South Cambridgeshire District Council and with two exceptions are unoccupied. There is a marked slope across the site dropping by between 3-3.5m from Back Road to the north towards Symonds Lane to the south. Vehicular access is from Flaxfields, which has single storey dwellings adjoining the site. There is a small copse of conifers in the south-eastern corner of the site, and a few small decorative trees planted on the open spaces, including a small cherry and lime in the road verge.
2. The houses in Back Road have back gardens sloping down to the site, with a bank on the boundary line, surmounted by conifers and shrubs. Some gardens have access into the site via steps. From the site to the nearest point on the houses ranges from about 22-33m.
3. The houses in Symonds Lane are similarly separated from the site by gardens, some 37-48m in length sloping up to the site's boundary. There are also conifers and other hedging along this boundary, together with some fencing.
4. The south eastern boundary is abutted by rear gardens of two properties in Back Road and Symonds Lane and is marked by a deciduous hedge. The Symonds Lane property concerned (12) is also a Grade 2 Listed Building.

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5. The north western boundary to Flaxfields encompasses the two trees growing in the roadside verge and to the south of Flaxfields abuts a footpath which links through to Symonds Lane. On the northern side of Flaxfields the site adjoins bungalows owned by the applicants and to the south of Flaxfields a bungalow erected in 2004 by the Papworth Trust.
6. The full application, received on 11th July 2007, and amended on 28th August and 11th September 2007, proposes the erection of a 40 flat “very sheltered” housing scheme in lieu of the existing dwellings, with a 20 space car park adjoining on the southern side of Flaxfields. The existing footpath from Symonds Lane is re-routed around the rear of the car park. Accompanying the application is a Design and Access Statement, a Planning Statement, a Tree Survey and Arboricultural Implication Assessment, and a Habitat Survey.
7. Eight two bedroom and 32 one bedroom flats are proposed, all with kitchen and en-suite facilities. The provision of affordable housing within the proposed scheme will be dictated by the availability of grant funding. In line with current Government agendas, and to promote choice, a variety of tenure models will be made available, including social rent and homeownership.
8. The entire scheme at Linton will be for frail older people in housing need and requiring some level of care. An assessment process will be in place to ensure potential residents demonstrate sufficient housing and care need for the development. The scheme is being taken forward and developed in Partnership with the Council. It has also been identified by the County as their priority scheme for allocation of Supporting People funding. The extra care scheme consists of self-contained flats to promote independent living, and staff will be on site 24 hours a day to provide care and support.
9. Community facilities include a dining room, kitchen, lounge and a double height entrance lobby with reception. There are additional bathrooms, laundry rooms, plant rooms, offices, activity room, buggy store, cycle store and lift access to all floors.
10. The main building is basically ‘H’ shaped in plan form with accommodation in four wings, with a further wing extending along the northern side of Flaxfields. The northern blocks are two storey, the two southern blocks are three storey where the split level design utilises the fall in the site. The southern blocks are also cut into the site to retain a compatible ridge height. The roofs are generally pitched and hipped with dormers, rooflights and solar panels. Small elements of flat roof are incorporated at the roof ridges to reduce the overall height. The overall ridge height is between 7-10.9m above the current site level. This is approximately 3-3.5m higher than the existing bungalow. Measured from the new level cut into the site, the ridge height of the southern blocks is 11-11.4m. The lowest element of the scheme is adjacent to the bungalows on the north side of Flaxfields where the ridge height drops to 7m.
11. Between the main residential blocks are north and south facing landscaped courtyards with balconies.
12. In order to minimise overlooking of neighbouring properties on the eastern elevation, projecting angled bays are shown which limit the angle of view.
13. The wall materials are a mixture of brick and render with thermowood cladding on some projecting bays and stairwells.

14. On-site parking is provided for residents, visitors and staff, although it is unlikely the residents will drive. Four disabled spaces are situated by the main entrance plus sixteen general use spaces. A cycle store is provided within the building.
15. The Environment Agency has been consulted by the Applicants and advised that although the site is in a low flood risk area, the surface water run-off from the site must be managed. A rainwater harvesting scheme is proposed, involving a percentage of the rainwater run-off from the roofs being stored in underground tanks before being pumped back into the building for use in the communal toilets and laundry. Water attenuation will also be installed under the car park for the remaining roof run-off.
16. Investigations have not revealed any existing site contamination.
17. Part L and Part F of the Building Regulations will be strictly adhered to in the design to ensure the building is sustainable. The flats will have passive ventilation through the open plan living/kitchen spaces. High levels of insulation will be employed to provide good thermal mass, and cutting the building into the ground will help in this respect. Glazing along the main corridor (north and south facing balconies) will also help improve thermal mass through solar gain. Within the double height entrance space rooflights have been positioned to maximise natural daylighting. Energy efficient lighting will be specified throughout and solar panels will contribute to the hot water supply (approximately 60% of the total demand). Dual/low flush toilets, spray taps and low water use showers will be utilised to save water and there is also a communal laundry. Water butts are proposed to enable irrigation of the landscaped gardens. All these measures are intended to achieve a "Very Good" Ecohouses rating.
18. A Phase 1 Habitat Survey concluded that the empty houses on site appeared to have suitable features for roosting bats and a bat survey is recommended prior to demolition. The bat survey has recently been carried out and the results are awaited. The Habitat Survey concluded trees, hedges, scrub or areas of tall vegetation should not be removed during the bird nesting season.
19. Solar panels are proposed in strategic positions on the roof which maximise energy saving without adversely affecting the appearance of the building.
20. Public art will be provided in communal areas within the building as well as possible sculptures for the external landscaped courtyards. This will be achieved through integration with local schools and/or community groups. It is intended to hold workshops to achieve this.
21. The overall density of the scheme equates to 80 dwellings per ha.

Planning History

22. The existing dwellings were erected in the 1960's and only 2 remain occupied. At the January 2007 meeting Members refused an application for a Very Sheltered Scheme including 42 Flats, Communal Area and Car Parking for the reasons that:
 1. The proposed 42 flat scheme is an overdevelopment of the site, resulting in an excessive building footprint, allowing insufficient clearance to the site boundaries to accommodate landscaping, and with a scale, bulk and ridge height which will be overbearing for neighbouring residential properties,

particularly those in Symonds Lane which are at a lower level than the application site.

2. It is therefore contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy HG9 of the South Cambridgeshire Local Plan 2004 which in the former seeks a high standard of design for all new development and in the latter states the quality of design of residential care homes should be in keeping with surrounding properties in terms of scale, form and layout and should protect the privacy and amenity of neighbouring properties.

The agenda item (Item 5) is attached as an electronic appendix.

Planning Policy

The site is within the village framework and the following policies are relevant:

Cambridgeshire and Peterborough Structure Plan 2003:

23. **Policy P1/2** (Environmental Restrictions on Development) states development will be restricted where there could be damage to areas that should be retained for their biodiversity value.
24. **Policy P1/3** (Sustainable Design in Built Development) states a high standard of design and sustainability will be required for all new development.
25. **Policy P5/3** (Density) states densities of at least 40 dwellings per ha should be sought in locations close to a good range of existing services.
26. **Policy P7/2** (Biodiversity) states all developments will seek to conserve and enhance the biodiversity value of areas which they effect.
27. **Policy P7/6** (Historic and Built Environment) states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Development Framework (LDF) 2007:

1. Core Strategy

28. **Policy ST/3** concerns the efficient use of land through the re-use of previously developed land to deliver sustainable development.
29. **Policy ST/5** designates Linton a Minor Rural Centre where residential development and re-development up to a maximum scheme size of 30 dwellings will be permitted within village frameworks.

2. Development Control Policies

30. **Policy DP/1** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
31. **Policy DP/2** states all new development must be of a high quality design.

32. **Policy DP/3** states all development proposals should provide, as appropriate to the nature, scale and economic viability, inter alia:

Affordable housing, car parking provision kept to a minimum, safe and secure cycle parking.

33. **Policy DP/4** states planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions may be necessary for, inter alia:

Landscaping and biodiversity, drainage and arts provision.

34. **Policy DP/6** states, where practicable, development which by its nature or extent is likely to have some adverse impact upon the local environment and amenity during construction/or is likely to generate construction waste should, inter alia:

Recycle construction waste, where appropriate accommodate construction spoil within the development.

35. **Policy HG/1** states residential developments will make best use of the site by achieving average net densities of at least 30 dwellings per ha. Higher average net densities of at least 40 dwellings per ha should be achieved in more sustainable locations.

36. **Policy HG/3** states, inter alia, that the amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings.

37. **Policy SF/6** states in determining planning applications the District Council will encourage the provision or commissioning of publicly accessible art works in residential developments comprising 10 or more dwellings.

38. **Policy NE/1** requires developers to demonstrate that schemes will achieve a high degree of measures to increase the energy efficiency of new buildings.

39. **Policy NE/3** states all developments greater than 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirements.

40. **Policy NE/6** requires new development to maintain, enhance, restore or add to biodiversity.

41. **Policy NE/12** states development must incorporate all practicable water conservation measures. All developments greater than 10 dwellings will be required to submit a Water Conservation Strategy.

42. **Policy CH4** states planning permission will not be granted for development which would adversely affect the setting of a listed building.

43. **Policy TR/2** (Appendices 1 and 2) set out maximum parking standards for cars and cycles.

Consultation (pre-amendment)

44. Linton Parish Council objects:

1. “This site was originally identified as a location for a 30 unit extra care scheme, Linton Parish Council still has serious concerns about the need for a 40 unit scheme and details its concerns in the attached document. We do not think that it is acceptable that the number of rented or low-cost units will be confirmed after planning permission is granted, these need to be determined and guaranteed before the permission is considered.
2. We regret that there has been no response to the hastily convened and inadequate consultation with Hereward Housing (see notes from meeting), or the letter from Mr Gore of 25th May. The Design Statement (page 8) claims that the design team were keen to involve the local community. This was not the case as can be seen from the dismissive tone of their email to the Parish Council on 19th February. The statement claims to have made changes following a meeting with two representatives from the Parish Council on 17th May. All the changes mentioned were in place at that meeting thus reducing it to the status of a preview and not a consultation.
3. The advantage of the additional land offered by the District Council, from the demolition of three further bungalows, appears to have resulted in only a minimal reduction in the height and bulk of the building which remains substantially the same as that refused in the earlier application. The paper from the planning consultants (RPS) contains misleading comments, it refers to the site as ‘urban’ which it patently is not, being one street away from fields contained in an area of best landscape value; and that it is ‘paradoxically characterised by low density, spacious, traditional two storey semi-detached housing’, and hence far from urban.
4. The RPS paper claims that in the revised scheme ‘the overall scale of the care home has also been significantly reduced’. In fact the footprint of the home is bigger than previously, however that is to be expected with additional land. Nevertheless, according to the design statement the roof area of both plans are identical 1932m².
5. The report claims that the reduction in units from 42 to 40 has ‘allowed for the bulk of the overall building to be significantly reduced, particularly in scale and height’. Approximately one fifth of the roof area has been reduced by one metre, the remaining roofs are identical in height as are most of the elevations. The report states that ‘the scaling down of the care home has allowed for the footprint of the building to be set further away from the site boundaries’. The rearrangement has indeed allowed for a welcome perimeter path around the site but this has been achieved by moving the whole and enlarged footprint to the west and not by scaling down.
6. The design team cannot claim to have reduced the height of the bulk of the building but merely to have rearranged it on the site, and hence all the Parish Council’s and District Council’s concerns regarding the overbearing scale of the building remain as before.

7. To re-submit a plan with so few changes to one which was so emphatically rejected by the District Council on its first application seems, to the Parish Council, to be wasteful in terms of time and resources and shows a contemptuous disregard for the District Council's opinions.

The Parish Council still feels that the application remains in contravention of the planning policies contained in the original objection on the following grounds:

1. Linton Parish Council does not feel that the design is in keeping with surrounding properties and landscape in terms of scale, form, layout and materials. Regardless of the small reduction in height, the building still has 3 storeys and the introduction of a building such as proposed in a bungalow area is not in keeping in terms of scale and form. The new design is exactly the same height when viewed from Symonds Lane albeit a few feet further away.
2. Boundary treatment is intended to provide privacy and a high standard of visual amenity. We believe it is impossible to provide privacy from balconies on a building of such a height. We do not believe that a windowless brick and timber façade is a visual amenity and will have a detrimental impact on the street scene in Symonds Lane.
3. We are concerned that the greatly increased traffic movements will impact on the surrounding area contravening the need for safe and convenient access and wish it to be noted that adjacent, local footpaths off the site are not suitable for elderly pedestrians or mobility vehicles and considerable work would be required to make them suitable for use. (Photographs are submitted).

Linton Parish Council feels that the District Council should consider the following points when it considers the application.

The plan:

- a) Contravenes Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003.
- b) Is not in keeping with the location in terms of scale, bulk and ridge height.
- c) Gives rise to very grave concerns regarding water 'run off' and the effect that the massive excavations and below-ground-level design will have on the water draining down from the fields on Rivey Hill.
- d) Does not include a report attached with the application detailing the current demand in Linton or documentary evidence supporting need for 40 units.
- e) There is a known shortage of local carers therefore there may be many staff travelling by car and we are concerned that insufficient car parking will result in road parking which would therefore materially affect the neighbouring properties. The lack of demonstrable need for this type of home in the village will result in the homes being used by the frail and elderly from across the district whose visitors will arrive by car.
- f) Will not enhance the setting of the Listed Building situated at 12 Symonds Lane.

It should be noted that:

1. The site plan for this application is inaccurate, it does not show the Papworth bungalow that was built in 2004 and the landscaping plan shows photos that are over 4 years old. We feel that this may give an inaccurate impression of the surroundings especially when the large parking area shown on the periphery of the site is no longer in existence.
2. The Parish Council appreciates the plan shows living room windows angled to avoid overlooking but the kitchen and many of the bedroom windows will overlook neighbouring properties, and we note that some bedrooms appear to have no windows at all viz units 02 and 09. Angling some windows to overcome overlooking problems but not others in the same elevation becomes an elevational treatment instead of a solution to the problem. The issue of windows overlooking neighbouring properties must be resolved to achieve compliance with planning regulations.
3. There are flats located beside the plant room and the laundry which we believe will be noisy unless specifically sound-proofed. The flats at the south end of the lower ground floor will look out onto a retaining wall and this area would seem to be a better location for plant and a laundry room.
4. There is a discrepancy in the Site Layout Plan and the Landscape Plan over the two fine trees north of bungalows 18 and 22. The former indicates their retention whilst the latter proposed their removal. The Parish Council would wish to see these trees protected and retained, as the tree officer requested in the previous application.

Conditions

Should this application be approved we request the following conditions.

That:

Concerning the residents:

- a) Residents must be elderly, i.e. over 60 and/or disabled
- b) Priority is given to Linton residents or those with Linton connections

Concerning sustainability:

- c) Sustainable and renewable features should exceed by 20% the mandatory level of current building control levels. These should be demonstrated and proved at the planning stage.
- d) Lighting conditioned to minimise light pollution
- e) A further environmental wildlife assessment is made prior to demolition
- f) All hard surfaces should be permeable

Concerning the design:

- g) Overlooking should be addressed by appropriate treatments such as obscured glass.

- h) Linton Parish Council is consulted on materials to be used
- i) Approval is dependent on Listed Building Officers opinion

Concerning access and roads:

- j) Approval is dependent on the opinion of the Highways Department regarding the effects of the expected increase in traffic on Flaxfields itself and the safety of the junction with Back Road.
- k) Any damage to the Highway caused by building vehicles in Flaxfields and elsewhere in Linton is corrected by the developers on completion of the development, to the satisfaction of Linton Parish Council
- l) The route for HGVs to and from the site avoids the conservation area in Linton and notes the restrictions of the High Street.
- m) The link footpath from Flaxfields to Symonds Lane is upgraded”.

Enclosed with the objection were five further documents:

1. Notes on Pre-application consultations with Applicants

“Following the refusal of this application by South Cambridgeshire District Council on the 10 January 2007, two representatives of Linton Parish Council met with Hereward Housing on the 17 May 2007. They were asked to get informal feedback from the residents regarding a new site plan that had been drawn up (no elevation plans had been drawn). On the 21 May, Linton Parish Council was advised that comments must be received by the 25 May and an informal meeting was arranged at the Flaxfields Community Room with residents of Back Road, Symonds Lane and Flaxfields on the 24 May. Members of the Council’s Planning Committee were in attendance.

The comments below are a summary of the views expressed by residents attending the meeting; these comments should only be taken as informal feedback to a site plan provided as there was insufficient information to make any in depth/specific comments. In the time available, it was not possible to provide formal Parish Council feedback as there was insufficient time to call an official meeting.

Residents’ observations:

1. The original plan for the Flaxfields development was for 30 to 32 units. Residents were aware that a scheme of this size was financially unviable and although the new plan shows the demolition of three bungalows this does not provide sufficient space for the additional units. Consideration should be given as to how the site can be made larger to accommodate the additional units.
2. The residents of Symonds Lane, Back Road and some Flaxfields residents did not feel that the new site plan had addressed the concerns expressed by the residents or the reasons for rejection by SCDC planning committee. The SCDC planning committee stated that a **42 flat scheme was overdevelopment of the site** and the demolition of three more bungalows was not sufficient to address the concerns. That committee also stated that this **had resulted in an excessive building footprint, allowing insufficient space between the built development and the site boundaries to accommodate landscaping and with a scale, bulk and ridge height which would be overbearing for**

neighbouring properties particularly those in Symonds Lane which are at a lower level than the application site.

Although the new site plan showed that more clearance had been given to the boundaries there was no real attempt to reduce the scale, bulk and ridge height. To meet these requirements the ridge height would have to be significantly reduced, which had not been undertaken, as well as providing sufficient clear space between the building and the site boundaries.

3. Residents felt that resiting the building further up the gradient of the hill had effectively raised the height of the building.
4. The site plan shows the demolition of three bungalows, a resident of these bungalows was very upset and disappointed that no official or representative of SCDC had advised her that her home could be demolished. How would these residents be accommodated during the building works? It must be understood that residents of these bungalows have already had a considerable amount of instability and cannot be expected to move numerous times in their late eighties.
5. A resident of one of the other two bungalows retained by SCDC (to the west of the drive leading to the Papworth Trust bungalow) advised that her bungalow was being monitored by the Council because of suspected subsidence. Residents felt that SCDC already showed less commitment to the site now they only had five properties there, and it would be further reduced with only two. People were not averse to the possibility of those bungalows being incorporated into the scheme.
6. In conclusion the residents were very disappointed with the proposed site plan and had expected radical change rather than minor tweaking. Residents believe that SCDC and Hereward Housing need to take a holistic view of the Flaxfields development, and if the originally proposed 30-32 unit scheme is not economically viable then action should be taken to increase the land available to build a large scheme. Residents are not against an extra care facility at Flaxfields. However they believe that the current scheme is not suitable for the current site”.

2. Observations on the Planning Policy Context

“Planning Policy Statement 1- Delivering sustainable development

1. The references to PPS 1 in the applicant’s Design Statement concentrate on design issues. They do not address the importance of relating development to the character of the locality and to its impact on the surrounding area.
2. The Parish Council refers to paragraph 18 of PPS1 which states that the condition of our surroundings has a direct impact on the quality of life and that planning should seek to maintain and improve the local environment.
3. Paragraph 19 of PPS1 requires planning decisions to be based on the potential impacts, positive and negative, of development proposals on the environment, and states that planning authorities should seek to enhance the environment as part of development proposals, avoid significant adverse impacts on the environment, and pursue alternative options which might reduce or eliminate those impacts.
4. Because many residents would be moving from accommodation well away from Linton, and some distance from family, friends and existing social networks

(see the Parish Council's comments on need), the proposal fails to promote social cohesion as required by paragraph 14 and will tend to promote unnecessary travel by private transport contrary to the advice in paragraph 27.

5. The present proposal fails to meet the principles set out in PPS 1. It also fails to advance a justification based on need which would outweigh the conflicts with the principles of PPS1.
6. The Parish Council has identified an alternative use for the land- general social housing- which would bring the site back into full use and for which a proven strong local need exists, and which could be achieved in conformity with the principles contained in PPS 1.

Planning Policy Statement 3- Housing

1. In the context of the specialised form of development proposed by the applicants, many of the general principles contained in PPS3 referred to in the Design Statement are of marginal relevance.
2. To the extent that reference is made to the provision of a variety of tenures, the importance of the redevelopment of brownfield sites, and the need to maximise use of previous developed land, PPS 1 is clearly relevant. However, those principles cannot justify development which is incompatible with the nature of the surrounding area and its environment.
3. Particular importance should be given to the requirement in PPS3, acknowledged by the applicants, that developments should complement neighbouring buildings and the local area and create or enhance a distinctive character that relates well to its existing buildings.
4. Redevelopment of the site for general social housing, properly designed, could meet all the relevant principles contained in PPS3 and would not compromise the surrounding area and its environment.

Development Plan Policies

Core Strategy Development Plan Document

Policy DP/1 (Sustainable Development). The criteria from Policy DP/1 which the applicant's agents identify as being particularly relevant are:

- the need to minimise travel
- the importance of environmental considerations and
- the effective use of land.

The present proposal does not meet either the first or second of those criteria.

Policy DP/2 (Design of new Development). The applicant's agents identify a number of the criteria set out in Policy DP/2. They include the following, all of which the current proposal fails to meet:

- the need to preserve or enhance the character of the local area
(as is tacitly conceded by the applicant's agents in their letter of 9 July 2007)
- compatibility with environmental considerations

- that new development should offer variety and interest within a coherent design
- that development should be compatible with its location

Policy DP/7, Part 2 (Development Frameworks). This policy requires development to be sensitive to the character of the location. This proposal is not.

Suitably designed social housing would be in conformity with the policies in the Core Strategy Development Plan document”.

3. The Issue of Need for an Extra Care Scheme in Linton

“The issue of need is crucial for several reasons:

1. The site is not obviously appropriate for a development of this sort, given its location, the nature of the surrounding development and its physical characteristics. Nevertheless, Linton PC agreed to support the principle of a 30 unit extra-care development in 2003 having been assured that studies demonstrated a need for this type of facility for Linton and the surrounding area and being satisfied that a facility of that size could be reasonably accommodated within the site.
2. As the applicant’s planning consultants agents, RPS, have recently confirmed this proposal is for a form of “institutional care home for frail/elderly people.” Circular Guidance (currently LAC (2004) 20) in relation to care homes emphasises the importance of offering real choice for elderly people in the provision of accommodation, reflecting the generally recognised principle that elderly people should be able to remain living close to their existing family and their network of friends and local relationships wherever possible.
3. If need cannot be established, funding, which has been dependent on the District Council agreeing to transfer the site to the applicants at no cost, would require re-examination. This might prove an insurmountable hurdle, as it did for the original smaller proposal, resulting in the site remaining derelict and out of productive use.
4. It is important that all sites are used to best fulfil housing needs in the locality, given the balance of need and availability of land in the District.

Need and Adverse Environmental Consequences

1. The Parish Council, in its general comments on this proposal, has highlighted its adverse environmental impact on the area around the site. Indeed, the applicants and their advisers have not denied that the revised proposal will have an adverse environmental impact on the area. The difference between the original and revised proposals is that the degree of adverse impact has been reduced to a limited extent. As the supporting letter from RPS, Hereward’s planning consultants, dated 9 July 2007 concedes, this proposed high-density, multi-storey care home development is “within an area paradoxically characterised by low density, spacious, traditional two storey semi-detached/detached housing.” Later in the letter RPS acknowledge “To object to the proposal because it is not in keeping with the area is generally a valid comment.”*

**That sentence continues “however where the proposal is for a specialised institutional care home facility, such comments are considered to be out of context with what is being proposed and therefore inappropriate.” If that comment actually means anything at all, it clearly cannot mean that the usual*

principles in the determination of planning applications should be disregarded.

2. It is well settled, both as good planning practice and by a series of legal decisions, that issues of need and the investigation of alternative sites are frequently relevant to the determination of planning applications. As the Encyclopaedia of planning Law makes clear, if a proposal has some adverse environmental effect, the related issues of need and the availability of alternative sites are material considerations.
3. Accordingly, need and the availability of alternative sites have to be addressed. Need has been addressed, but as demonstrated below, the result appears to have been to establish that there is no need. The availability of alternative sites has not been addressed at all.

Analysis of lack of need

1. The proposal is for a scheme consisting of new build extra-care social units in the form of an institutional care home. It will be recalled that following the failure to secure external funding for the original 30-unit proposal, the Cabinet decided in 2004 that its preference was for a care facility which would consist entirely of social housing provision, though with a variety of tenures. The Parish Council understands that decision formed the justification for the proposal to transfer the land from the District Council to Hereward at nil cost. Indeed, it would be difficult to see how the District Council could transfer property without payment in order to enable the provision of private sector housing. The Parish Council's discussions with Hereward Housing and the Affordable Housing Statement in the current Design Statement confirm that understanding.
2. The analysis of need carried out by the County Council Research Group forms the basis of the District Council's Housing Departments' study produced at the end of 2006, entitled "Evidence of Need for an Extra Care Scheme at Linton." That analysis actually demonstrates a lack of need in the Linton area for such a scheme.
3. The Research Group's analysis confirms that in the extra-care sector, the requirement for new-build social units in the County is 134 in the period 2005-9 and 101 in the period 2010-15, a total of 235 units. This represents 21% of the total of 1118 additional extra-care units required during this period, the remaining 79% being provided by three other types of provision: new-build private units, the re-modelling of existing accommodation and increased delivery to community-based clients.*

**The study makes it clear that Flaxfields is not relevant to the provision of units by the remodelling of existing accommodation.*

4. The study demonstrates that 24.75% (276) of the total shortfall of 1118 units will be within South Cambridgeshire. It is not suggested that the balance of need between the four different types of care provision is different in South Cambridgeshire compared with the County as a whole. Accordingly, the predicted shortfall for new-build social units in South Cambridgeshire is 24.75% of 235 for the period 2005-15, a total of 58 units. Of that shortfall, approximately 35 are to be provided by the Moorfields scheme in Melbourn, which was not treated as existing provision for the purpose of the study, leaving a residual need for about 23 further units.
5. Accordingly, the provision of a further 40 units as currently proposed will result in significant over-provision (of about 17 units) in the District in the

period to 2016, although it is likely to be absorbed during the period 2016-21 according to the Research Group's analysis.*

**The study suggests that the decommissioning of the bungalows in Flaxfields might result in abnormally high demand in Linton. However, despite nearly all having been decommissioned some time ago, there are still vacancies in the sheltered housing units in Chalklands nearby, so there is no evidence of abnormal local demand.*

6. Hereward confirmed at the meeting with Parish Council representatives in May that in their experience places in social extra-care facilities are normally restricted to residents of the County within which it is located, so there is no prospect of the facility meeting potential cross-border needs in Essex or Suffolk.
7. It will be seen, therefore, that building a facility of this size in Linton will exhaust the requirement for new build extra-care provision in the District to a date well beyond 2016. As a result, such provision will be concentrated entirely in the southern part of the District (Linton, Sawston, Melbourn) leaving the population in the northern half of the District without any reasonable access to new-build extra care social housing. That is contrary to the principles encapsulated in Circular LAC (2004) 20.
8. The Parish Council understands from its discussions with Hereward Housing that the level of care provided by a facility of this sort is different to what would be offered by the remodelling of an existing sheltered housing scheme. Besides, even if the form of care in that type of development could be regarded as reasonably comparable to an institutional care home, no evidence has been advanced to suggest that there are any sites in the north of the District where social extra-care units can be provided by the remodelling of existing sheltered housing. Those issues must be satisfactorily addressed before a decision to concentrate new-build social extra-care in the south of the District could be justified.

Balance of social housing needs in Linton

1. The Parish Council has always accepted the need for an appropriate redevelopment of the site.
2. According to the District Council's study, the total numbers of households on the housing register as at 5 December 2006 including Linton as a village of choice was 995, of which only 67 (7%) were couples or single people over the age of 60. The full breakdown contained in the study demonstrates that the overwhelming need for housing in the area is represented by households (couples, families or single people) under the age of 60, yet with the completion of Phase II of the Paynes Meadow scheme there are no proposals for general social housing in Linton, nor is there any prospect of such proposals coming forward in future.
3. It is not suggested by the study that the balance of need between over- and under 60s in other nearby villages is measurably different to that in Linton.
4. Flaxfields would offer a suitable site for general social housing. Such a development would meet a demonstrable need and not give rise to adverse environmental impact.

Alternative site

1. To the extent that there might be some limited future need for extra-care housing in the Linton area no steps have been taken to discuss with the owners of Symonds House Residential Home* whether the large complex of derelict land and buildings at the rear of the site- accessible from the former District Council hostel site on Back Road (now redeveloped as social housing), Crabtree Croft and Symonds Lane- might be used, either by way of remodelling and/or by way of new build.
2. Representatives of Hereward Housing advised the representatives of the Parish Council in May that this was not a matter for them, as a social housing provider, but for the statutory agencies. Accordingly, the District Council, as a housing authority, needs to enter into discussions with County Social Services, the Primary Care Trust and Raveedha Care Ltd, to explore the use of part of the unused land at Symonds.
3. Given the problematic nature of the Flaxfields site and the lack of need demonstrated, a development on a more modest scale carried out in conjunction with Raveedha Care appears to be a more appropriate approach. It also offers the prospect of synergy between such a development and Symonds House and the more effective use of resources.

**Symonds House contains both an extra-care residential facility, providing a similar level of care to that proposed by Hereward Housing, and a nursing home facility. The two facilities occupy different parts of the same building. It was recently acquired by Raveedha Care Ltd, a substantial residential and nursing home group*

Conclusions

1. The District Council's study demonstrates the lack of any foreseeable need in the District for a facility of this size in this location.
2. It is inappropriate to concentrate a particular form of extra-care provision in only one half of the District.
3. To the extent that there is, or will be, unmet need, it is in the northern half of the District.
4. No evidence has been produced to suggest that need in the northern half of the District can be met by the remodelling of existing schemes.
5. In any event, as they do not provide comparable levels of care, both new-build and remodelled sheltered housing developments should both be distributed around the various parts of the District.
6. No evidence has been produced to suggest that there are no suitable sites for a new-build social extra-care facility in the northern half of the District, indeed no evidence that a search for sites has even been carried out has been provided.
7. Because of the lack of justification for the proposed scheme, justifying funding may become problematic, leading to the prospect of continued dereliction.
8. There is significant unmet need for general social housing in Linton, some of which could be met by the redevelopment of Flaxfields for that purpose.

9. To the extent that there might be some limited need for social extra-care units in the Linton area, use of part of the Symonds House site appears more appropriate and a better use of public sector resources.
10. It is unfortunate that social housing providers should have been encouraged to invest time and resources in the working up of a scheme for which the District Council's study demonstrates there is no justification.
11. The present proposal appears to have been driven by the fact that the eastern part of Flaxfields has been used for housing elderly people in the past and is currently largely empty, rather than by a neutral analysis of its best future development in land-use terms.

Note: Apart from the issue of need, the Parish Council recommends refusal of the present application for the various reasons set out in its general observations on the application”.

4. Linton Parish Council's Letter of 17th June 2007

“To: Portfolio Holder for Planning Services: Cllr Nick Wright
Portfolio Holder for Housing: Cllr Daphne Spink
Portfolio Holder for Resources: Cllr Vicky Ford
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

We are contacting you as the portfolio holders for Housing, Planning Services and Resources regarding an issue that has been causing great concern to Linton Parish Council and we are very frustrated regarding the lack of communication and joint working with South Cambridgeshire District Council.

Our concern is regarding the Flaxfields development in Linton. The development of an extra care scheme in this setting has been discussed for sometime.

- a) On the 14 October 2004 SCDC cabinet agreed the sale of land at Flaxfields to Hereward Housing for them to develop the site into a 30 unit extra care affordable housing scheme. Appendix B Agenda Item 9 of the report for that meeting stated that a scheme of four bungalows and a new extra care facility providing 30 sheltered flats has been agreed and supported by all interested parties. Following that report the cabinet resolved to dispose of the following sites on a free of charge basis to the relevant Registered Social Landlords to facilitate the provision of new affordable housing to meet identified local needs. The four bungalows were then built on the Flaxfields site.
- b) Due to problems obtaining funding, a report went before cabinet on the 13 July 2006, asking them to agree an alternative option for developing extra care housing at Flaxfields, Linton to enable the scheme to be progressed immediately and ensure its deliverability regardless of whether or not the bid to the Housing Corporation was successful. The report gave two options
 - (a) Option One — As Agreed by Members in October 2004. 100% Affordable Housing Extra care scheme consisting of 24 rented units

and 17 low-cost home ownership units. This would cost £2m in Social Housing Grant (SHG) and is the preferred option which would form the bid to the Housing Corporation.

- (b) Option Two — Extra care scheme of Mixed Tenure consisting of 11 rented units, 14 low cost home ownership units and 16 units for outright sale. This could be provided without SHG provided that the land is made available at nil cost. The subsidy for the affordable units would come from the outright sales rather than grant.

Cabinet gave its agreement to the two options with clauses to maintain the maximum amount of affordable housing. However, it was clear that Cabinet members thought that option 1 was in its entirety as previously agreed, however this was not the case and the scheme had actually been increased by 25%.

- c) Following the failure of a Social Housing Grant application a 42 unit scheme was put forward for planning permission in November 2006.
- d) The scheme was totally unsuitable for the area being three storeys high in a village cul-de-sac of bungalows and the Parish Council called a public meeting.
- e) At the public meeting, which was very well attended by local residents, SCDC housing and planning officers failed to attend although they were invited. Hereward Housing and their architects did but many residents queries could not be answered and the general feeling of the meeting is that all parties had been let down by SCDC.
- f) On the 10 January 2007 the application was unanimously refused by the SCDC Planning Committee contrary to the officer's report. The application was rejected on Planning Policy grounds as the proposed 42 flat scheme was an overdevelopment of the site, resulting in an excessive building footprint, allowing insufficient clearance to the site boundaries to accommodate landscaping, and with a scale, bulk and ridge height which would be overbearing for neighbouring residential properties, particularly those in Symonds Lane which are at a lower level than the application site.
- g) The Parish Council contacted SCDC soon after that meeting to arrange a meeting with SCDC officers and Hereward Housing, prior to another application being submitted. Residents and LPC were eager to be involved in the discussions and to help progress the scheme. We were advised that a meeting would take place but eventually LPC was only given the option of meeting Hereward Housing.
- h) On the 17 May 2007, two Parish Councillors met with Hereward Housing at their offices in Ely and were concerned to hear that officers had implied that they felt that if the building was moved away from the boundary a few metres then the scheme would be passed. To allow this to be achieved they were told there had been an agreement to demolish another 3 SCDC bungalows and the Parish Council representatives were asked to obtain residents views as soon as possible.
- i) A public meeting was arranged as soon as a venue was available and booked for the 12 June, however we were then told by Hereward's architect that views were required by the 29 May thus making any public announcement of the consultation impossible. However the Parish Council did arrange a meeting by inviting all involved to a hastily arranged venue on 24 May and forwarded residents views to Hereward Housing on the 25 May. This lack of consideration by Hereward Housing left local residents feeling aggrieved even before the new proposals had been discussed, pre-empted any spirit of constructive

consultation and a feeling of stalemate. The site has been derelict for nearly 5 years; it has already suffered an arson attack (due to squatters) and vandalism and is both a fire risk and health hazard. The unanimous opinion of the residents was that they do want to see the site developed and as soon as possible but that SCDC and Hereward needed to look holistically at the site and if a 40 unit scheme is the only option then the site must be further enlarged to accommodate the greater number of units within a two storey building.

We appreciate that you cannot comment on the planning issues involved but we feel you should understand that, despite the unsatisfactory process of consultation over the first application for this site, no lessons seem to have been learned over the benefits of community involvement at an early stage.

We would beg that our concerns as follows, be noted:

- a) The original report in 2004 stated - Following that report the cabinet resolved to dispose of the following sites on a free of charge basis to the relevant Registered Social Landlords to facilitate the provision of new affordable housing to meet identified local needs. The Parish Council had always been advised that this was a local facility for Linton and its surrounding community. However it has recently become clear from the Housing Strategy document that we have just been consulted on, that this project is no longer being driven by local need but is now regarded as a district wide facility.
- b) Why has there been reluctance from SCDC officers to meet with the Parish Council and/or the residents of Linton — both parties are interested in progressing the matter but have been getting very little feedback and this has been frustrating. We believe that an onsite meeting with the Parish Council, SCDC and Hereward Housing could have resolved many of the issues that are still outstanding.
- c) Hereward Housing appears to be under the impression from SCDC officers that minor tweaking will allow the planning application to be passed. This was not the opinion of the Planning committee (whose main concerns were over development, massing of the site and the dominating 3 storey building) and the submission of another 3 storey scheme would appear to be a waste of money.
- d) Why has there been no consultation of the fact that the scheme grew by 25% or the fact that SCDC were now offering to demolish another 3 bungalows. We are not against the demolition of the bungalows but think that a holistic approach must now be taken to the whole of the Flaxfields cul-de-sac. The residents and planning committee of the Parish Council have had some very good ideas as to how this can be achieved and have tried to communicate some of these but have had very little feedback.
- e) Many extra care units within towns and cities are three storeys however this is not appropriate for a village cul-de-sac. The design of the schemes submitted so far seem to be very unimaginative and not appropriate for the street scene and setting of this site. We believe that a scheme could be designed that is suitable for the site, that meets the needs of the area and has appropriate energy saving and sustainable design features. All of these are lacking in the current proposed designs.

We also attach the documents that we sent to Hereward Housing in May which details further our concerns and look forward to hearing some positive news about the development and how all parties can work together to progress this issue to the satisfaction of all concerned.

Yours sincerely, Esther Cornell, Chairman of Planning Linton Parish Council”

5. Linton Parish Council's Letter of 25th May 2007

"To: Leigh Scott
Hereward Housing
St Mary's Lodge
St Mary's Street
Ely
Cambridgeshire
CB7 4EY

Dear Leigh

Thank you for arranging the meeting last week which Esther Cornell and I found very useful.

The Parish Council arranged a meeting with local residents last night to find out their feelings about the suggestions you put to us last week. I enclose notes of the main points made by them. The Council intends circulating the notes to other interested parties next week.

The overall tone of meeting was positive. There was a general feeling that early redevelopment of some sort is needed, though residents clearly also felt that the larger number of units now being proposed required a large enough site to accommodate them properly and to allow for a design that was in keeping with the village residential setting.

As you will see there was continued and very clear concern about the height and proximity of the development in relation to adjoining dwellings, and if Hereward persists in an approach which retains 2½ or 3 storey elements and/or built development close to the boundaries we anticipate that the reaction of local residents will be similar to their reaction to the previous proposal.

So far as the Parish Council is concerned, you will appreciate that there was insufficient time to call a meeting within the time-frame specified, and in any event it would of course be inappropriate for the Council to express a formal view until it is formally consulted about any planning application Hereward may make. However, given what has already happened, it would be unrealistic to ignore the possibility that if a proposal is put forward which does not adequately address these issues, the views of both the Parish and District Council planning committees might well be similar to those expressed about the previous application. I am sure you will acknowledge that the District Council's planning committee expressed themselves quite robustly.

As you will see from the notes, a resident of one of the two bungalows to the west of the roadway leading to the entrance to the Papworth Trust bungalow, advised that her bungalow is currently being monitored for subsidence, and various people said that South Cambs DC was already losing interest in the site with five dwellings, and it does seem that leaving SCDC with only two properties is likely to mean even less landlord involvement in the future.

In the circumstances it might be sensible for Hereward to speak to SCDC to find out whether SCDC is willing to transfer the rest of its land. If the two additional bungalows and the parking area beyond were included in a redevelopment exercise as part of the parking area, it would allow most of the area shown as car parking on the site plan you gave us last week to be developed as a further one and a half storey wing, and in turn that would allow for the elimination of the remaining elements of the top storey in the southern wings of the complex whilst keeping within the

footprint shown on that plan. The drive to the Papworth Trust bungalow could serve as the means of access to some of the parking bays (or, subject to agreement with Papworth, the access to their bungalow could perhaps be re-oriented.)

This might be a way around what may otherwise prove to be a continuing impasse. None of the interested parties, or residents, wants to see further delay, but to proceed with another proposal which runs a real risk of being turned down will only have that result.

If Hereward are interested in looking at this as a way forward, it is essential that the residents of the two remaining SCDC bungalows are consulted immediately. The residents of one of the other three bungalows came to the meeting, and complained strongly that no one from Hereward or SCDC had told her or the resident of the other occupied property that their bungalows might be demolished. I am sure you will agree this is not a fair way to treat elderly people who are already concerned about their future”.

45. **The Local Highway Authority** has no objections.
46. **The Environment Agency** recommends a surface water drainage condition is attached if permission is granted.
47. **Anglian Water** envisages the existing network can accommodate foul flows arising from the development. A standard foul drainage condition is recommended.
48. **Cambridgeshire Primary Care Trust** fully supports the application, which is a further step forward in providing quality homes for life for older people and contributes to genuinely sustainable and mixed communities in rural areas. The Primary Care Trust, as integrated social care and health provider for older people in Cambridgeshire, has worked closely with Hereward Housing and South Cambridgeshire Council on this proposed scheme.

South Cambridgeshire District’s over-85 population is projected to grow by over 13,000 by 2021, including growth of around 2,500 over 85s.

The County Joint Commissioning Strategy has a target of increasing the number of extracare (also known as very sheltered) housing units over the next ten years, in order to enhance the ability of older people to continue to live independently with access to care and support. South Cambridgeshire has the lowest provision of this type of housing in the county.
49. **The County Council Countryside Access Team** points out the footpath between Flaxfields and Symonds Lane is not recorded on the Definitive Map and there is no official process for its diversion. The Team welcomes the retention of the path.
50. **The Cambridgeshire Fire and Rescue Service** does not require any additional water supplies. Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Section 16.
51. **The Housing Development Officer** “wholeheartedly” supports the application, on the assumption the applicant has addressed legitimate planning issues. There is an identified sub-regional need for developments of this type for the user group identified in this application. Therefore, I consider the development would provide a contribution for accommodation suitable to the specific needs of those individuals requiring the services of an Extra Care facility. I fully appreciate that the proposal will

not address the local housing need but would provide a facility that will be of benefit to the whole sub-region and Linton in the long term.

52. **The Corporate Manager (Health and Environmental Services)** has no objections subject to conditions concerning the use of power operated machinery and pile driven foundations during construction.
53. **The Council's Trees and Landscapes Officer** has no objections.
54. **The Landscape Design Officer** has a preference for the retention of the two trees in the verge on the southern side of Flaxfields, and the road could be narrowed to achieve this. The proposal to plant only native species is questioned given the site is in a built-up area. Although the landscape proposals are only sketch details, an attempt to create one or more circular walks should be explored. The garden has to meet a wide range of needs and requires skilled design.
55. **The Conservation Officer** comments:

"In connection with the developments impact on the nearby listed "Pest House" (12 Symonds Lane), the building was originally sited on the edge of Linton in a rural setting, but this setting was fundamentally changed to a suburban setting in the middle of the twentieth century when a number of semi-detached houses were sited in very close proximity to the listed house (the nearest of these semi-detached houses is only 6 metres from the Pest House). This new very sheltered housing will be over 50 metres from the Pest House, and therefore, subject to the inclusion of suitable landscaping in that part of the site between the new buildings and the boundary with the Pest House, it is my opinion it will not cause further harm to the setting of the listed building.

Recommendation: No objection, but in the event that the scheme is approved I would wish to see a landscaping condition added, and a condition requiring agreement of boundary treatment".

56. **The Council's Ecology Officer** objects to the absence of a bat survey (NB this has now been undertaken according to the Applicant). A condition is required to prevent the removal of vegetation during the bird breeding season.

Representations

57. Nine letters of objection have been received from neighbouring residents, and one letter of support from a Linton resident.

The objections can be summarised as follows:

1. No significant changes from previous refused scheme.
2. The building is an overdevelopment of the site.
3. The building is still too high, particularly the 3 storey element, with elements over 10m above existing ground levels.
4. There is potential for overlooking neighbouring properties from upper floor bedroom windows.
5. The proposal is out of character with the area because of its size and bulk. The existing open space on site would be lost.

6. The site is in an elevated position in the village and the proposed building will be highly visible from the A1307 and from local footpaths to the north-west of the village. It will detract from the character of the village.
 7. The building is a poor architectural design - a "green" flat roofed 2 storey building is suggested as an alternative. Underground parking should also be considered given the degree of excavation proposed.
 8. The external communal areas for the residents are too small for recreational use.
 9. Concerns about flooding, in an area with a history of problems. Impermeable hard surfaces proposed could lead to flooding in periods of heavy rainfall, particularly the properties in Symonds Lane. Lack of detail regarding the underground tanks proposed as part of the rainwater harvesting scheme - overflow could cause flooding.
 10. Inadequate landscaping proposed because of the excessive footprint of the building.
 11. The conifers in the south-east corner of the site should be retained as a buffer zone to the rear garden of 12 Symonds Lane, a listed building.
 12. The degree of excavation is likely to damage roots of trees adjoining the site.
 13. Potential light pollution from corridors/escape routes because 24 hour regime.
 14. The development will put pressure on local services, particularly medical and sewerage system.
 15. The O.S. site plan is out of date and does not show the Papworth Trust bungalow built in Flaxfields in 2004.
 16. Symonds Lane is unsuitable for frail pedestrians because of speeding traffic and parked cars restricting vision.
 17. No construction statement has been submitted regarding demolition/excavation/erection of new building.
 18. The development will increase the wear and tear on the access road (Flaxfields).
 19. There has been a lack of public consultation by the Applicants.
 20. The nearest bus stop is 300m from the site and not within the 200m stated.
 21. Insufficient parking, will lead to parking on adjoining roads and difficulties for emergency vehicles.
-
58. The letter of support considers Flaxfields an ideal site for the proposal, which presents a modern approach to caring for the frail elderly. There is an ageing population and not enough facilities for them. There is a national and regional need for this type of scheme.

59. **Additional comments by the Applicants in response to the Parish Council's Objections:**

1. Issues relating to Housing Need

60. "Whilst we are happy to address the rationale for the scheme and issues of need, we do not believe these are intrinsically linked to the determination of the planning application. The Linton Parish Council's objections appear to be more related to the particular client group than the proposed building. We believe that the planning application should be determined on planning grounds and not objections to providing housing for the intended client group within Linton.
61. Sanctuary, Cambridgeshire County Council, South Cambridgeshire District Council and Cambridgeshire Primary Care Trust all believe that Flaxfields is an appropriate site for an extra care scheme. The scheme is well located for sheltered housing generally with good access to local facilities and transport routes.
62. The Parish Council appear to have a fundamental misconception about this type of scheme. They refer to it on a number of occasions as an "institutional care home". It is not a care home as defined by the Commission for Social Care Inspection (CSCI) and therefore the reference to Circular Guidance LAC (2004) 20 is erroneous and misleading. Extra care schemes are housing schemes and by their very nature are not institutional. In fact they seek to be the exact opposite of institutional care and are often regarded as a preferable alternative to residential care for many frail older people.
63. The site is entirely appropriate for a domestic sheltered housing scheme, which is what is being proposed. Extra care housing is intended to be part of the community within which it is based. Older people in the scheme are offered care and support to enable them to enjoy the maximum independence possible. Extra care schemes offer frail older people the opportunity to live in self contained apartments within the community. Care and support for residents is provided on the domiciliary (care in the community or home care) model. Services are flexible and person centred, providing residents with choice and independence.
64. Hereward Housing is a subsidiary of Sanctuary Housing Association. With over 35 years experience, Sanctuary Housing Association is one of the country's leading associations managing over 63,000 properties throughout England and Scotland including general rented, sheltered and supported accommodation, student and key worker accommodation. Following a recent restructure of the company, all care schemes and extra care housing are being managed by Sanctuary Care. Sanctuary Care is a wholly owned subsidiary of Sanctuary Housing Association, established in 1995 to provide older people with high quality nursing, residential and home care services. The Flaxfields scheme will be developed and managed by the same locally based staff but now working for Sanctuary Care.

Funding

65. We do not believe that the financial arrangements for the development of the scheme are relevant to the determination of the planning application or the need for the scheme. Therefore, we do not intend to comment on the acquisition of the land from the Council or capital and revenue funding for the project in any detail. The proposed scheme is deemed as social housing – affordable housing for people in need. Flats in the scheme will be rented or leased to frail older people who satisfy

the entry criteria to the scheme (frail elderly people in need of housing with care and support).

66. Residents of the scheme will have the choice to rent or purchase flats on a leasehold basis. Housing need transcends different tenures and there is considerable need to provide specialist housing for frail older homeowners as well as existing rented tenants. The commercial market does not provide adequate affordable apartments in such schemes for many older homeowners, many of whom are not particularly affluent despite being a homeowner. Therefore the definition of affordable housing extends to cover different tenures and shared ownership or low cost homeownership for the elderly is an officially recognised form of affordable housing. Increasingly we seek to meet the housing needs of a range of different people. The inclusion of housing for sale in this scheme is in response to defined local need.
67. The financial arrangements for building such a scheme are complex and cannot be fully covered here, however, it should be pointed out that Sanctuary Housing Association is a not for profit organisation with charitable objectives. The scheme will be developed on an "open book" basis with South Cambridgeshire DC and any "profits" from leasehold sales will be re-invested in the scheme to lower the need for public subsidy. Such schemes often require substantial public subsidy to be viable. It is not uncommon for a local authority to offer free or discounted land to help facilitate a social housing development of this type.

Analysis of Need

68. Sanctuary and its partners are satisfied that there is a defined local need for the proposed scheme. All the relevant commissioning bodies, Cambridgeshire County Council, South Cambridgeshire District Council and Cambridgeshire Primary Care Trust, support the need for this development.
69. The most authoritative assessment of need for extra care housing is contained in the county wide Best Value Review of Sheltered Housing carried out in conjunction with all the agencies involved in the Supporting People process. This showed a county wide need for more extra care housing, including in South Cambridgeshire. The most recent assessment of need was reported to the Supporting People Commissioning Body in July 2007. That report identified a need for 402 extra care units in South Cambridgeshire by 2015/16. At this stage there is a shortfall of 372 units.
70. By the very nature of extra care housing it can never be a truly local facility in rural communities. There are 101 villages in South Cambridgeshire, so were the need to provide circa 400 units averaged out there would need to be 4 units in each village. That is simply not practical. Extra care schemes need to be of a certain size to justify the communal facilities and care and support staff. Extra care schemes are usually circa 40 units, so in reality meeting the need requires circa 10 schemes around the district. The location of schemes is therefore determined according to local need not in the village but within that part of the district generally. Ideally there needs to be a network of schemes covering the whole of the district.
71. South Cambridgeshire and the County Council will likely have to look to provide a number of new extra care schemes (through either new build or remodelling existing buildings) through out the district in the future. The proposed Linton scheme is part of a wider strategy to meet need in South Cambridgeshire generally and not Linton

specifically. Points about need for extra care in the north of the district may well be justified but they are not an effective argument against the development of Flaxfields.

2. Planning Policy

72. The Council has accepted the principle of developing this site for an extra care scheme.
73. The Council have recently adopted their Core Strategy (January 07) and Development Control Policies Document (July 07). Neither document contains any policies nor objectives that are directly related to residential care homes or housing for the elderly/frail.
74. In the Local Plan 2004, policy HG9 (Residential Care Homes) set out a criteria that would need to be met in order for such development to be considered acceptable. However this policy was "Not Saved" and was not transferred into the Council's DCP or Core Strategy.
75. Therefore, due to the lack of a directly related policy, the Council are likely to be relying on broad ranging housing policies to assess this proposed extra care scheme.
76. The most relevant policies contained in the Structure Plan, Core Strategy and Development Control Policies are the following:

Structure Plan:

- Policy 1/3 – Sustainable Design in Built Development

Core Strategy:

- Policy ST/3 – Re-Using Previously Developed Land and Buildings

Development Control Policies:

- Policy DP/1 – Sustainable Development
- Policy DP/2 – Design of New Development
- Policy DP/3 – Development Criteria
- Policy DP/6 – Construction Methods

Policy P1/3 – Sustainable Design in Built Development

- a) The proposal would not give rise to a significant amount of car travel to and from the site due to the type of care provision proposed (for the elderly and frail). However the proposal would provide 20 car parking spaces (4 disabled) and a cycle bay to accommodate visitors and staff.
- b) The application site is located within reasonable walking distance of a range of shops and services, however the proposed care home would be self contained and would not depend on the surrounding shops and services, therefore the proposal is unlikely to put any unnecessary pressure on the local economy.
- c) Currently the site contains several derelict inactive bungalows set within overgrown vegetation. The site is currently unsightly and has been subjected to arson attacks.
- d) The proposal would aim to reinvigorate the area by making better use of the site. The boundaries of the site would be attractively landscaped and many of

the boundary trees would be retained to make the scheme attractive and also to assist in softening the appearance of the extra care scheme from the most sensitive boundaries.

- e) The car parking area would provide sufficient space for vehicles to manoeuvre unrestricted. There is also sufficient space for service vehicles to manoeuvre in and out. The highway arrangement would be in compliance with County highway standards.
- f) The proposal would create a sense of place that is currently missing from the site due to the empty bungalows currently on the site.
- g) The design of the proposed extra care scheme has been planned to ensure the impact on the surrounding neighbours is minimal but without compromising its overall design concept.
- h) There are concerns that the proposed extra care housing is not in keeping with the surrounding properties and landscape in terms of scale, form, layout and materials. This is true; however, one needs to make sense of what is actually being proposed before insisting such development should replicate the surrounding built form purely for the sake of it.
- i) What is being proposed is a high density, 40 unit, two/three storey, self contained extra care housing scheme, which has been significantly modified to ensure the physical and visual impact on the adjoining residents and area is alleviated, even though many of adjoining properties are located between 37.0 and 49.0 metres away from the application site.
- j) The proposed scheme is a sophisticated modern building that has been purposely designed to provide a specialist form of accommodation for its occupiers. By designing an extra care scheme, which replicates the surrounding built form, would not make the best of this opportunity to enhance the site.
- k) The application site is considered to be a brownfield site. The proposal is to redevelop a derelict housing area to provide much needed extra care housing in Linton. The proposal would therefore comply with the Council's policy to re-use previously developed sites to accommodate new housing schemes.
- l) The District Council expects to accommodate 20,000 new homes in the District between 1999 and 2016 in order of the following preference; on the edge of Cambridge, Northstowe and in Rural Centres and other villages.
- m) The proposal is located in an area where there is a demonstrable need for such care provision. Therefore it would be inappropriate to argue that this form of development is not required in this area.

ST/3 – Re-Using Previously Developed Land and Buildings

- a) Between 1999 and 2016, 37% of new dwellings will be located on previously developed on land.
- b) The application site is previously developed land and therefore would not only comply with this policy but also guidance contained in PPS 3 (Housing). This

application to locate an extra care scheme on previously developed land is also considered to be the most sustainable option.

DP/1 – Sustainable Development

- a) The application is previously developed land.
- b) There is a clear need for the proposed extra care scheme in this area.
- c) The proposal would use sustainable methods of construction including the use of energy efficient materials.
- d) The proposal would also implement energy efficient features to reduce the impact on the environment.
- e) The proposal includes several energy saving methods, details of which can be found in the Renewable Energy Statement.
- f) The scheme has been devised following lengthy meetings/consultations with the Parish Council. Several of the concerns raised by the Parish Council were taken on board. Details of the changes that have been made due to the public consultations can be found on page 4 of the Design and Access Statement.
- g) The listed building (12 Symonds Lane) is considered to be far enough away from the proposed care home so as not to be considered an issue.
- h) This proposed development is therefore considered to comply with this policy.

DP/2 – Design of New Development & DP/3 – Development Criteria

- a) The proposal due to its modern design and considered layout would significantly enhance the current appearance of the site.
- b) The distances between the proposed scheme and adjoining properties would be considered as a significant level of separation. It would be difficult to argue the proposal would create any adverse levels of overlooking or overbearing impact.
- c) In the Council Design Guide (Draft Supplementary Planning Document, 2005) on pages 100 and 101 it advises, **“Where windows of primary habitable rooms are built facing each other, a distance of at least 18m should be retained”**. The Design Guide also advises **“Where blank walls are proposed, a minimum of 12m should typically be maintained between the wall and any neighbouring windows which are directly opposite”**.
- d) The proposed scheme has been set back from the site boundaries that abut the rear gardens of the properties in Back Road and Symonds Lane.
- e) The northern elevation of the proposed scheme would be 38.0 metres from the rear elevation of the properties in Back Road.
- f) The first floor windows in the proposed scheme would be in line with the rear ground floor windows of the properties in Back Road.

- g) The southern elevation would be approximately 49.0 metres from the rear of the properties in Symonds Lane.
- h) The design of the proposed extra care scheme offers architectural variety and interest within a coherent design concept.
- i) The variations in the ridge line helps to break up the mass of the building.
- j) The southern section of the proposal has been designed into the slope, which contributes towards reducing the overall height of the scheme.
- k) The proposal would ensure the existing public right of way is maintained so that local residents, visitors and staff are able to use this route to access the site.
- l) The external elevations of the proposed building would contain brickwork, render and thermowood cladding.
- m) The site has been subjected to arson attacks whilst in its current conditions. The redevelopment of the site would significantly reduce the opportunity for crime having been designed to 'Secured By Design' standards.
- n) The proposed scheme would provide the area with natural surveillance, which could ward off crime.
- o) Overall the design of the proposed extra care scheme would significantly enhance the existing appearance of the site. The modern design features and detailing which include energy efficient features, combined with the well considered layout and level of separation from adjoining residents would allow the proposal to sympathetically assimilate into the landscape without causing any adverse harm to the area that could potentially warrant the application to be refused.
- p) The proposal is considered to satisfactorily comply with the criteria based in these policies.

DP/6 Construction Methods

- a) The proposed extra care scheme would include several energy efficient and renewable energy features, details of which can be found in the Renewable Energy Statement.
- b) The Parish Council has insisted on the applicant providing a 20% energy saving, which is considered to be completely unreasonable. The applicant has shown a willingness to provide an energy saving which is more than enough to satisfy policies NE/1 (Energy Efficiency) and NE/2 (Renewable Energy) and goes above and beyond the requirements of the local authority at the time the application was made. Details of the energy saving measures can be found in the Renewable Energy Statement.

3. Design

- a) Extensive consultation has taken place with both Bob Morgan (Planning Officer) and his predecessor (on the previous application) Andrew Moffat who are/were both in full support of this development.

- b) All issues relating to potential overlooking were discussed with Bob Morgan at an early stage in the development and all instances of overlooking from principle habitable rooms have been designed out.
- c) Bob Morgan has confirmed on many occasions that issues of overlooking are only relevant from the Living Rooms of resident flats. Anticipated hours of use prohibits overlooking from resident bedrooms being an issue.
- d) The Conservation Officer has been consulted on this scheme and has confirmed that our proposals

“will be over 50 metres from the Pest House and, therefore, subject to the inclusion of suitable landscaping in that part of the site between the new buildings and the boundary with the Pest House, it is my opinion it will not cause further harm to the setting of the listed building.”

Community Involvement

- a) In order to understand the level of community involvement it is important to look at the development life cycle of this project, the development team has been instrumental in involving the community with the development of the design from an early stage. Below are the key events arranged by the design team to ensure Parish/ community involvement throughout the design progression:

14/09/06 - Parish Consultation/ Presentation - Hereward Housing arranged for a presentation of the scheme (whilst still in its infancy) to residents of Linton to ensure that feedback could be collated and reasonable relevant revisions made before the original application was submitted. This public consultation session was well publicised and transport was provided to and from the event for the elderly residents currently living in Flaxfields. The meeting gave the local residents an opportunity to have their questions about the scheme answered. Names of residents were taken and subsequent meetings (on site) were arranged to talk over the scheme with these residents specific to their siting. Again, design revisions were made based on the feedback received from residents.

05/10/06 – Meeting on site with residents - Direct consultation took place with the owners of 12 Symonds Lane to discuss the scheme and revisions were made to the scheme as a direct result of this consultation. Further revisions have seen the proposed scheme move back approximately 5000mm from the boundary with 12 Symonds Lane to ensure that sufficient clearance exists for a suitable landscaping scheme.

06/12/06 - Linton Parish Council Meeting – Hereward Housing and their architects attended the Parish meeting in Linton with the intention of once again explaining the scheme and answering any questions residents may have. All stakeholders were invited to the meeting and both Hereward and The Johns Practice were able to answer questions relating to the design and management of the proposed scheme.

10/01/07 Original application refused

17/05/07 – Further meeting with Parish members – A further meeting took place in May where the new proposals were presented. Following this meeting

Hereward and The Johns Practice received formal feedback from the Parish which included an alternative design approach whereby an additional two bungalows would be demolished at the other end of Flaxfields to provide a larger site. Following careful consideration of the Parish suggestions we concluded that any development of that site would be to the detriment of the schemes core principles. The Parish was informed of this process and the reasons for not pursuing this route of development further.

4. Environmental Issues/ Considerations

- a) The mandatory information provided with the planning application clearly indicates the number of environmental issues that have been considered in the submittal of this application.
- b) A number of concerns have been raised about the scheme having an 'adverse environmental impact' on the area. Without having qualifying what these are it is difficult to appease the Parish' concerns directly other than to say that the application has carefully considered - through both compulsory and non-compulsory supporting information - a number of environmental aspects on the site and within the surrounding context.
- c) An extended Habitat survey has been undertaken by a qualified Ecologist to assess the local species in and around the site throughout the year. The findings of this report have concluded that the site has low ecological value. This assessment/ survey is an ongoing process and in conjunction with South Cambs District Council Ecologist, Rob Mungovan, we have agreed to carry out a specialist Bat Survey on the site prior to any demolition.
- d) Arboriculturalists were appointed to look at the trees/ vegetation in the area and assess how best to maintain the trees with high amenity value and those on the site boundaries.
- e) A Landscape proposal has been established and further consultation will be made with the Landscaping Design Department at South Cambs District Council to agree on suitable species.
- f) By The Parish's own admission the site, as it stands, has "already suffered an arson attack" and is both a "fire risk" and "health hazard", this poses a much higher environmental risk than any redevelopment of the site.
- g) The environmental considerations associated with the design of the building are clearly detailed below in the '*Sustainability*' section.

5. Sustainability

- a) South Cambridgeshire District Council did not, at the time of submittal, have any prescriptive planning policy requiring inclusion of renewable energy.
- b) Hereward Housing Association have, from the outset, demonstrated their commitment to sustainable energy through the provision of on-site renewable energy generation.
- c) Creative Environmental Networks (CEN) is a not for profit organisation who were directly appointed by Hereward Housing Association to work alongside the architects with a view to delivering a more sustainable and environmentally considerate extra care scheme in Flaxfields, Linton.

- d) Through continued consultation with CEN a Low and Zero Carbon Technology Option Appraisal has been produced appraising various renewable technologies specific to our site, design and surrounding context. The findings of this report concluded that an energy saving of 6-7% (Carbon Saving of 3,100kgC/yr) across the whole scheme could be implemented.
- e) Details of how the scheme will achieve an energy saving of 6.7% can be found in the Renewable Energy Statement submitted with the application.”

Planning Comments – Key Issues

Background

77. In October 2004 Cabinet agreed to dispose of 15 sheltered housing units and communal facilities at Flaxfields to Hereward Housing Association to enable them to provide a new facility of affordable extra care sheltered units, the subject of this application. This would provide a new resource in line with the requirements of future generations of older people, it would contribute to meeting the targets established in the County Wide Best Value Review of Sheltered Housing, and it would replace older sheltered bedsits which have proved difficult to let. South Cambridgeshire shows the sharpest rise in its over-65 population in the County, especially between 2006 and 2016 and has the highest proportion of its over-65 population in the over-85 age group. In terms of geography Linton was considered to offer a suitable location to meet the needs of its own population of older people and that of surrounding villages in a part of the District that has no current extra care provision. It would also compensate for the ‘loss’ of traditional sheltered housing following the decommissioning of the low demand sheltered bedsits.
78. In January 2007 Members refused planning permission for a 42 flat very sheltered scheme on part of the current application site because of overdevelopment/impact on neighbouring properties (see ‘Planning History’). Following the decision further meetings took place with the applicant concerning the scale and design of the building and the scheme now includes an additional area of land currently the site of 3 bungalows.

Key Issues

79. The key issues to consider in determination of this application are:
- 1. The density and scale of the proposed development and its likely impact on the character of the area.
 - 2. The effect of the proposed building and its use on the amenities of neighbouring properties.
 - 3. The need for very sheltered housing in Linton.

1. Density and Scale/Character of Area

80. The proposed accommodation is arranged in an ‘H’ shaped plan form with two internal courtyards plus an additional linking wing on the northern site of Flaxfields. The density is high at about 80 units per ha, but this is specialist accommodation with communal facilities which enables a higher density to be achieved without overdevelopment of the site.
81. In terms of height, the ridge heights vary because of the design and the sloping nature of the site. At its highest the ridge is 10.9m above current ground levels, with other ridge levels in the range 6.2-10m. Compared to the previous refused scheme

the height of the tallest wing has been reduced by 0.5m and the ridge of the new block on the northern side of Flaxfields is 7m above current site levels. The two southern blocks are cut into the existing slope by 1-2m, enabling an additional level of accommodation to be achieved in the roof space. The ridge heights proposed above current site levels will give the majority of the complex the equivalent height of a large, modern house. The roofs will be plain tiled and hipped on the northern and southern elevations which will help reduce the bulk of the building. The combination of a reduction in the number of flats and the enlargement of the site has enabled greater clearance to be given to the site's northern, southern, and eastern boundaries (by a further 2-5m), resulting in an average separation of 4-10m, which with landscaping will further aid the assimilation of the building. Overall the footprint of the building covers 41% of the site, which is a 5% decrease over the previous scheme.

82. The character of the site is currently residential, albeit at a low density. The proposal is for a higher density scheme of increased scale, but the site is surrounded by housing on all sides and although there will be a change of view the essential character of the area will not change.

2. The effect on the amenities of neighbouring properties

83. The Applicants have held extensive discussions with officers, the Parish Council and neighbours in an attempt to design a scheme which is acceptable to neighbouring residents. An exhibition was held prior to the submission of the refused application and the design has been amended a number of times culminating in the current application.
84. The two most sensitive elevations are those facing the back gardens of dwellings in Back Road and Symonds Lane. The houses in Back Road will look down onto the site, which is already cut into the slope by 1-2m, and have relatively long gardens ranging from 22-33m on average, with some trees and hedges along the common boundary with the site which will help filter views of the new building. The exception is 55 Back Road, which is a new house set further back from the road, and has a much longer rear garden (c.65m) which runs along part of the eastern boundary of the site. A number of first floor bedroom windows will overlook the bottom half of the garden, but principally because of the overall length of the garden and also the degree of separation of the proposed building from the garden boundary, I do not consider the extent of loss of privacy to warrant a refusal of the application. The living rooms associated with the flats in question have been designed with projecting angled bays to restrict the angle of vision for occupants and prevent what would have been an unacceptable loss of privacy for neighbouring residents. Also in the revised scheme the building footprint is a further 4.8m from the house which improves the relationship, and ornamental trees are proposed along the boundary to enhance the existing screening.
85. The impact of the proposal on Symonds Lane residents is slightly greater because the application site is approximately 3m higher than their houses, but this is partly offset by the length of their rear gardens (35-40m) and existing landscaping along the rear boundaries. The two facing blocks of accommodation are set off the boundary and staggered, with a courtyard between them which will help break up the bulk of the building when viewed from Symonds Lane. The revised scheme sets the buildings back a further 3-5m giving a separation from the boundary of 6.4-9m, which allows for additional planting to screen the new building. The new building is also to the north and will not affect sunlight to the Symonds Lane properties. As with the Back Road properties there will be a marked change of view but there are no

windows to habitable rooms in the two blocks closest to the boundary and loss of privacy should not be an issue.

86. 12 Symonds Lane is a Grade 2 Listed Building (known as the Pest House) surrounded by more modern development. The owners are concerned that the proposal will impact on the setting of the listed building, but given the degree of separation between their house and the proposed building (c.50m) the Conservation Manager is satisfied there will be no further harm to the setting of the listed building, subject to suitable landscaping in the increased area now available between the proposed building and the site boundary.

3. Need for very sheltered housing in Linton

87. Members will see from the report that both the Parish Council and the Applicant have commented extensively on the issue of need. As the Applicant has pointed out this is not strictly relevant to the determination of the planning application.
88. The Parish Council, whilst willing to support the 30 unit scheme initially proposed in 2003, question the need for a scheme of the scale currently proposed in Linton. The Applicant has responded (see Paragraphs 68-71 above).
89. This view expressed by the applicant is supported by the Council's Housing Department and the Cambridgeshire Primary Care Trust.

Recommendation

90. Subject to the outcome of the bat survey:
91. Approval, as amended by plans and documents franked 28th August and 11th September 2007.

Conditions

1. Standard Condition A. (RCA). Time limited consent.
2. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
 - i. The numbers, type and location of the site of the affordable housing provision to be made;
 - ii. The timing of the construction of the affordable housing;
 - iii. The arrangements to ensure that provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - iv. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

(Reason - To ensure the details of the provision of affordable housing are satisfactory and in accordance with LDF Development Control Policy HG/3.

3. No development shall commence until details of the materials to be used for the external walls, roofs, and hard surfaces has been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure the details of the development are satisfactory.)
4. Sc51 Landscaping (RC51).
5. Sc52 Implementation of Landscaping (RC52).
6. The tree protection measures shall be implemented as outlined in the tree survey and Arboricultural Implication Assessment dated 31st May 2007.
(Reason - To minimise damage to the trees to be retained and those bordering the site.)
7. No trees or hedges shall be removed during the bird nesting season (15th February-15th July) unless otherwise agreed by the Local Planning Authority. (Reason - To protect the habitat of nesting birds and, therefore, to improve biodiversity in accordance with Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies DP/1 and NE/6 of the Local Development Framework (Development Control Policies) 2007.)
8. During the period of demolition and construction no power operated machinery shall be operated on the site before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason - To minimise noise disturbance to adjoining residents.)
9. Prior to commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason - To ensure a satisfactory method of surface water damage.)
10. Details of foul drainage for the site shall be submitted to and approved by the Local Planning Authority before any work on the site commences. The drainage works shall be constructed in accordance with the approved plans before the development is occupied. (Reason -To ensure satisfactory drainage of the site.)
11. Before development commences a plan showing finished floor levels of the building shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. (Reason - To ensure the details of the development are satisfactory.)
12. Before development commences details of the treatment of the site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the development is occupied. (Reason - To ensure the site is adequately screened.)
13. Before development commences, a scheme for the provision of Public Art shall be submitted to and agreed in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved scheme.
(Reason - Policy SF/6 of the LDF encourages the provision of Public Art in developments of 10 or more dwellings.)

Informatives

1. The Corporate Manager (Health and Environmental Services) comments:

- (1) “During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
- (2) Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
- (3) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer so that noise and vibration can be controlled. Work shall be carried out in accordance with the approved scheme.”

2. The Council’s Landscape Design Officer comments:

“The Applicant’s Design Statement states that all the shrubs and trees will be native species. This will give a very limited palette for the landscape architect and is an unnecessary limitation. This is a site in a built up area and non-native, ornamental species are perfectly acceptable in both aesthetic and in biodiversity terms. It is quite possible to have a garden that has high biodiversity value that is composed of non-native species. I am happy to expand on this further if necessary. I think it is important that the residents have surroundings that include horticultural interest for their enjoyment and well-being. Additionally they will associate this with being in a place that is well cared for.

I note that the Landscape Proposals are only sketch ones at this stage. I should like to see an attempt to create one or more circular walks, accepting that this is likely to involve exiting the building from one door and entering by another. Elderly people sometimes set themselves regular expeditions such as this as a means of maintaining their mobility or perhaps regaining it after illness. An accessible and manageable distance could be provided, with assistance close at hand if necessary. I was pleased to see mostly grass adjacent to the paths so that the path is effectively widened, making wheelchair and walking aids easier to manoeuvre, allowing people to pass and pause to interact. This garden has to meet a wide range of needs and requires skilled design”.

3. The Countryside Access Team (County Council) points out with reference to the realignment of the footpath:

“The Developer should note, however, that if members of the public have been using a route for a long period of time without hindrance it is possible that the route does possess public rights and that it should be recorded on the Definitive Map. Members of the public may be concerned during development that the path is being stopped up and this could prompt someone to make an application to record the route on the Definitive Map. A successful claim would record the

path on the route that is currently walked, regardless of whether that land had subsequently been built upon. It would be prudent, therefore, that it is made clear on site that the path will be maintained following the development.

4. Anglian Water comments:

- (1) "There are no public surface water facilities in the vicinity of the proposed development and therefore you will need to investigate alternative methods of surface water drainage disposal which is outside the responsibility of Anglian Water and you will need to seek the approval from the local office of the Environment Agency.
- (2) The foul drainage from this development can be accommodated, at present, within the existing public sewer passing within the proposed site. There are no surface water sewerage facilities in the vicinity and surface water will not in any circumstances be permitted to discharge to the foul sewer.
- (3) The majority of the sewers in the vicinity of the proposed development are private unadopted sewers under the ownership of others".

5. The Environment Agency comments:

"In addition, any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access."

+ letter regarding routing of construction vehicles and Environment Agency Standing Advice.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

- **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** (Environmental Restrictions on Development)
 - P1/3** (Sustainable Design in Built Development)
 - P5/3** (Density)
 - P7/2** (Biodiversity)
 - P7/6** (Historic Built Environment)
- **South Cambridgeshire Local Development Framework (LDF 2007)**
 - (1) **Core Strategy**
 - ST/3** (Re-using Previous Developed Land and Buildings)
 - ST/5** (Minor Rural Centres)
 - (2) **Development Control Policies**
 - DP/1** (Sustainable Development)
 - DP/2** (Design of New Development)
 - DP/3** (Development Criteria)
 - DP/4** (Infrastructure and New Developments)

DP/6 (Construction Methods)
HG/1 (Housing Density)
HG/3 (Affordable Housing)
SF/6 (Public Art and New Development)
NE/1 (Energy Efficiency)
NE/3 (Renewable Energy Technologies in New Development)
NE/6 (Biodiversity)
NE/12 (Water Conservation)
CH/4 (Development Within the Setting of a Listed Building)
TR/2 (Car and Cycle Parking Standards)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- The density and scale of the proposed development
- The effect of the proposed building and its use on the amenities of neighbouring properties

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy /Development Control Policies 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/2105/06/F and S/1327/07/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

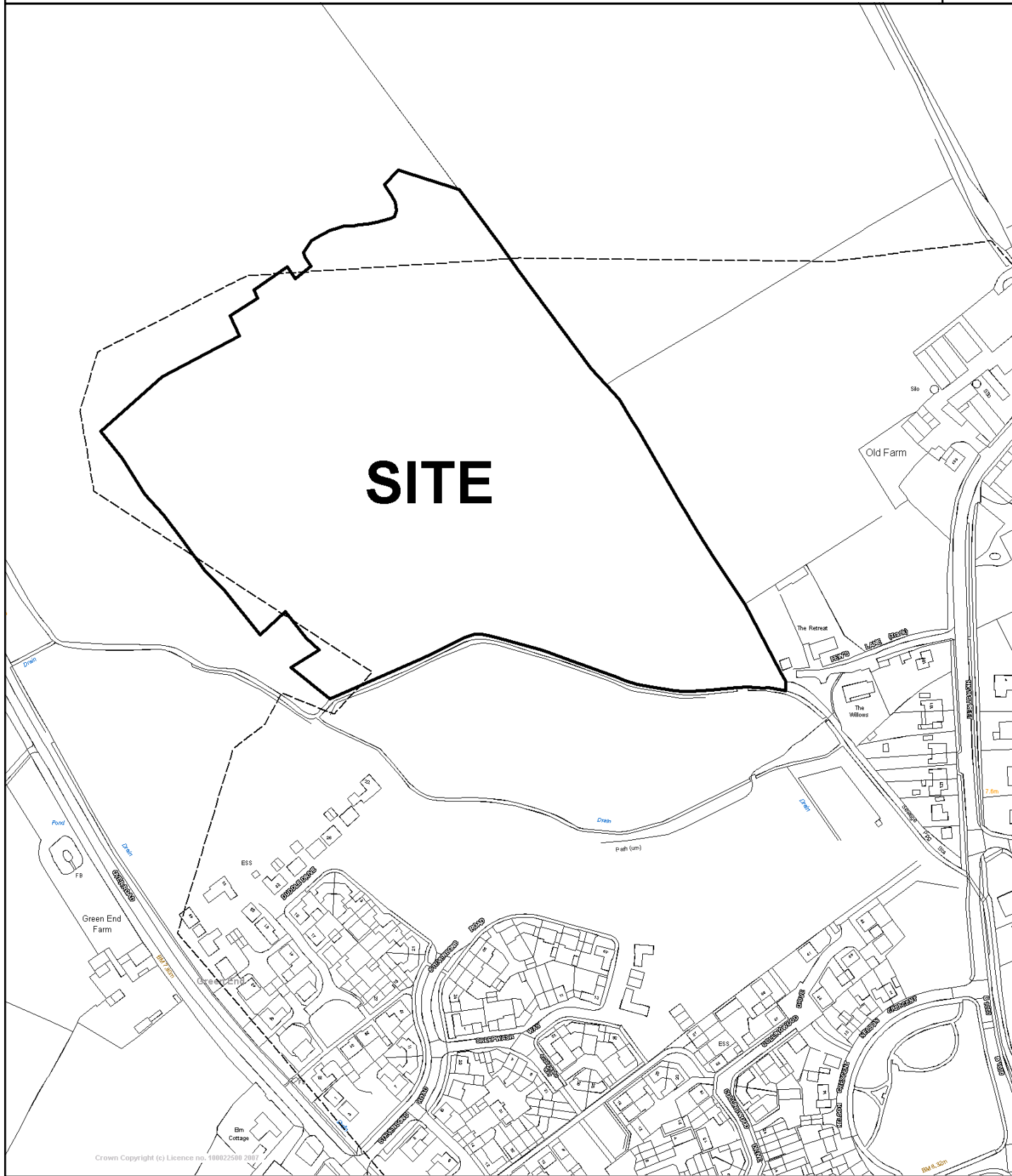
S/1390/07/RM - LONGSTANTON
Erection of 159 Dwellings on Land West of Longstanton
(Phase 3b - Home Farm) for David Wilson Homes and Peter Longwill Stroude

Recommendation: Delegated Approval
Date for Determination: 22nd October 2007 (Major Application)

Site and Proposal

1. This open and largely featureless site extends to approximately 5.54 hectares.
2. To the east lies open land that forms Phase 3A of the Home Farm development with planning permission for 87 dwellings yet to be constructed.
3. To the south west lies Over Road, the balancing pond and part of the Phase 2 development, yet to be constructed.
4. To the south lies the Area of Central Public Open Space which lies centrally within the Home Farm housing development.
5. This reserved matters application, received on 23rd July 2007, provides details of the layout, scale, appearance and access to 159 dwellings on the last part of the third of three phases that are intended to provide 510 dwellings (outline planning permission S/0682/95/O). The proposed density is 28.7 dwellings per hectare.
6. The proposal includes one area of open space (approximately 0.24 hectares) within the development which would accommodate a Local Equipped Area for Play (LEAP).
7. The development would be comprised of 32 (20.1%) no. 2-bedroom, 37 (23.3%) no. 3-bedroom, 55 (34.6%) no. 4-bedroom and 35 (22.0%) no. 5 plus-bedroom houses.
8. Approximately 55% of the buildings (58) would be 2-storey, 36.% (38) would be 2½ storey and 9% (10) would be 3 storey. The ridge heights range from 7.7 to 12 metres.
9. The access would be off Over Road (subject to reserved matters being granted - currently under consideration). This would serve a number of secondary roads and shared surface access ways within the site.
10. A context plan has been submitted showing how this site fits and links in with the other approved phases of the Home Farm housing development site, the Central Open Space, the structural landscaping, the bypass and showing the area of land that remains undeveloped.
11. Amended plans are expected to be submitted prior to the Committee meeting that resolve a number of issues.

s-1390-07-RM



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Scale 1/3000 Date 12/9/2007

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October 2007 Planning Committee

Relevant Recent History

12. Outline planning permission for comprehensive phased development to provide B1050 Bypass for Longstanton and related road works together with housing (21Ha), a business park (6.3Ha), extension to village recreation ground (2.8Ha), village green including land for local shop and surgery, open space, landscaping and related infrastructure` on land west of Longstanton, including the application site, was granted in October 2000 (**S/0682/95/O**). The Decision Notice was issued following the signing of a legal agreement relating to education contributions and highway works. Condition 16 restricted development to no more than 500 dwellings unless otherwise agreed by the Local Planning Authority.
13. **S/1762/03/RM** - 91 dwellings and ancillary works (Phase 1) - approved 22.12.03.
14. An appeal against a refusal to vary condition 16 of the Outline Planning Consent **S/0682/95/O** to allow the construction of more than 500 dwellings was dismissed by an Inspector's letter dated 29th November 2004.
15. **S/0246/04/RM** - Duplicate application for 200 dwellings (Phase 2) - Appeal allowed 23rd August 2005 and reserved matters granted for 196 dwellings.
16. **S/2069/04/RM** - Reserved matters consent issued 5th May 2005 for 153 dwellings and ancillary works (Phase 2).
17. **S/0845/04/RM** and **S/1429/04/RM** - Duplicate Reserved Matters applications for 103 dwellings on part Phase 3 were both withdrawn in March 2006.
18. **S/1846/04/F** - Application for balancing pond and scheme of ditch widening to serve development approved by virtue of outline planning permission **S/0682/95/O** – approved 8th June 2006.
19. **S/1875/06/RM** and **S/1877/06/RM** – Duplicate applications for 18 dwellings within Phase 2 were approved in December 2006 (net increase of 7 dwellings).
20. **S/1086/06/F** – Application to extend the period for submission of reserved matters for Phase 2 for an additional 2 years was approved in August 2006.
21. **S/1876/06/RM** - Application for 20 dwellings within Phase 2 was approved in December 2006 (net increase of 6 dwellings.)
22. **S/0548/07/RM** - Application for 25 dwellings within Phase 2 was approved at Committee on 1st August 2007 (net increase 7 dwellings).
23. Approximately 10 revised designs have recently been approved for individual plots to include conservatories.

Planning Policy

24. The site forms part of the 21 hectare area of land allocated for some 500 dwellings on land north of Over Road, Longstanton in South Cambridgeshire Local Plan: 2004 **Policy HG5**.
25. The principles of development are encapsulated in **Policy Longstanton 1** of the Local Plan 2004. The supporting text at Paragraph 67.17 states:

"The District Council has granted outline planning permission for residential, employment and recreation uses, which includes the provision of a development

related bypass. The bypass between Hattons Road, Over Road and Station Road would provide access to Over or Willingham and onto Fenland without passing through the village. The District Council considers that the provision of the bypass is crucial for the village and therefore allocated a larger area for a housing estate than would otherwise be appropriate. In this instance there is no requirement for affordable housing as set out in **Policy HG/3** of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (LDFDCP) because of the need to ensure the provision of the bypass and other community facilities such as a village green, shop and surgery”.

26. Development Framework Core Strategy Development Plan Document 2007 (**Policy ST/6**). Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within village frameworks. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site.
27. Structure Plan 2003 **Policy P1/3** requires all new developments to incorporate high standards of sustainability and design and to provide a sense of place which:
 - a) “Responds to the local character of the built environment;
 - b) Is integrated with adjoining landscapes;
 - c) Creates distinctive skylines, focal points, and landmarks;
 - d) Includes variety and surprise within a unified design;
 - e) Includes streets, squares and other public spaces with a defined sense of enclosure;
 - f) Includes attractive green spaces and corridors for recreation and biodiversity;
 - g) Conserves important environmental assets of the site;
 - h) Pays attention to the detail of forms, massing, textures, colours and landscaping.”
28. Structure Plan 2003 **Policy P5/3** states that densities of less than 30 dwellings per hectare will not be acceptable “Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character”.
29. **Policy DP/1** of the LDFDCP addresses the principles of sustainable development.
30. **Policy DP/2** of the LDFDCP addresses the design of new development.
31. **Policy DP/3** of the LDFDCP addresses development criteria.
32. **Policy DP/4** of the LDFDCP addresses infrastructure.
33. **Policy HG/1** of the LDFDCP addresses housing density. It states that residential developments will make the best use of sites by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. Higher average net densities of at least 40 dwellings per hectare should be achieved in more sustainable locations close to a good range of existing or potential services and facilities and where there is, or there is potential for, good local public transport services.
34. **Policy HG/2** of the LDFDCP addresses housing mix. It states (in part) that residential units will contain a mix of units providing accommodation in a range of types, sizes and affordability, to meet local needs. In developments of more than 10 dwellings a

mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.

35. **Policy SF/6** of the LDFDCP addresses public art and new development. It states (in part) that the policy will apply to residential developments comprising 10 or more dwellings and states that the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works.
36. **Policy SF/10** of the LDFDCP addresses outdoor play space, informal open space and new development. It states (in part) that all residential developments will be required to contribute towards outdoor playing space (including children's play space and formal outdoor sports facilities) and informal open space to meet the additional need generated by the development in accordance with the standards in Policy SF/11.
37. **Policy SF/11** of the LDFDCP gives the standards required for open space. It states:

The minimum standard of outdoor play space and informal open space is 2.8 hectares per 1,000 people, comprising outdoor sport – 1.6 hectares per 1,000 people, children's playspace – 0.8 hectares per 1,000 people and informal open space – 0.4 hectares per 1,000 people.
38. The Council is in the process of producing a draft Supplementary Planning Document on open space (including play, sport and community space) and will go through the sustainability appraisal and consultation process over the next couple of months with a view to finalising it as part of the Local Development Framework policy.
39. **Policy NE/1** of the LDFDCP addresses energy efficiency. It states (in part) that development will be required to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new buildings for example through location, layout, orientation, aspect and external design.
40. Developers are encouraged to reduce the amount of CO₂ m³/year emitted by 10% compared to the minimum Building Regulation requirement.
41. **Policy NE/3** of the LDFDCP addresses renewable energy technologies in new developments. It states: "All development proposals greater than 1,000m² or 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirements, in accordance with Policy NE/2".
42. **Policy NE/6** of the LDFDCP addresses biodiversity issues.
43. **Policy NE/9** of the LDFDCP addresses water and drainage infrastructure.
44. **Policy NE/10** of the LDFDCP addresses foul drainage and alternative drainage systems.
45. **Policy NE/11** of the LDFDCP addresses flood risk.
46. **Policy TR/1** of the LDFDCP addresses planning for more sustainable travel. It states (in part) that the Council will seek to ensure that every opportunity is taken to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures.
47. **Policy TR/2** of the LDFDCP addresses the Council's car and cycle parking standards.

48. A development brief for the Home Farm site, covering matters such as development aims, design philosophy, scale of development, built form (advocating a series of townscape zones including greenways, village lanes, village streets and hamlets), architectural form and open space was adopted by the Council as Supplementary Planning Guidance in 1998. Whilst design guidance has evolved since this brief was adopted, many of the principles contained within the brief remain relevant.
49. Government's **Planning Policy Statement PPS3**, "Housing" (November 2006) aims to ensure that developments make efficient use of land. "Local Planning Authorities may wish to set out a range of densities across the plan area rather than one broad density range although 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision-making...Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area... The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment".

Consultation

50. **Longstanton Parish Council** recommends refusal. It states:

"The Parish Council would like to see the numbers of houses reduced to 20 per hectare.

The number of houses proposed is inconsistent in achieving the maximum number of houses for Home Farm.

Despite Anglian Water assurances, the continued pumping of sewage into tankers shows they are unable to deal with the network capacity. We require a date for the commencement to provide adequate treatment works.

Any approval given should have a caveat stating that no development to commence until the sewerage problems are resolved".

51. **Swavesey Parish Council** recommends approval. It states:

Swavesey Parish Council raised the following questions with regard to this application:

1. Surface water drainage. Has the balancing pond, which is to be provided for this development, now been completed and responsibility for its future maintenance been agreed?
2. Has the drainage ditch alongside the development been completed and how will water flow towards Swavesey be managed?
3. Where is the sewage from the development to be directed? Will any be directed towards Swavesey/Uttons Drove sewage treatment works?

52. **Willingham Parish Council** recommends refusal. It states:

- “1. As the original application preceded the requirement for inclusion of social housing, this large development of 159 executive homes includes none. WPC considers this omission immoral; as this is a phased development, there should now be a good opportunity for an obligation to be put on the developer to include some social housing provision. Would the District Council please write to WPC to let them know approximately how many affordable homes could now be included?
2. The Longstanton bypass has still not been completed from the previous phase of the development, and there is still no relief for Willingham. Any additional phases permitted at this time will only worsen the traffic issues.

53. **Over Parish Council** comments are awaited

54. **Bar Hill Parish Council** recommends refusal. It states: “Objection on the grounds of excess traffic into Bar Hill and the possibility of flooding due to so many new dwellings with no plans as yet to alleviate those problems.

55. **Anglian Water** has not commented on the application but has provided a statement upon the progress of the network improvement scheme (see Paragraphs 113 to 115 below.)

56. **Environment Agency (EA)** comments that it has concerns that the proposed development may not have adequate mitigation against flood risk, based on the submitted details. It states that “the modelled flood levels for the reach of the parallel watercourse, range between 6.88m ODN, and 6.97 ODN through the site (east to west). We would therefore recommend that floor levels be set 300mm above these levels as a precautionary approach”.

The EA further comments that the ‘Indicative Slab Level’ drawing submitted with the application is acceptable in principle and recommends the following condition to ensure the levels are achieved:

“Prior to commencement of development, a scheme for the provision of minimum ground floor levels to Ordnance Datum Newlyn, including 300mm freeboard, shall be submitted to and approved by the Local Planning Authority”.

57. **Local Highways Authority (LHA)** has no objections. Its detailed comments seek further detail in relation to:

- a) Visibility splays for each access onto the proposed public highway from private drives;
- b) Visibility splays from each junction onto the proposed public highway;
- c) Would like whole surface of ‘square’ to be in the same material – query the status of the parking bays – are they to be in the public realm – Developer to fund a Traffic Regulation Order to create one of them as a dedicated disabled persons parking bay;
- d) Proposed trees acceptable within the square but the LHA will seek a commuted sum for their future maintenance. Approval of tree pit design will form part of any Section 38 Agreement;
- e) Radii on turning heads should be shown;

- f) Paths adjacent to LEAP to be shown dimensioned and LHA will seek their adoption – minimum width should be 3m;
- g) More detail required in relation to the junctions between the lanes/greenways and the shared use driveways, in particular the location of the ramps to the shared use surfaces and the connection between the footways along the lanes/greenways and the shared use areas.

58. **Environment Operations Manager** comments are awaited.

59. **Landscape Design Officer** comments are awaited.

60. **Drainage Manager** comments are awaited.

61. **Cambridgeshire Fire and Rescue** comments that adequate provision should be made for fire hydrants. Access and facilities for the Fire Service should also be provided in accordance with Building Regulations.

62. **Corporate Manager – Health and Environmental Services** comments are awaited.

63. **Police Architectural Liaison Officer** comments:

“Generally speaking in curtilage car parking arrangements are preferred, but where this is not possible parking should be in small courts serving a maximum of 6-8 dwellings with spaces close to and adjacent to homes and within view of a regularly occupied room of the owner’s premises.

The parking court to the rear of plots 42-53 appears to serve 12 dwellings with a total of 15 spaces and is too large. The size provides an air of anonymity sought by offenders and it also creates a situation in which a significant number of properties have rear boundaries backing onto space accessible to the public. Dwellings are often at their most vulnerable to criminal attack from the rear. The size of the court has led to the provision of a path between plots 45 and 46 which can further compromise security.

The parking courts to the rear of plots 72-77 and 78- 84, although smaller, are effectively a single court separated only by a thin strip of grass. A through route with limited natural surveillance is thereby created between Main Street and the Lanes. Excessive permeability can provide offenders with additional access and escape routes together with the anonymity they seek. There should be a clear physical boundary separating the two courts (1.8m high min protected by a strip each side at least 1m wide).

The site layout is characterised by a high proportion of dwellings having only pedestrian access to front resulting in a greater number of rear parking courts, giving rise to potential criminal activity.

Roads, footpaths and communal parking areas/courts should be provided with lighting by means of column mounted white downlighters to BS 5489: Code of practice for outdoor lighting”.

64. **Ecology Officer** comments are awaited.

65. **Housing Development Officer** comments are awaited.

66. **Strategic Sustainability Officer** comments are awaited.

67. **Waste Recycling and Minimisation Officer** comments are awaited.
68. **Cultural Services Manager** comments are awaited.
69. **Finance Manager – Cambridgeshire County Council** comments are awaited.

Representations

Two letters of objection have been received from the occupiers of 'The Retreat', Fewes Lane and 'Southwell' Station Road.

70. 'The Retreat'

"The footway along the side of the 2.5 storey house on Plot 95 running up to the connection road with Phase 3B link to the High Street. Is this footpath a dead end? Please can you confirm that it is not the intention of the developers to continue it into Fewes Lane? There is no public right of way from the development land of 3B to Fewes Lane. The plans show two bridges for pedestrian access to the Public Central Open Space and there is a road link into Phase 3A clearly shown on the map. Is it proposed that this footway is in addition to the 5 metre maintenance strip for the awarded ditch or part of it?

How far from our boundary hedge will Plots 95 and 96 be and possibly Plot 9 as without measurements we cannot see how far up the field they will be sited".

71. 'Southwell'

The Council continues to fail communities by allowing such housing developments as Bar Hill and Cambourne.

How can the drainage condition in the Outline planning permission be discharged before the Home Farm development is complete?

What provisions has the Council made to secure the long term management of the proposed landscape and open space areas?

What arrangements have the Council made to secure that the extension to the recreation ground will be transferred to the Parish Council?

All Planning obligations should be met before the Council grants any more Home Farm applications.

Foul water disposal problems.

Flooding problems. Who is responsible for maintaining the bridges over the drain? Constant culverting and bridging will add to the flooding problems.

How can the Council continue to claim that the Home Farm development will provide a bypass for Longstanton when there are proposals to build houses on either side of the B1050 at Station Road as part of the new town?

Permission should be refused until both Home Farm and the proposed new town can be environmentally assessed together.

Planning Comments - Key Issues

72. The principle of erecting 500 dwellings on the Home Farm site has already been established by the grant of the outline permission. The permission allows for the phased development of the site, and includes conditions relating to the phasing of the residential development, business park, open spaces and the timing/thresholds for the provision of the necessary infrastructure and roads.
73. This reserved matters application provides details of the layout, scale, appearance and access to Phase 3B of the residential element of the development approved in 2000 (S/0682/95/O) only, and these are the matters to be considered. Landscaping was included on the application form but no detailed landscape scheme has been provided and is therefore excluded. It remains reserved for future consideration and conditions on the Outline Consent allow for a future detailed consideration of a scheme through conditions on this permission. The applicants have confirmed that they wish the detailed landscaping (apart from consideration of the central hard and soft open spaces) to be considered later.
74. The application has been subject to considerable pre application discussions involving the developers, the Planning Case Officer, the Council's appointed Urban Design Consultant, the Local Highway Authority, the Environment Agency, the Council's Drainage Manager and the Local Member for Longstanton. In addition the developers have met separately with Longstanton Parish Council.
75. The key issues are:
- (a) Density and numbers;
 - (b) Design and layout;
 - (c) Highway Safety; and
 - (d) Drainage.

Density

76. The net density of the scheme is approximately 28.7 d/h. This compares to Phase 1, 29.3 d/h (91 dwellings), Phase 2, 27.03 d/h (173 dwellings) and Phase 3A 19 d/h (87 dwellings). The net density of the whole of the housing development at Home Farm was determined through the Outline planning permission and is approximately 23.8 d/h. The average densities for all of the phases, including 3B, is approximately 26 d/h. The reason for this figure being higher is that the combined reserved matters applications have not utilised all of the land available. A pocket of land remains undeveloped as shown on the context plan submitted by the applicants. Any future development of this site will be a separate planning application and will be outside the bounds of the Outline permission as the 500 limit will have been reached if Members are minded to approve the details of this final phase.
77. The overall density is below that required by current Development Plan Policies and would not normally be supported in principle. However, the overall density of 23.8 d/h is approved and there is no justification to require a higher density through the consideration of this Reserved Matters application.

The density of this scheme is compatible with the densities of the other phases and will form part of a homogeneous whole in this regard.

Number of dwellings

78. As stated above the Outline planning permission was for 500 dwellings. The consented breakdown is as follows:

Phase 1 – 91
Phase 2 – 173
Phase 3a – 87

The proposed is 159 making a total of 510.

79. Condition No. 16 of the Outline planning permission states: “Not more than 500 dwellings shall be constructed on the site unless otherwise agreed by the Local Planning Authority”.
80. In the appeal against this condition (see above) the Council asked the Inspector to consider that any more than 510 dwellings would be outside the scope of the planning permission. In my opinion, the Council’s appeal case, by inference, has agreed to the additional 10 dwellings although no formal agreement has, to my knowledge, ever been given. I believe the appeal Inspector shared this view. At one point in his decision he states: “Whilst I believe that there is sufficient tolerance within the Policy for slightly more than the 10 extra dwellings acceptable to the Council...”.
81. In any case it is my opinion that Condition 16 intended to allow for the possibility of additional dwellings, over the 500, and I consider that 10 (2%) is a small number in the context of the Home Farm development and is within the bounds of this consent and the principle established by a 1982 Court case (*Wheatcroft v. Secretary of State for the Environment*), which prevents the Authority from countenancing the extension of the planning permission to a number significantly above 500 dwellings.
82. There can be no requirement for the additional 10 dwellings to have a proportion of affordable dwellings as this would be outside the bounds of the planning permission. Appeal Inspectors have confirmed that this could only be required through separate planning permissions.
83. I have asked the developers to confirm that the infrastructure, particularly in relation to foul and surface water drainage, can accommodate the additional 10 dwellings. Members will be updated at the meeting.

Mix

84. Through negotiation the developers have revised the mix to reflect the identified demographic shifts towards smaller households. As such 20% of the dwellings are 2 bedroom and 23% 3 bedroom. The majority remain 4 bedroom and 5 bedroom but I consider the scheme broadly complies with Policy HG/2. I note the scheme does not contain any 1 bedroom units but on balance I find the mix acceptable.

Residual land

85. An area of approximately 1.66ha of the Home Farm site remains undeveloped to the north west of Phase 3B. It is likely that the land owner/developers will want to develop this site in the future. Any such application would have to be determined on its merits but would be outside the scope of the Outline Planning Permission and would be subject to the requirement of affordable housing in accordance with Policy HG/3 of the LDFDCP and other prevailing Development Plan policies.

86. If the application for the remaining 159 dwellings were to extend onto this land the resulting density would be 22 d/h. Since the granting of the Outline permission the Government has sought to achieve higher densities and make best use of land. The resultant lower density would not accord with these aims.

Layout, Design and Highway Safety

87. The original design guide required Home Farm to have character areas and not to be developed without variation and interest. This approach has been followed in the earlier phases and in particular in Phase 3A where there are areas that are more urban in character with greater street enclosure, taller dwellings, higher densities, different surfaces and hard open space that give way, at its edges, to lower density, greener spaces, lower height dwellings that are set back further from the road.
88. The approach for Phase 3B has been similar. The main road, annotated as Main Street on the submitted plans, runs from Over Road and links the development through to Phase 3A and it is along this road that the higher density character is achieved. At the point this road enters Phase 3A is the point where the higher density of that phase is also ensuring that the two phases read well together.
89. Again, as in Phase 3A, the high density character gives way to lower density at the edges. The character area definitions are shown on the Character Area plan submitted with the application.
90. At the key entrance to the site from Over Road there is an attempt to provide a 'gateway' entrance with dominant 3 storey dwellings giving way to 2.5 storey laid out with a symmetry that makes a bold statement.
91. Centrally positioned within the site is the development core made up of a hard landscaped 'square' of a contrasting shared surface material with occasional trees and a small public parking facility. Around this square are 3 storey flats that help to give the square its function as an important and focal space.
92. Crossing perpendicular to the central square is a through link to the Central Open Space via a footpath (to be adopted) and an un-adopted lane. The footpath crosses through 'The Green'. This area provides the principal green open space and equipped area of play for the phase and will form a very attractive feature of the development linked to the Square. It will have a sense of enclosure being surrounding by dwellings that face onto it and provide natural surveillance for the children's play area. Carefully placed trees will help to keep the space open and create a soft edge without losing the surveillance benefits. I have asked the developers to provide a detailed landscape plan of this area and 'The Square' for consideration prior to any consent being granted. A landscape proposals drawing for the Square, public open space and LEAP has been submitted. It illustrates materials schedule, trees, shrubs and hedgerow species and details of the LEAP including play equipment, benches, bins, gates, railing and surfacing.
93. The Green is also crossed by footpaths running perpendicular which give access to this area from the remainder of the development.
94. The proposal does not contain any other formal areas of open space or children's play space as through negotiations officers felt that this approach was preferable to a number of small spaces which would have less function and surveillance. There is a small area within Phase 3A that lies close to the boundary of the development and the Central Open Space is also a major amenity for the residents. Small areas of

space cannot be provided for every small cluster of dwellings and none will be far from either The Green or the Central Open Space.

95. Crossing the Green in a southerly direction, and looking straight ahead, the gable to the 3 storey flats will be very prominent. This gable has been designed to reflect its prominent position as a 'feature' building within the development.
96. The footpath crossing the Green leads to the undeveloped portion of the Home Farm site. Should development occur here in the future this link will be important for the occupiers to gain access to the Green, the Central Open Space and the main part of the village.
97. The dwellings on the southern edge all front the Central Open Space providing natural surveillance and helping to define the importance of this space.
98. The footpath links and the design of the roadways make the scheme highly permeable allowing good access not only within the phase but also to the Central Open Space and to Phase 3A for both pedestrians and road users.
99. The dwellings are designed to take account of those on earlier phases and with the use of good quality materials will result in a visually pleasing development.
100. Careful consideration has been given to the spaces between buildings to ensure that the amenity relationships between dwellings are good including appropriate privacy relationships.
101. The layout and design has been informed by the Council's appointed Urban Design Consultant. Any detailed comments in relation to the most recent amended plans received prior to the committee meeting will be verbally reported.
102. A detailed landscape scheme for the development is required as a condition on the Outline Planning Permission.
103. Each detached dwelling typically has two parking spaces, one in a garage and one in front. The parking for the flats is typically in excess of 1.5 spaces per flat. Some of the garages are set back to provide short term visitor parking. I am confident that the scheme will not result in any car parking problems and is in accordance with the Council's car parking standards.
104. Further detail in relation to bin storage is required and I have requested this be provided before the committee meeting. Members will be updated verbally at the meeting.
105. The roadways are a mix of adopted, unadopted and private drives and will use variations of surface materials to help differentiate between them. The unadopted roadways will help to provide an informality that gets away from the hard engineered estate development layouts of the past.
106. Dwellings fronting roadways are angled to follow the line of the road to provide a harmony to the street scene. The roadways themselves are not artificially contorted but have a simple logic to them without any real opportunities for vehicles to reach a high speed.
107. Some compromise has been made in order to achieve the desirable elements of the scheme and this includes the formation of several parking courts which are larger than I would prefer. These occur principally for the flats in the high density character

areas. I note the comments of the Policy Architectural Liaison Officer in this regard. However I consider that due to the high level of natural surveillance that these areas would have the balance of this against achieving the aesthetics justifies their inclusion. In earlier versions of the scheme the central 'square' was essentially one large car park which I did not want to see as the focal point of the development.

108. With the exception of some further details that have been requested the development is acceptable to the Local Highways Authority who have been present during the pre application negotiations.

Response to representations

109. With regard to the detailed comments of the occupiers of 'The Retreat', I am expecting the applicants to respond direct – Members will be updated at the meeting.
110. The master plan for Home Farm includes a footpath link between the Central area of open space and Fewes Lane. In this regard I do not consider it would be necessary to prevent the footpath referred to from linking with Fewes Lane. It adds to the permeability of the development and will assist pedestrian access to the centre of the village. If Members are minded to require no link the developers would be happy to stop the path after it accesses plot 96.

Drainage

111. Drainage has understandably been of great concern to residents, the Parish Council and Members. It is not a matter for this Reserved Matters application and conditions relating to drainage imposed on the Outline Planning Permission have now been discharged. However, below, for information, is Anglian Water's current position in relation to sewage disposal as communicated to the developers in a letter dated 13th August 2007 in response to its detailed build timetable:
112. "Our partnering contractors are currently working on the design details of the network improvement scheme, which is required to cater for the whole catchment, inclusive of the Home Farm development (all phases). This is due to be presented to Anglian Water's capital investment group on 28th September 2007 for approval. The scheme is mandated for completion by September 2008, which will ensure that your client's build profile and those of the other developers are unaffected.
113. It is currently anticipated that both the pumping stations at Station Road and Longstanton Road, Willingham will be up-rated. There is also a possibility that the rising main from Station Road will need to be upsized. This will be established once the final low analysis is confirmed through the supplementary modelling study, due for completion by the end of this month.
114. As such, I can confirm that we do not envisage any problems with accommodating the foul water flows from your client's development within our network in the proposed timescales."
115. The indicative slab levels range from 7.20m to 9.70m (southwest to northeast) in accordance with the recommendation of the Environment Agency.

Other matters

116. Bus route

The developers are in discussion with Cambridgeshire County Council about the potential for a bus route to travel through the site. This is not a matter that can be required as part of this Reserved Matters application but has been requested by the Parish Council and the developers are willing to explore the possibility.

117. Renewable energy

I have asked the developers to include within the scheme measures for renewable energy. This is not required by the Outline planning permission but is required by current policies. I am mindful that such policies were adopted during the course of negotiations and submission and in this transition phase I consider it questionable whether such measures can be required. I have specifically asked the developers to provide a statement on their position in relation to renewable energy and this will be reported verbally.

118. Bridge detail

No detail of the bridges has been submitted. I have asked the developers for this and Members will be updated at the meeting.

119. Boundary treatment

I consider it important to consider details of boundary treatment prior to determination as many dwellings are accessed as a group from the rear where it will be important to have treatment that will form visually acceptable spaces. I have asked the developers for this and Members will be updated at the meeting.

Recommendation

120. There remain several unresolved issues which I hope will all be addressed prior to the Committee meeting. However, much work has been done over many weeks prior to the submission of the application. I am mindful of the efforts made by the developers to accede to our requests and of the need for the developers to make their submission prior to 16th October 2007 when the time for submission of Reserved Matters expires. I therefore recommend that Members grant delegated powers of approval subject to the resolution of all of the issues raised above and subject to safeguarding conditions.

Background Papers:

- Reserved Matters Application File Ref S/1390/07/RM and application files referred to in the 'History' section of this report.
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Development Brief for Home Farm, Longstanton 1998

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0793/07/F - LONGSTANTON**Construction of 300m Access Road and 238m Foul Water Sewer for Phase 3B
At Home Farm for David Wilson Homes****Recommendation: Delegated Approval****Date for Determination: 15th August 2007****Notes:**

This application has been reported to the Planning Committee for determination because it was deferred from the August 2007 meeting pending further consultation of Longstanton Parish Council.

Update

The report to the 1st August 2007 committee meeting (agenda item 25) is attached electronically.

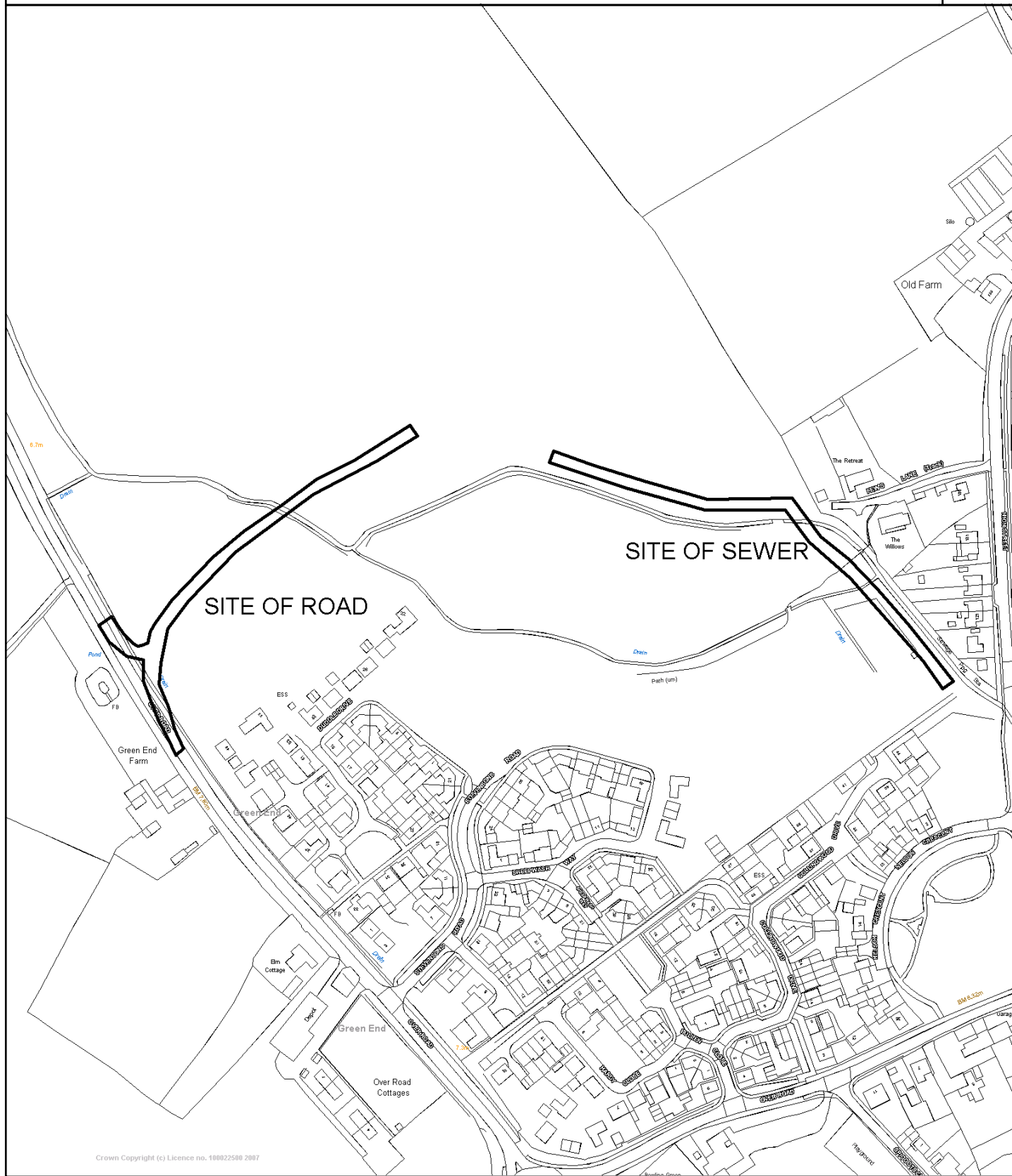
Site and Proposal

1. The site area for the foul water sewer has been revised to coincide with the existing bank to the award drain and runs from close to the pumping station on Station Road, along the northern drain to the Central Area of Open Space within the Home Farm housing development. The revised position follows from discussions between the developers and the Council's Drainage Manager.
2. The site area for the proposed access road remains unchanged.

Consultation

3. **Longstanton Parish Council** makes no recommendation in regard to the re-alignment of the foul water sewer.
4. **Environment Agency**
At the time of writing the developers are revising the details following extensive discussions with both the Council's Drainage Manager and the Environment Agency. I expect this to be resolved prior to the committee meeting and Members will be updated verbally.
5. **Local Highway Authority**
As above, the scheme has been discussed extensively with the Local Highways Authority. Revisions necessary to satisfy the EA and the Council's Drainage Manager have a highway impact but it is anticipated that the final scheme will be supported. Members will be updated verbally at the meeting.

S-0793-07



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6. **Council's Drainage Manager**
Formal comments will be verbally reported. The main concern has been with the stability of the bank following the laying of the sewer. In some places the sewer is to be within only 2m from the top of the bank (measured horizontally) raising concerns that the bank will collapse into the drain bed.
7. **Anglian Water** has not commented.
8. **Council's Ecology Officer**
Water voles, a protected species, are recorded on the Longstanton Drain. In this general area all of the drain should be considered a water vole habitat. Water vole habitat can be considered as extending 5m back from the bank top. If the works are to affect water vole habitat then Natural England must also be consulted. The first priority should be to protect all identified burrows by means of a survey, a technically suitable scheme that maintains water vole habitat and provides bank stability should then be presented ideally prior to granting consent. Off site habitat works may be required to compensate for impacts depending on scale.

Representations

9. Two letters of objection have been received from the occupiers of The Retreat, Fewes Lane and 135 High Street. The main points are summarised below:
 - a) The sewer would encroach on the 5m maintenance strip – the banks are very unstable and erode very easily.
 - b) If the pipe should fracture at any time property could be flooded with sewage.
 - c) Concern about the line of the foul sewer and where the connection will be.
 - d) Volume of foul water to an already over capacity system.

Planning Comments - Key Issues

10. The key issues for consideration are contained within the attached report.
11. Although there are a number of outstanding issues, these are nevertheless in the process of being resolved. Several meetings involving the developers, the planning case officer, the Land Drainage Manager, the Environment Agency and the Local Highways Authority and including the Local Member on one occasion have taken place. In some instances the resolution of one problem has led to the creation of another e.g. bank stability measures affecting water vole habitat so the resolution of the issues is taking time. However, following the last meeting I am confident that solutions have now been found that will satisfy all parties and I am expecting to have revised plans and comments in time for the Committee Meeting. Members will be updated verbally.
12. The issues have centred around ensuring the foul sewer pipe will not affect bank stability (or the bank can be stabilised), or the water vole habitat, the roadway bridge is both safe in highway terms and yet access to the 5m maintenance strip for the award drain is achieved as required by condition on the Outline Planning Permission and the flow rate of the drain is protected so as not to cause potential flooding. In addition the developers have been asked to consider an access point over the drain to the Central Area of Open Space for maintenance access which they are happy to provide and which will require a further revision to the site location plan in order to achieve this through conditions.

13. Perhaps the only matter that will remain outstanding will be the need to consult with Natural England. A water vole survey has been undertaken but I have yet to receive a copy of it. Natural England will also want to comment on the measures for bank stability. In this regard I am mindful of the Ecology Officer's comments and I believe that Natural England will not object.

Recommendation

14. Delegated powers of approval are sought subject to the resolution of the above issues, including the support of Natural England and a further revised site location plan, and subject to safeguarding conditions.

Background Papers: the following background papers were used in the preparation of this report:

- Planning Application File Ref S/0793/07/F
- Outline Planning Permission Decision Notice Ref. S/0682/95/O
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Development Brief for Home Farm, Longstanton 1998
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 3rd October 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0093/07/RM - PAPWORTH EVERARD
Erection of 365 Dwellings with Associated Open Space and Landscaping
(Reserved Matters Pursuant to Outline Planning Permission Ref S/2476/03/O)
Land South of Church Lane and West of Ermine Street South
For Barratt, East Anglia/Kingsoak

Recommendation: Delegated Approval

Date for Determination: 31st August 2007
(Major Application)

Notes:

This Application was deferred at the 1st August 2007 meeting. The recommendation of approval by Officers is still likely to conflict with objections anticipated from Papworth Everard Parish Council.

Update

1. The Report to Committee in August 2007 (Item 7) is attached as an electronic appendix. A decision on the application was deferred to allow Members to fully consider the objections of the Parish Council received just prior to the meeting (and circulated to Members) in response to the applicants' amended plans dated 17th July 2007.

The following is the **Parish Council's** introduction and summary of key objections:

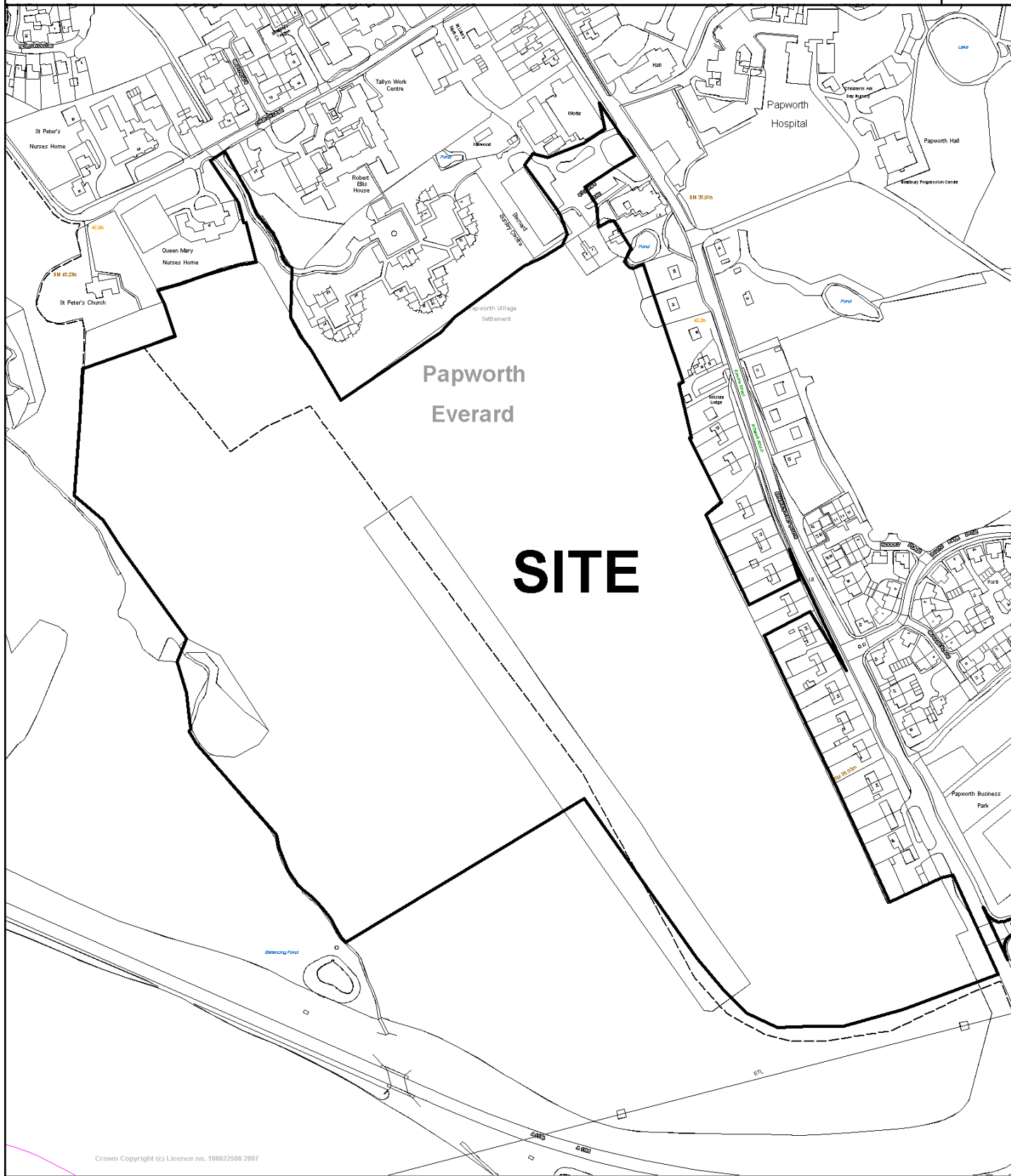
Introduction

2. PEPC welcomes the completion of this final segment of the 1000-dwelling village expansion that was agreed in the 1989 Structure Plan as a way of improving its previously skewed social and economic structure, securing a bypass for the village delivering, and delivering (more than) its fair share of new housing required in Cambridgeshire. In 1986 there were only 360 dwellings in the village.
3. To date 873 new dwellings have been completed or are under construction, so it is important to stress the approval of this 365 dwelling application would bring the total of new dwellings in Papworth to 1238, 23.8% above the planned for 1000.
4. The applicants have gone a long way towards improving their proposals, but there is still considerable detail which needs to be resolved.

Summary of Key Objection

1. Inadequate parking provision, contrary to Council Local Plan and LDF policies.
2. Cycle Parking Provision does not meet the Council's Local Plan and LDF policy requirements.

s-0093-07-RM



Papworth
Everard

SITE

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October 2007 Planning Committee

3. Siting, layout and massing contrary to Structure Plan, Local Plan, LDF policies and the Government guidance in PPS1, PPG3, PPS3 and PPS7.
4. The proposed haul road does not respect the existing neighbouring properties or the 7.5 tonne weight limit. It is both feasible and preferred that the haul road be provided in the vicinity of the southern entrance of the site, south of the 7.5 tonne weight limit, to avoid/mitigate these issues.
5. The general lack of, and conflicting, detail on which it is possible to make an informed decision on the application (which is a full reserved matter application.)

5. **The applicant** has subsequently submitted further amended plans franked 6th September 2007 and an amendment letter dated 18th September 2007, and enclosed comments on the Parish Council's objections. On the main objections:

1. Parking Provision

The discrepancies identified in paragraphs 2.8 and 2.9 have now been addressed.

The Parish Council refer to both the 2004 Local Plan and the more recently adopted Development Control Policies DPD. Policy TR/2 of the latter states that the parking standards set out at Appendix 1 of the DPD are maxima. In this regard it cross-references Structure Plan Policy P8/5 and PPG 13: both require the setting of maximum parking standards. The standard provides for an average of 1.5 spaces subject to a maximum of 2 spaces for properties with 3 bedrooms or more.

The application layout provides for approximately two spaces for each dwelling with three or more bedrooms and at least one space for the one and two bed properties. The policy does not provide maximum or minimum requirements in respect of those dwellings with less than two bedrooms. Additional visitor parking has now been provided for with a total of 694 allocated spaces and 42 visitor spaces at an average of approximately two spaces per dwelling across the site.

The introduction to Appendix 1 of the DPD explains that the standards cover the needs of residents, visitors, employees and customers but does not make provision for the delivery and collection of goods. Clearly, in solely residential development, the need to provide parking for the delivery and collection of goods will be limited given the absence of commercial and/or employment uses. The specific standard in respect of residential use suggests that there will need to be short-term provision for service vehicles, salesmen and some visitors, but no specific levels are set down, each case being dealt with on its own merits. As a 'general guide' the provision should not fall below 0.25 spaces per dwelling with 2 spaces.

Again, this provision is not prescriptive. In this context the overall provision of 736 parking spaces is entirely appropriate and in accordance with policy.

The 2001 census returns show that car and van ownership for South Cambridgeshire runs at an average of 1.5 per household. The specific ownership figures for Papworth Everard are also 1.5 vehicles per household. Again, the provision in this context is entirely appropriate.

Provision of disabled spaces are again dealt with in the introduction to the LDF parking standards which suggests a provision of 5% of the total number of spaces. The provision of disabled spaces would need to be appropriately marked, monitored and retained for disabled use. Such an approach is more appropriate where the development relates to a public building or a use that is likely to attract casual visitors. In this instance, disabled residents will park in their designated space or driveway and disabled visitors are likely to park on the driveway of the person they are visiting. Where potential purchasers express a need for disabled parking, the appropriate provision can be made. To assist, however, larger visitor spaces will be provided wherever practicable.

Paragraph 51 of PPG 13 emphasise that in implementing policies, local authorities should:

'not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls'.

The provision of a large number of unallocated spaces could simply serve to increase the number of vehicles on the site with residents taking advantage of visitor spaces for their own needs. Parking spaces will be allocated to properties and residents will therefore be aware, at the outset, of any restrictions.

The proximity of parking spaces to the dwelling they serve, is entirely appropriate and is a matter for purchasers to reconcile with the developer (Paragraph 2.10).

All of the parking courts have been 'tracked' to ensure that vehicles have sufficient space to manoeuvre. Parking spaces 21 and 24 have been addressed. (Paragraph 2.11).

Reversing out on to the Boulevard would not offend highway safety. The Boulevard has been designed as a 20mph road with integral traffic calming features. Neither the Highway Authority, nor the District Council, has identified this as an issue (Paragraph 2.12).

The paths leading from parking areas to dwellings will be secured by locked gates with access restricted to the appropriate residents. Parking courts contain dwellings and/or are directly overlooked from surrounding dwellings to provide surveillance. (Paragraph 2.13).

The trees and parking spaces can be comfortably accommodated. The trees specified will be maintained to provide a clear stem of 2.1m below the canopy to maintain highway visibility. This is as discussed and agreed with the District Council and the Highway Authority. Appropriate tree protection and tree pit detailing will prevent damage to the trees. High kerbs will be provided to prevent cars over-running the planted verges and the urban design statement has been amended to reflect this. (Paragraph 2.14).

The Boulevard verge will be protected by high kerbs to prevent cars parking on the grass verge. This detail could be secured by way of condition (Paragraph 2.15).

2. Cycle Parking

A secure cycle store has now been provided in respect of block Z1. The vast majority of the remaining dwellings are provided with either a garage or car port within which cycles can be securely stored. Those dwellings without a garage or car port, have adequate space available in their gardens to accommodate a shed. LDF policy TR/2 requires the provision of only one secure space, per dwelling, within the curtilage 'where possible'. I would contend that the current provision is entirely appropriate and accords with the most recently adopted policy.

3. Siting, Layout and Massing

Much of the content of this section of the Parish Council's response seeks to revisit matters of principle that were addressed at the outline stage. This is particularly disappointing given the extensive discussions that have taken place in this regard, culminating in both SCDC and my client taking advice from leading Counsel. For the purposes of clarity, I will once again, set out the scope of the current application and the outline planning permission.

The outline planning permission grants consent for residential development on a site of 21.63ha. The permission provides for the demolition of six existing dwellings and the formation of up to four vehicular access points. The permission makes no reference to dwelling numbers in the description of development and there are no conditions that limit numbers. The consent is 'tied' to the Council's development brief for the site by Condition 4.

The reserved matters application is specific and does not include any matters not so specified. They are:

1. The siting of buildings;
2. Design and external appearance of the buildings; and
3. The landscaping of the site.

The siting of buildings is their siting within the site. It does not include dwelling numbers save as far as acceptable siting may indirectly affect overall numbers. The same is true of building design and appearance and landscaping. Counsel for SCDC, Charles Bourne QC, agreed with this assessment, he concluded that '*....a limitation on that number (of dwellings) which was not connected with these matters would not be acceptable*'.

References to density and site area/developable area are similarly inappropriate. Were it the Council's intention to limit dwelling numbers or developable area, this should have been expressly included in the terms of the outline planning permission. Insofar as it is applicable, the development brief provides an illustrative layout plan showing the disposition of developable areas and open space/play areas. The current layout plan is, I would contend, in accordance with this plan.

The Parish Council's extensive arguments in this regard are, therefore, entirely inappropriate and irrelevant to the determination of this reserved matters application. Paragraph 4.11 makes reference to the terms of the outline planning permission but is, at best, misleading. It appears to suggest that the application identified a smaller area of land for development and specifies a number of dwellings; it did not. The supporting statement that accompanied the outline application made reference to the allocation of the site for residential development

and quotes Policy Papworth Everard 3 of the then draft local plan (Paragraph 2). By way of clarification, Paragraph 4 of the supporting statement states that *'...the application site takes in more land than was depicted in the original Local Plan or is set to be depicted in Local Plan Number 2'*.

The planting adjacent to the School Walk link is detailed in Liz Lake drawing 924 A2/01 (F). The surface finish will be the same as that for the other 'major' footpaths throughout the site (Brand Leonard drawing No. 10342-C-03). Details of the surface materials are contained in the Urban Design Study.

Condition 10 of the outline planning permission requires that details of street lighting are agreed with the Highway Authority prior to the commencement of development. Both the District Council and the Highway Authority have indicated that they are happy with this approach (Paragraph 4.28).

Planting in the parking courts is shown on the latest Liz Lake Strategic Landscape Proposals drawing (924 A2/01 (F)). Lighting will be addressed by way of outline permission Condition 10 (Paragraph 4.29).

The proposed dwellings achieve adequate back-to-back separation distances with the existing properties. The minimum in respect of Southbrook Field is 51m and that in respect of Ermine Street is 24m. In the majority of instances, the separation from the Ermine Street properties exceeds 30m. the minimum standard set out in the SCDCs Design Guide is 18m (Paragraph 4.30).

4. The Haul Road

Details of access were granted planning permission at the outline stage and do not therefore form part of the current reserved matters submission. Detail of access for construction vehicles is addressed by Condition 10 of the outline permission, with approval of details required prior to commencement.

5. Sustainability

The Section 106 Agreement attached to the outline planning permission ensures that the development will be required to address all potential impact on community facilities. It includes a £4million contribution to affordable housing and/or community facilities and a £1.35million education contribution agreed with District and County Councils. The sewage treatment works has recently been expanded and improved. Anglian Water has allowed sufficient capacity to accommodate an additional 500 dwellings on the Summersfield site.

On-site production of energy from renewable sources is a matter of principle which falls without the scope of this reserved matters application. If there was an express requirement in this regard it should have been secured by way of a condition attached to the outline planning permission. This said, the reserved matters scheme will deliver a 14% reduction in CO2 emissions when compared with the minimum requirements of the Building Regulations. This exceeds the requirements of LDF Policy NE/1. In addition, 40 properties (9%) will be provided with solar collectors. Solar collectors will also be offered as a purchaser upgrade on all other appropriate dwellings. These measures are outlined in the Sustainability Appraisal that accompanied the application (Paragraph 7.2.)

6. **The Amended Plans** franked 6th September 2007 involve minor changes to the layout, highways, parking, house types and revisions to the Management Plan for the Areas of Public Open Space. The changes reflect some of the points of detail raised by the Parish Council, the Local Highway Authority, the Architectural Liaison Officer, the

Council's Ecologist, as well as the comments of the Council's Urban Design and Landscape Consultants.

The Amendment Letter dated 18th September gives more details of the management of the public open space and the village pond.

An update of the responses to the Consultations undertaken on the amended plans will be given at the meeting.

Further Planning Comments

7. Members are asked to refer to the "Planning Comments" in the August Agenda (Item 7). There is very little I can add to the applicant's comments on the Parish Council's objection. The Parish Council continues to have concerns about the numbers of dwellings proposed and query the density calculation of 30 dwellings per ha. I have looked at this again and it does depend to a certain extent on the boundaries taken and what areas of open space are included or excluded. Perhaps it would be more accurate to say that the density is in the range 30-35 dwellings per ha (i.e. reflecting policy requirements). I would remind Members that the outline planning permission includes a large area of public open spaces (7.6ha) which was not allocated in the 1994 Local Plan and is excluded from the calculation. All the housing development is confined to the area to the east of The Plantation and is broadly laid out as illustrated in the Council's Development Brief.
8. I am satisfied that the level of car parking now proposed, with increased visitor parking, complies with the Council's standards.

Recommendation

9. Subject to the nature of responses from consultees upon the amended plans of 6th September 2007, Delegated Approval of reserved matters for the siting, design and external appearance of 365 dwellings and the landscaping of the site at land south of Church Lane and West of Ermine Street South, Papworth Everard (for Barratt East Anglia/Kingsoak.

In accordance with your application dated 16th January (as amended by plans and documents franked 1st June, 17th July, 6th September and letter dated 18th September 2007) and the plans, drawings and documents which form part of the application and in accordance with outline planning permission dated 30th September 2005, reference S/2476/03/O.

All of the conditions, including standard Condition B, contained in the above mentioned outline planning permission, continue to apply so far as the same are capable of taking effect but subject to the additional conditions set out below.

ADDITIONAL CONDITIONS

1. No development shall commence until details of the materials to be used for the external walls and roofs of the dwellings and free standing walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason - To ensure the details of the development are satisfactory)
2. Temporary Parking for the Bernard Sunley Centre shall be provided prior to the construction of the northern access road from Ermine Street South and maintained until such time as a permanent, alternative car park is provided. (Reason - To ensure adequate parking is available for the Bernard Sunley Centre during the development of the site.)

3. Public Art shall be provided in accordance with the approved brief, and a detailed timetable for design and implementation shall be agreed in writing by the Local Planning Authority once the appointment of an artist has been confirmed.
(Reason - To ensure the details of the provision of public art are acceptable.)
4. Before development commences, a scheme for the provision of solar panels on 40 dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The panels shall be installed in accordance with the approved scheme.
(Reason - To ensure the details of the development are satisfactory and in accordance with Policy NE/3 of South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)
5. Before development commences, a scheme for the provision of bird and bat boxes shall be submitted to and agreed in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved scheme.
(Reason - To enhance the biodiversity of the site in accordance with Policy NE/6 of the South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)
6. Precise details of the window designs with the following house types shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details:

House Type	Style
E5 V2	11
E6	11
H2	3
H2	6
K1s	11
K1v3	11
M2	1
M2	11
-	-

House Type	Style
N1	3
N1	4
N1	4 - Terrace
N2v1 and M3	3/8
T3	3
T3	5
T3	6
T3	11
X1	-

(Reason - To ensure authentic sash windows with traditional glazing bars with the proposed small paned window types on important terraces and feature buildings, in order to enhance the character of the development in accordance with Policy DP2 of the South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)

7. No development shall commence until details of the proposed Refuse and Cycle Stores for flats have been submitted to and approved in writing by the Local Planning Authority. The Stores shall be constructed in accordance with the approved plans.
(Reason - To ensure the details of the development are satisfactory.)
8. Within 12 months of the date of this permission, the location and design and timetable of the Youth Shelter shall be submitted to and approved in writing by the Local Planning Authority. The Shelter shall be constructed in accordance with the approved plans and with the approved timescale.
(Reason - To ensure the details of the development are satisfactory.)

9. Before development commences, a site meeting shall be attended by the Council's Landscape/Trees Representative, the Applicant's Landscape/Trees Representative and the Site Manager to agree and mark on site the line of protection on the eastern side of the plantation belt. Any trees to be retained within rear gardens will be marked.
(Reason - To ensure the details of the trimming of the plantation belt are satisfactory.)
10. Following the site meeting described in Condition 9, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority indicating the line of tree protection to be erected and the trees to be retained. The fencing approved shall be in accordance with BS 5837 (2005) and shall remain in situ until replaced by permanent fencing.
(Reason - To ensure the details of the trimming of the plantation belt are satisfactory.)
11. No services or storage of materials shall be placed within the area of the plantation to be retained.
(Reason - To ensure the existing trees are not damaged.)
12. Trees in the plantation shown for retention shall not be lopped, topped or removed without the written approval of the Local Planning Authority and any tree surgery works shall be carried out in accordance with BS3998.
(Reason - To ensure the tree belt is protected throughout the course of the development.)
13. The strategic landscaping to the POS areas, namely Summersfield Green and the LAPS, the Balancing Pond and the Boundary Planting indicated on drawing 924 A2/01 - Revision D shall be carried out in the first planting season following the commencement of development. These planting/seeding areas shall be fully protected, managed, and maintained during the construction phases.
(Reason - To ensure that the landscape character of the site is established as quickly as practicable.)
14. The planting adjacent to individual residential units shall be implemented in the first planting season following the completion of the unit.
(Reason - To ensure the landscaping character of the site is established as quickly as practicable.)
15. Nine months prior to the hand-over of the landscaping/public open space to the adoptive body, the site shall be inspected by the Council's landscape/tree representative, the Developer's landscape/tree representative, the adopting body's landscape/tree representative and the Site Manager, at which time all planting/seeding defects will be listed, including causational factors. All issues raised will be fully addressed prior to handover.
(Reason - To ensure the landscaping is satisfactory.)
16. The LAPs, Equipped Play Areas, and Kick-about Area shall be implemented in accordance with the approved drawings within 3 months of the completion of the neighbouring residential development.
(Reason - To ensure adequate play provision throughout the scheme.)
17. Precise details of the play equipment and associated benches and bins shall be submitted to and agreed in writing by the Local Planning Authority before the play areas are laid out. The work shall be carried out in accordance with the approved plans.
(Reason - To ensure the details of the development are satisfactory.)

18. Before the development of Plot 306 the design of the “feature gates” shall be submitted to and agreed in writing by the Local Planning Authority. The gates shall be installed in accordance with the approved scheme.
(Reason - To ensure the gates are appropriate to the prominent location and its surroundings.)
19. Before development commences, a scheme for the lighting in parking courts shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.
(Reason - In the interests of highway and pedestrian safety.)
20. Before development commences a scheme for the protection of the grass verges in the Boulevard from car parking, involving bollards and high kerbs, shall be submitted to and agreed in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved plans.
(Reason - To ensure the verges retain an amenity function.)
21. Before development commences, a scheme for the drainage of the kickabout area shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved plans.
(Reason - To ensure the area can be used throughout the year.)

Informatives

1. Anglian Water has commented:

“Foul flows from the development must be directed to the new foul water sewer, constructed for the site by Anglian Water via Requisition under Section 98 of the Water Industry Act 1991. Under no circumstances should foul flows be directed to the sewer in Ermine Street.

There are no public surface water sewers and therefore alternative methods of surface water disposal will be required for the site, i.e. soakaways or direct to watercourses with the necessary consents. No discharge of surface water should be made to the foul system.”
2. The Council’s Ecology Officer comments:

“I accept that no bats are likely to be disturbed during building demolition. However, 2 years have passed from the initial survey and the potential for decolonisation exists - resurvey of all issues relating to protected species should be conducted where there remains potential for new colonisation and conflict with the proposed development (i.e. survey of boundary feature for badgers not required). I accept that the trees with potential for bat roosts are best protected through further planting, particularly in light of the occurrence of barbastelle bats.

Issues relating to water voles should be re-surveyed given that two years have passed and vole populations can fluctuate. This survey information must feed into the drainage proposals given that it is a protected species. If parts of the Cow Brook are to receive greater fluctuations in water levels this impact will need to be evaluated. Measures should be incorporated specifically for the water vole as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP rw/13).

As the Northern pond is proposed to be enlarged it would be prudent to re-survey it and to use torch light as well as bottle trapping (I realise that net sweeping would be too dangerous).

I accept that no further work on reptiles is required unless new information comes to light.

I accept that no Schedule 1 bird species are believed to be within the development site. A standard approach to the clearance of nesting habitat and ground nesting birds such as sky lark will be required by condition. In line with Council policy 50% of the dwellings should have an association with a bird or bat box of a high quality design. Furthermore, can any habitat be provided for farmland birds such as the skylark and grey partridge, can scrub areas be created/enhanced for bullfinches? Measures should be incorporated specifically for the house sparrow as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP urb/17). Measures should be incorporated specifically for barn owls such as the erection of boxes on trees in edge of the POS as this will also meet the aspirations of the SCDC Biodiversity Strategy”.

3. Papworth Everard Parish Council has specifically requested to be involved in the decision on the form and location of the proposed Public Art.
4. The Drainage Strategy to be submitted in compliance with Condition 17 of the outline planning permission (S/2476/03/O) shall include details of the design, including sections, of the proposed balancing pond.

Reasons for Approval:

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3 - Sustainable Design in Built Development
 - P5/3 - Density
 - P7/2 - Biodiversity
 - P7/6 - Historic Built Environment
 - b) **South Cambridgeshire Local Plan 2004:**
 - Policy Papworth Everard 2 - Density
 - Policy Papworth Everard 3 (c) - Allocation of Housing Area
 - c) **South Cambridgeshire Local Development Framework (LDF) 2007:**
 - (1) **Core Strategy**
 - PST/5 - Minor Rural Centres
 - (2) **Development Control Policies**
 - DP/1 - Sustainable Development
 - DP/2 - Design of New Development
 - DP/3 - Development Criteria
 - DP/6 - Construction Methods
 - HG/1 - Housing Density
 - HG/2 - Housing Mix
 - SF/6 - Public Art and New Development
 - SF/10 - Outdoor Playspace and New Development
 - SF/11 - Open Space Standards
 - NE/1 - Energy Efficiency

NE/3 - Renewable Energy Technologies in New Development
NE/6 - Biodiversity
CH/2 - Archaeological Sites
CH/4 - Development Within the Curtilage or Setting of a Listed Building
TR/2 - Car and Cycle Parking Standards

2. The reserved matters conditionally approved are not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact on the Existing Character of the Village and the Surrounding Countryside
 - Impact on Neighbouring Residential Properties

General

1. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them.

The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act 1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.

2. The approved plans for this application are as originally submitted unless otherwise specified in this Decision Notice. The development should be completed strictly in accordance with these plans. Any amendments to these Approved plans must be first agreed in writing by the Local Planning Authority.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy/Development Control Policies
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0093/07/RM
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 3rd October 2007
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1203/07/F - SAWSTON
Change of Use of Farm Building and Annexe to Fork Lift Truck Training Centre at Building D, Dernford Farm for C Sales

Recommendation: Approval

Date for Determination: 13th August 2007

Notes:

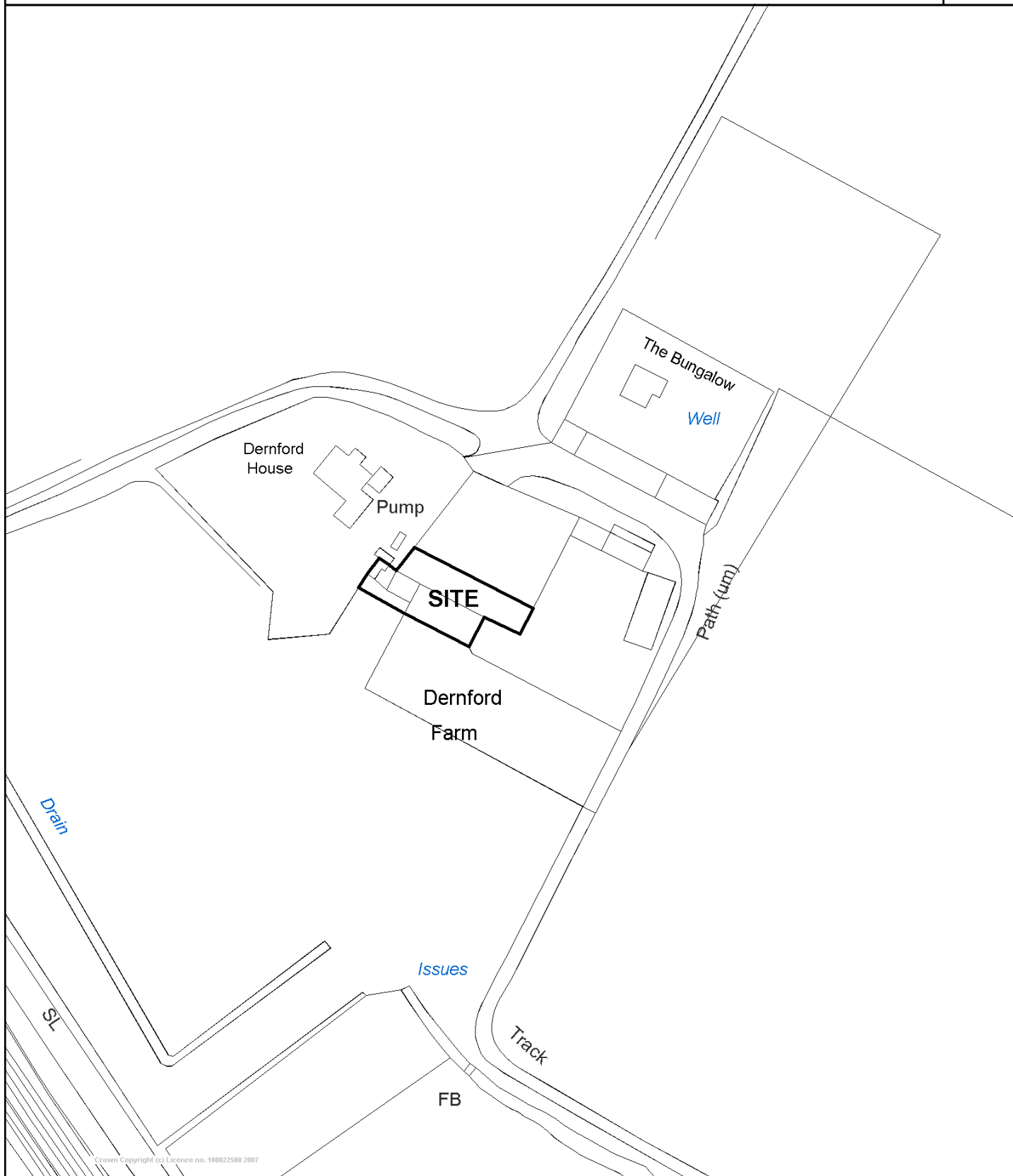
This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation of the Parish Council.

Members of Committee will visit the site on Wednesday 3rd October 2007

Update

1. Members may recall that this application was deferred from last month's Committee in order to await comments from the Local Highways Authority (LHA). If the LHA was recommending approval, the application should be referred back to Committee with a site visit and, if recommending refusal, Officers were granted delegated powers to refuse the application.
2. The Local Highways Authority raises no objections in principle, although does state that the site is difficult to locate for those unfamiliar with its location. As such, should the Planning Authority be minded to approve the proposal, a condition should be imposed requiring the production and distribution to all attendees at courses of joining instructions (to include directions of how to get to the site).
3. The possibility of whether the access constructed to serve the adjacent extraction/reservoir site would be a more appropriate access to the proposed site has also been explored. Consent for the adjacent site was granted by the County Council under application reference S/1669/02/CM. This was subject, in part, to a condition restricting the development to a limited 4 year period from the date of implementation of the consent. A further condition requires the access road that has been constructed to serve the site to be removed and the cycleway/highway verge to be reinstated within 3 months of the cessation of the gravel extraction. This condition was applied for highway safety reasons. Given that this access is only in place for a temporary period, the current application needs to be considered on the basis that the permanent access would be used to serve the proposed training centre.
4. In light of these facts, the LHA has advised that an outright recommendation of refusal could not be warranted for the level and type of traffic associated with the proposal. The concerns about the safety of users of the cycleway crossing the access

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October 2007 Planning Committee

could be improved by widening the carriageway to allow 2 vehicles to pass (minimum 4.5 metres, 5.0 metres preferred) and installing a speed reducing feature on the approach to the junction from the farm.

5. The applicant's agent is presently exploring the possibility of widening the roadway to 5 metres for 10 metres back from the highway, and the outcome will be reported to Members verbally at the meeting.
6. The applicant's agent will also be submitting amended elevations to reflect the works carried out to the building, and a revised layout plan showing the gates that have been installed at the entrance.
7. In light of the fact that the Local Highway Authority considers it would be difficult to substantiate a refusal of the application (even if it is not possible to widen the carriageway), the recommendation remains one of approval subject to an additional condition requiring the production and distribution of joining instructions. If the applicants are able to widen the access to 5 metres, this should also be conditioned as part of any consent.

Recommendation

8. Subject to the receipt of amended elevations and a revised layout plan, and to no objections being raised by the Environmental Health Officer in respect of the impact upon the amenities of occupiers of Dernford House, approval:

Conditions

1. Standard Condition A – Time limited permission (Reason A);
2. The use, hereby permitted, shall not commence until details of the rooflights have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason – To ensure the rooflights would not detract from the rural character of the building)
3. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning General (Permitted) Development Order 1995 (or any order revoking and re-enacting that order), the premises shall be used as a fork lift truck training centre only and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order).
(Reason – In order to minimise traffic generation, to protect the amenities of occupiers of the adjacent dwelling and to maintain the rural character of the area)
4. The number of employees working on the application site at any one time shall not exceed 3 and the number of operatives trained on the site at any one time shall not exceed 4.
(Reason – To ensure that the scale of the use does not generate a volume of traffic movements or activity that would result in highway safety problems or cause disturbance to residents of the adjoining dwelling)

5. The use, hereby permitted, shall not be carried out on the premises before 8am on weekdays nor after 6pm on weekdays (nor at any time on Saturdays, Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents)
6. Sc60 – Details of boundary treatment (Rc60);
7. Other than the rooflights shown within drawing number 07/1190:003, no windows, doors or openings of any kind shall be inserted in the building, hereby permitted, including in the roofspace, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To ensure that openings that would not otherwise require permission are not added to the building with consequent harm to its appearance and impact upon the countryside and Green Belt)
8. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason – To prevent the increased risk of pollution to the water environment)
9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason – To ensure a satisfactory method of surface water drainage)
10. The use, hereby permitted, shall not commence until joining instructions (to include directions to the site) have been submitted to and approved in writing by the Local Planning Authority; these joining instructions to be produced and distributed to all attendees at courses at the site. (Reason – In the interests of highway safety, as the site is difficult to locate for those unfamiliar with its location).

+ if appropriate (ie – if within the applicant's control and achievable), a condition requiring the access to be widened to 5 metres for 10 metres back from the highway, and requiring a speed reducing feature on the approach to the junction from the farm.

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2** (Environmental Restrictions on Development), **P1/3** (Sustainable Design in Built Development), **P9/2a** (Green Belts) and **P2/6** (Rural Economy)

- **Local Development Framework 2007: GB/1** (Development in the Green Belt), **DP/3** (Development Criteria) and **ET/7** (Conversion of Rural Buildings for Employment)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential Amenity
 - Highway Safety

General

1. The development must not encroach onto the footpath, any encroachment would constitute an obstruction, which is an offence under s.137 of the Highways Act 1980. If advice is required on where the boundaries of the right of way are, the Definitive Map Officer at Cambridgeshire County Council should be contacted for assistance;
2. The public footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it;
3. The surface of the footpath must not be altered without the consent of the County Council Countryside Services Team (it is an offence under s1 of the Criminal Damage Act 1971 to damage the surface of a public footpath);
4. The footpath must not be used for vehicular access to the site unless the applicant is sure that they have lawful authority to do so (it is an offence under s34 of the Road Traffic Act to drive on a public footpath);
5. The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purpose of legitimate use by members of the public in relation to that status; damage to the surface caused by non-public footpath use is repairable by those private users.

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework 2007
- Planning application references S/0771/04/F, S/1967/06/F, S/0012/07/F and S/1203/07/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

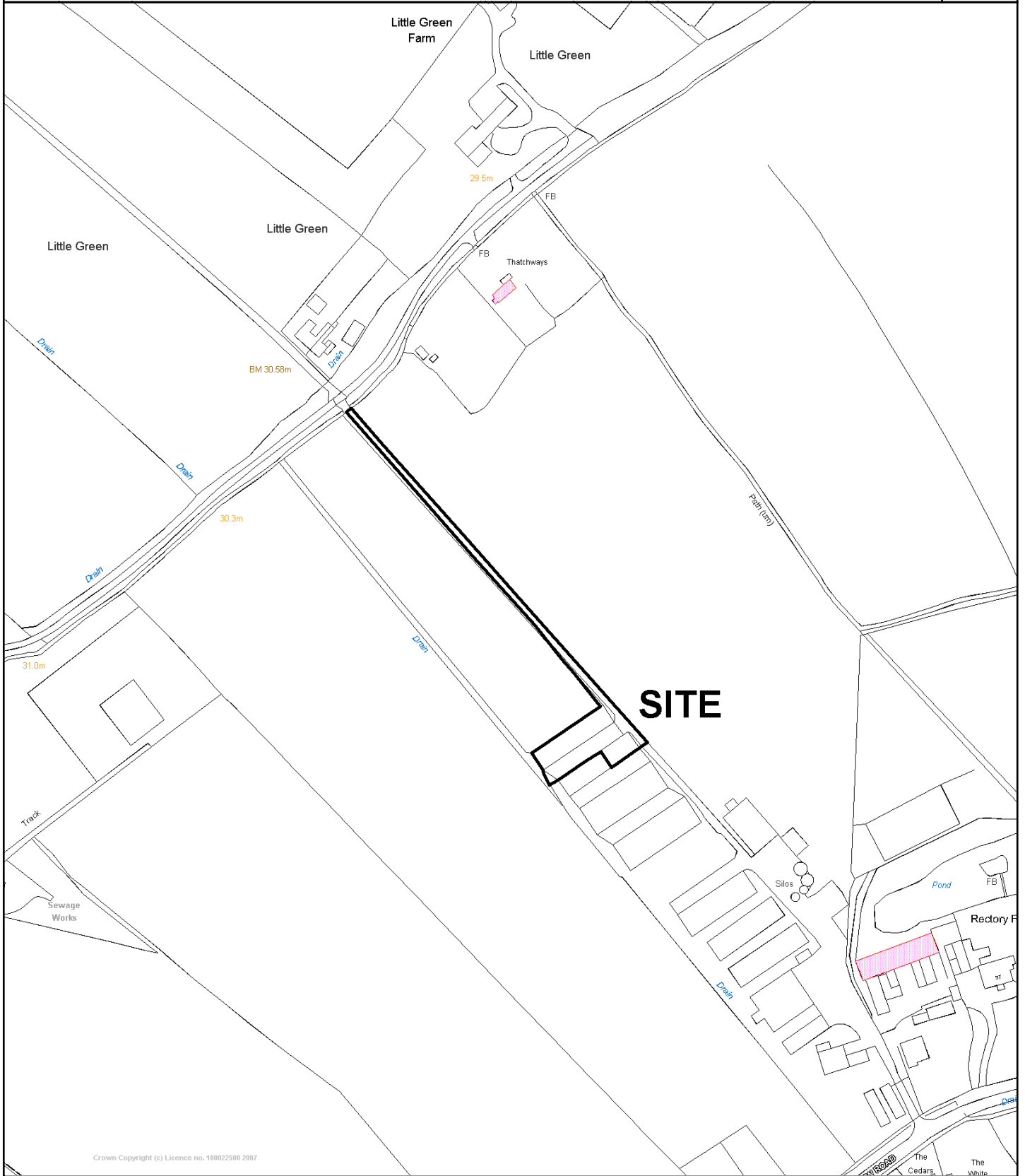
**S/1090/07/F – GILDEN MORDEN
Retrospective Change of Use from Agricultural Buildings to Storage for
Motor Vehicles for Mr Jackson****Recommendation: Approval for a limited period of 1 year****Date for Determination: 14th September 2007**

This Application has been reported to the Planning Committee for determination because the officer recommendation of approval is contrary to the response of the Parish Council.

Site and Proposal

1. The application site outside of the village framework sited to the north east of the village. The site comprises 541m² and made up of two wooden frame former turkey sheds clad in corrugated metal walls and roof. There is an internal and external storage area within the application site and a small workshop space. The building is set amongst similar buildings with agricultural uses. Access to the site is via Little Green Lane, a small rural road off Potton Road heading north out of the village. Access is not possible from New Road due to a locked gated access that is not used by the applicant.
2. Approximately 200 metres to the north, north west of the site are several residential properties including Little Green Farm. To the south east of the site is Rectory Farm and associated buildings. The nearest residential property is Rectory Farmhouse, No. 37 New Road, which is approximately 196 metres south east of the application site.
3. The full planning application received 7th July 2007 seeks a retrospective change of use from agricultural buildings to storage of motor vehicles and workshop (approx 80sq.m) for the restoration of vehicles. The application does not seek any extensions or external changes to the existing buildings. All elevations are to remain unaltered. There is no one employed at the site, and only 1 person will be present at the site part time. The application indicates that the activity is a hobby in use in the evenings from 5pm to 9pm and at the weekends between 10am to 5pm.
4. The application was submitted with a copy of a letter from the owner of Rectory Farm, Garage stating that there are no problems with the change of use or the access at this site and beneficial as an added security measure for his business Morden Commercials due to the hours worked on site. Additionally a brief planning statement outlining the change of use is included. This states the following
 - (a) Building to be used as vehicle store for privately owned vehicles
 - (b) There is no water or electricity supply in the sheds
 - (c) Any waste is removed from the site by the applicant personally

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- (d) Access to the site is via Little Green Lane and the applicant is the only person with a key to the access gate.
- (e) Consultation with the occupiers of 1, 2 and Thatchway Cottage of Little Green Lane has been positive

Planning History

- 5. There is no planning history for this site

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

- 6. **Policy P1/2 'Environmental Restrictions on Development'** states that developments in the countryside will be restricted unless demonstrated to be essential in a particular rural location.

Local Development Framework (Adopted July 2007)

- 7. **DP/3 'Development Criteria'** states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity; village or countryside character.

Consultation

- 8. **Guilden Morden Parish Council** – Recommends that *'The application should be refused, access should be via New Road not Little Green Lane'*
- 9. The **Local Highways Authority** has made the following comments:

I have looked at the planning application for Rectory Farm, Guilden Morden. From the information provided it would be difficult for the Highway Authority to sustain an objection on highway safety grounds as the change of use from Turkey Sheds to storage of vintage cars and a hobby workshop should not generate any significant increase in the level of traffic using the existing access.

- 10. The **Environment Agency** has raised no objection in principle but has suggested several informatives to be attached to the consent if minded for approval regarding surface water run off and the storage of oil on site to prevent surface water contamination.
- 11. The **Chief Environmental Health Officer** has visited this site and raises no objection on the grounds of noise or environmental pollution. The Officer is aware of the hours proposed in the application.

Representations

- 12. The occupier of Rectory Farm House; 37 New Road objects on the following grounds
 - (a) Noise – the building is not for the storage of vehicles and is in fact a breakers scrap yard. The original complaints were due to the equipment noise at the weekends occurring after the hours of the Morden Commercial site closing for the night. Occupiers state they are subject to the continual industrial noise during the week and weekends
 - (b) The size of the development – this is not a hobby but in fact a business

- (c) The hours of use are unacceptable. The commercial properties already on site have to abide by set hours and the use of the site should be the same. If allowed we will be subjected to daytime and evening noise 7 days a week
 - (d) Unresolved issues regarding adjoining land under the same ownership as that of the application site.
13. One letter has been received from the occupiers of both 1 Little Green Cottages and 2 Little Green Cottages who state

“They have been approached by the applicant and as indicated have no problem with the level of activity that is currently evident at Rectory Farm. The degree of activity in the evenings and weekends is quite acceptable and Mr Jackson has proved to be considerate and thoughtful in terms of his comings and goings”

However, concern has been raised with reference to any potential increase in activity on the site, the generation of further traffic upon the lane itself, the residents and underground pipes serving the said properties. Should the use increase the occupiers of 1 and 2 Little Lane would have serious reservations in supporting the scheme.

Planning Comments – Key Issues

14. The key issues in determining this application are:
- (a) Highway safety
 - (b) Residential amenity
 - (c) Impact on the countryside

Highway Safety

15. In light of the comments by the Parish Council the views of the Local Highway Authority were sought. The opinion was that using the access at Little Green Lane is acceptable and not seen as having an adverse impact on highway safety. Should the use increase this would be reviewed However this application is being assessed individually on its merits. I am of the view that the use of the access for the present level of activity on this site is acceptable, given the restricted space on site and its operation by one person only.

Residential Amenity

16. The distance between the application site and the nearest residential property is approximately 196 metres, other properties are located marginally further away; around 212 metres and 230 metres from the application site. Noise does travel, however there have been no complaints from the majority of the residents. Rectory Farm is a few metres closer and subject to industrial type noise on a regular basis, as are the neighbouring properties to this site. The hours the workshop is in use are reflective of the applicants' spare time mostly in the evenings and at weekends. The normal working week for the applicant is actually spent elsewhere. Working late in the evening on this site would be no different to the applicant using his own garage to carry out his hobby. In light of the scale of this hobby the applicant has had to move to larger premises. The Environmental Health Officer has raised no objections to the use at its current scale. I am sympathetic to the concerns of the occupiers of Rectory Farmhouse in regard to noise impact outside normal working hours. Therefore I

consider that the hours of use of power operated machinery should be restricted and that the operation of the site in accordance with that condition should be monitored for a limited period of one year to assess its impact on nearby occupiers

Impact on Countryside

17. The buildings are not proposed to change externally and themselves screen the open yard from public view There is no external lighting and internal lighting is said to run off a generator. Open fields surround the site and any works going on in the workshop are unlikely to have an adverse impact on its immediate surroundings The impact on the countryside from the change of use is minimal.

Recommendation

18. Having balanced the comments of the occupiers of Rectory Farmhouse and of the Environmental Health officer the approval for a temporary period of one year to monitor the impact of the use upon nearby residents, having regard to recommended condition 2.

Recommended Conditions

1. **Temporary Consent for one year** (Reason – In order that the impact of the use of the site upon residents can be assessed during this period and any future application for the use to be retained on the site can be judged in light of that assessment.)
2. **No power operated machinery (or other specified machinery) shall be operated on the premises before 8 am on weekdays and 8 am on Saturdays nor after 7 pm on weekdays and 1 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.**
(Reason - To minimise noise disturbance to adjoining residents.)

Informative

Environment Agency informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 Environmental Restrictions on Development
 - **Local Development Framework (Adopted July 2007)**
DP/3 'Development Criteria'
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Highway safety
 - Residential amenity

- Impact on the countryside

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework Development Control Policies (Adopted July 2007)
- Planning File Ref: S/1090/07/F

Contact Officer: Saffron Garner – Senior Planning Assistant
Telephone: (01954) 713082

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee3rd October 2007**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1350/07/O - WILLINGHAM
Affordable Housing Comprising 2 Houses and 2 Flats
Land Adjacent 176 Station Road, for Accent Nene Housing Association

Recommendation: Refusal
Date for Determination: 3rd September 2007

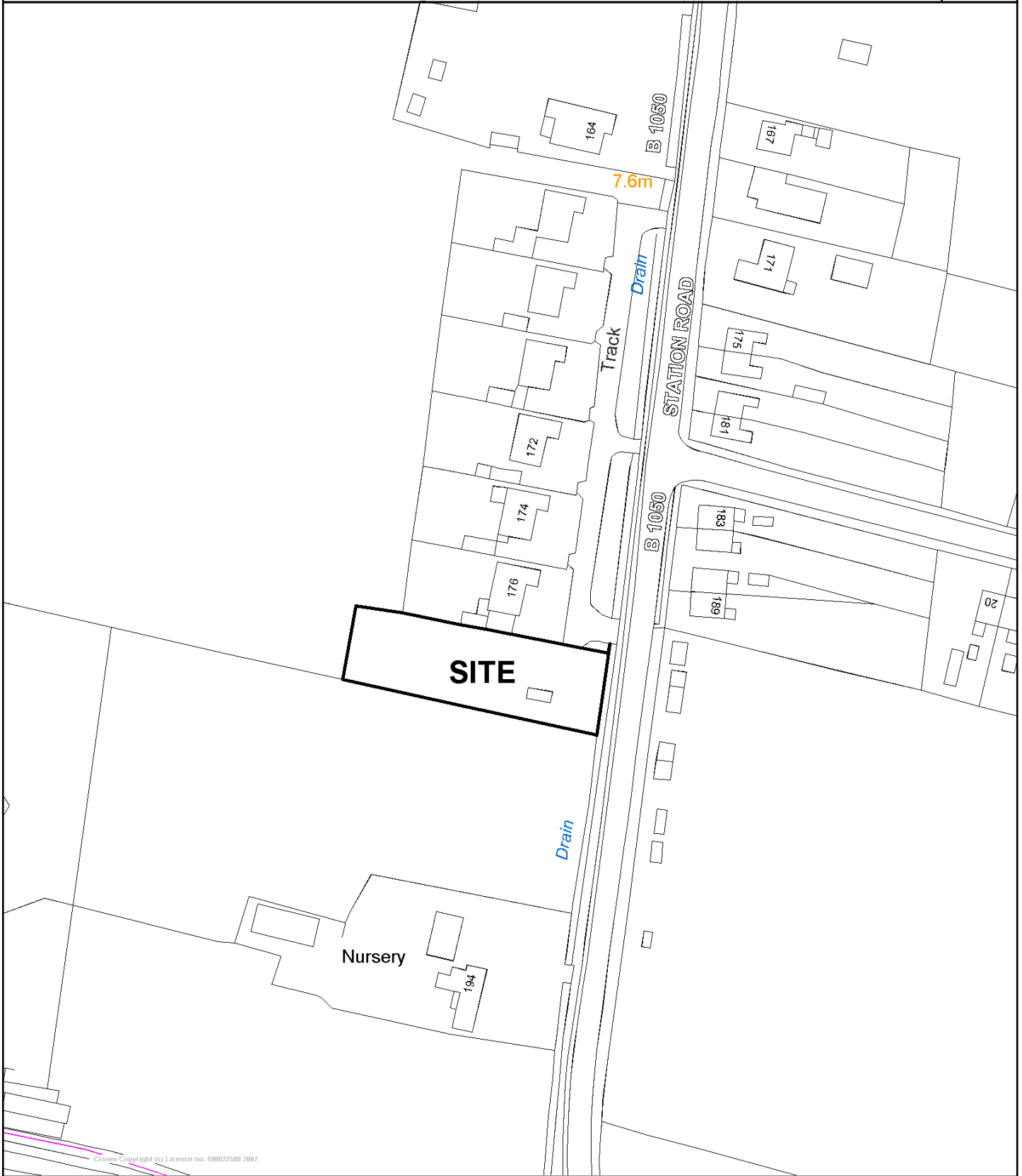
Notes:

This application has been reported to the Planning Committee for determination because it is for affordable housing on a site outside of the village framework.

Site and Proposal

1. The 0.096 hectare site lies approximately 550m south of the village framework for Willingham on the west side of Station Road which connects Willingham with Longstanton.
2. It is currently agricultural land. To the north lie a row of bungalows all accessed from a private roadway which has two points of access to Station Road.
3. To the east is a development of Local Authority housing off Westfield.
4. The roadside elevation of the site contains mature vegetation and this continues along Station Road in either direction such that the site is not readily visible.
5. There is a gap in this screening where currently an access is being formed by bridging a ditch which runs along the front of the site.
6. The southern boundary of the site is also marked with mature vegetation.
7. The Outline Planning Application, received 9th July 2007 proposes the erection of 4 affordable dwellings. Scale, appearance and landscaping are reserved, layout and access are to be considered. The accompanying Design and Access Statement indicates that the dwellings will be a mix of shared equity and rented.
8. The access would come off Station Road at the northern edge of the site immediately adjacent to the bungalow at 176 Station Road. The layout shows 2 flats in one building at the front of the site just in front of the building line of the bungalows and two semi detached dwellings to the rear. Parking for 6 cars with turning is to be provided. Indicative plans show the buildings will be 2 storey but no maximum height has been indicated. The density equates to 41.7 dwellings per hectare.

S/1350/07/0



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Scale 1/1250 Date 12/9/2007

Centre = 539956 E 268971 N

October 2007 Planning Committee

Relevant Recent History

9. Erection of one dwelling was refused and appeal dismissed in April 1970.
10. Erection of a bungalow was refused in October 1971.
11. Erection of a bungalow was refused in June 1972.
12. Erection of one detached dwelling was refused in May 1974.
13. Erection of a bungalow was refused in July 1975.
14. Erection of a dwelling was refused in February 1979.
15. Erection of a dwelling was refused in September 1979.
16. Erection of a dwelling was refused in March 1981.
17. Erection of a house was refused in July 1981.
18. Erection of one dwelling was refused and appeal dismissed in February 2002.
19. An application for part change of use for siting of mobile home, erection of two sheds and three polytunnels was submitted on 28th August 2007 and is currently under consideration.

Planning Policy

20. **Policy P1/1** (approach to development) of the Cambridgeshire and Peterborough Structure Plan 2003 (the Structure Plan) states (in part) that development should be located where travel distances by car can be minimised, walking and cycling encouraged and where good public transport accessibility exists or can be provided.
21. **Policy P1/2** (environmental restrictions on development) of the Structure Plan states (in part) that Development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
22. **Policy P1/3** (sustainable design in built development) of the Structure Plan states (in part):

A high standard of design and sustainability for all new development will be required which:

- a) Minimises the need to travel and reduces car dependency by providing
- b) An appropriate mix of land uses and accessible services and facilities
- c) Direct walking and cycle routes
- d) Good access by public transport
- e) Managed access for the private car and other motor vehicles

Provides a sense of place which:

- a) Responds to the local character of the built environment
- b) Is integrated with adjoining landscapes
- c) Conserves important environmental assets of the site
- d) Pays attention to the detail of forms, massing, textures, colours and landscaping

23. **Policy P5/4** (meeting locally identified housing needs) of the Structure Plan states:

Local Plans should make provision to meet the locally assessed need for:

- a) Affordable housing, including key worker housing
- b) One and two bedroom homes
- c) Housing suitable for the elderly and those with mobility problems
- d) Other specific groups, including students, the homeless, travellers and gypsies

24. **Policy P5/5** (homes in rural areas) of the Structure Plan states:

Small-scale housing developments will be permitted in villages only where appropriate, taking into account:

- The need for affordable rural housing;
- The character of the village and its setting; and
- The level of jobs, services, infrastructure and passenger transport provision in the
- Immediate area.

25. **Policy DP/1** (sustainable development) of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (LDFDCP) states (in part)

Development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It should:

- a) Minimise the need to travel and reduce car dependency;
- b) Make efficient and effective use of land by giving priority to the use of brownfield sites and achieve adaptable, compact forms of development through the use of higher densities;
- c) Contribute to the creation of mixed and socially inclusive communities and provide for the health, education, recreation, community services and facilities, and social needs of all sections of the community;
- d) Conserve and wherever possible enhance local landscape character;

26. **Policy DP/2** (design of new development) of the LDFDCP states (in part).

All new development must be of high quality design and, as appropriate to the scale and nature of the development, should:

- a) Preserve or enhance the character of the local area;
- b) Conserve or enhance important environmental assets of the site;
- c) Include variety and interest within a coherent design, which is legible and provides a sense of place whilst also responding to the local context and respecting local distinctiveness;
- d) Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area;

- e) In the case of residential development, provide higher residential densities, and a mix of housing types including smaller homes;
- f) Provide an inclusive environment that is created for people, that is and feels safe, and that has a strong community focus;
- g) Include high quality landscaping compatible with the scale and character of the development and its surroundings.

27. **Policy DP/3** (development criteria) of the LDFDCP states (in part):

Planning permission will not be granted where the proposed development would have an unacceptable adverse impact:

- a) On residential amenity;
- b) From traffic generated;
- c) On village character;
- d) On the countryside, and landscape character;
- e) From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust.

28. **Policy HG/5** (exceptions sites for affordable housing) of the LDFDCP states (in part):

- 1. As an exception to the normal operation of the policies of this plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages. The following criteria will all have to be met:
 - a. The development proposal includes secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in housing need;
 - b. The number, size, design, mix and tenure of the dwellings are all confined to, and appropriate to, the strict extent of the identified local need;
 - c. The site of the proposal is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village;
 - d. The site is well related to facilities and services within the village;
 - e. The development does not damage the character of the village or the rural landscape.

4.17 National policy allows for the exceptional release of small sites for affordable housing within or adjoining villages in circumstances where planning permission would not normally be given and where there is a demonstrable local need for affordable housing that cannot be met in any other way. These 'rural exceptions' sites provide a small but important source of affordable

housing in rural areas and are regarded as additional to the provision of housing to meet the general needs identified by the Structure Plan.

- 4.18 In every case the needs of the particular village are carefully surveyed and assessed by the Council before a scheme is progressed. Occupancy controls are imposed to ensure that the benefits of affordability (usually gained by the low land value derived from the exceptional basis of the scheme) are preserved in perpetuity for subsequent occupiers.

Consultation

29. **Willingham Parish Council** recommends approval. It states:

“Willingham Parish Council notes that this application is outside the village envelope but it very much wishes to support the provision of much-needed low-cost housing. It therefore approves this application at the Outline stage”.

30. **Local Highway Authority** objects. It states:

Please request that the applicant show 2.4m x 125m visibility splays from the proposed development to Station Road.

There is clearly a conflict between the existing access to 176 Station Road and the proposed access to the development. The proposed radii kerbs encroach upon the left hand turn sweep of any vehicle entering the drive of 176 Station Road. This conflict needs to be resolved before a detailed application is made. The simplest solution would be to hand the development.

Any full application should show all the proposed dimensions for the footway and road widths.

Please make the applicant aware that the granting of a planning permission would not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works”.

Following these comments I have informed the Local Highway Authority that the access and layout are matters for determination and it has confirmed that it objects to the location of the access due to potential conflict with vehicles using this and the existing immediately adjacent access which serves a number of dwellings.

31. **Affordable Housing Panel**

The panel concluded that there are several problems with this development both site specific and in terms of its location but was also mindful of the significant need for affordable housing to serve Willingham and the possible unavailability of alternative sites.

32. **Council’s Development Officer (Housing)** supports the principle of the provision of much needed affordable housing in Willingham, but fully appreciates the policy for exception sites and agrees that this particular site proposal is not particularly well placed for access to village amenities. Consideration of more suitable sites should be explored.

Representations

33. Two letters of objection have been received from the occupiers of Nos. 174 and 176 Station Road. The main points of objection are summarised below:

1. No. 176

- a) Access is new not existing.
- b) Access is dangerous in combination with existing access to 166 – 176.
- c) Consistent history of refusal of planning permission for a single dwelling due to highway safety concerns.
- d) Not in keeping with surrounding properties.
- e) Site not within or adjoining the village.
- f) Detracts from the open and rural appearance and character of the area – ground which the Council has previously cited as reasons for refusal.
- g) What will the use of the land immediately in front of the flats be.
- h) The access will add to the impact on the character of the area.
- i) Increase in noise and disturbance.
- j) Problems with providing adequate sewage disposal.
- k) Will impact on existing trees at 176.
- l) Northstowe will address much of the housing need.
- m) Development is unsustainable.
- n) Affordable housing has come forward within the village and it is questionable whether exception sites are needed.

2. No. 174

- a) Increased traffic flow to an already busy road.
- b) Development is a good mile from the centre of the village and further from the guided bus. The residents will have to have a car each.
- c) Insufficient car parking may result in parking on bungalow access road.

Planning Comments - Key Issues

34. The key issues are:

Need
Location and sustainability
Neighbour amenity
Visual impact
Highway safety

Need

35. There is a significant need for affordable housing for people in Willingham. The Housing Development Manager indicates that the low cost housing survey of 2003 suggests a need for 112 units over a 5 year period.

Location and sustainability

36. The site lies some 550m outside of the village and is neither within or adjoining it. It is not well related to the built-up area of the settlement and not well related to facilities and services within the village. As such it lies in an unsustainable location and is contrary to Policy HG/5 as well as to policies aimed at resisting unsustainable developments.
37. Policy HG/5 is already an exception to other policies in the plan recognising the considerable need for affordable housing in the District. I can see no reason why an exception to the exception policy could be justified in this instance for a development that will necessitate the need for unnecessary travel. It is likely that all journeys into the village, even to simply buy a newspaper, will be by car.
38. This small hamlet of dwellings exists and were constructed prior to the emphasis on sustainability. The presence of this unfortunate situation cannot justify further development which will only serve to exacerbate the problem.

Neighbour amenity

39. The proposed access will run along the whole southern boundary of the neighbouring bungalow at 176 Station Road. The resultant vehicle movements and manoeuvring will have an adverse impact on the occupiers of this property through undue noise and disturbance. If the access were relocated to the southern edge of the site it would necessitate locating the buildings closer to this bungalow and could introduce potential issues of overbearing and loss of light. In any case the location and position of the access are for determination as applied for.

Visual impact

40. There is good screening along the boundary with Station Road and some within the site. Much of what is within the site will be lost and the opening up of the access onto Station Road will result in the development being visible from Station Road. It is hard to assess quite how visible the two storey structures will be as the application gives no indication of maximum height. However, in my assessment two storey buildings will be visible from both Station Road and from two tracks that run to the south and west of the site.
41. The existing development on this side of the road is all single storey and linear in form. It is not readily apparent from Station Road. The introduction of two storey development in depth will be wholly out of character with this pattern of development and will be apparent in both the street scene and when viewed from the countryside.
42. There is insufficient space available within the site for any meaningful planting to be achieved, particularly at the location of the parking spaces to the rear and on the southern boundary.

Highway Safety

43. I note the comments of the Local Highway Authority and in this regard I consider the proposed access lying immediately adjacent to an existing shared access will result in a danger to highway safety through the potential conflict of vehicles using both accesses at the same time.

Conclusions

44. There is a significant need for affordable housing in Willingham. However, this site is in the wrong location and will have too much impact on the amenity of neighbours, visual impact on its surroundings and cause danger to users of the highway. Having balanced my concerns with the significant need for affordable housing I find I cannot recommend this proposal for approval. In addition I am not satisfied that there are no other sites that are better related to the village. I have seen no evidence that this is the case and the applicants have submitted no information that demonstrates this.

Recommendation

45. Refusal for the above reasons of location/sustainability, undue impact on neighbour amenity, visual impact on the street scene and countryside, danger to highway safety and insufficient justification for a departure from Development Plan Policies.

Background Papers:

- Planning Application File Ref S/1350/07/O
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007

Contact Officer: Nigel Blazeby – Area Planning Officer
Telephone: (01954) 713165

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	3 October 2007
AUTHOR/S:	Catriona Dunnett, Principal Solicitor	

FORMER LAND SETTLEMENT ASSOCIATION AGREEMENT AT FEN DRAYTON**Purpose**

1. The purpose of this Report is to ask Members to terminate an Agreement entered into on the 30th March 1937 between the Land Settlement Association Limited and the Chesterton Rural District Council (our predecessor authority).

Executive Summary

2. For the reasons as summarised in the background information it is felt that this Agreement is no longer of any use in planning terms, and therefore needs to be terminated.

Background

3. On the 30th March 1937, an Agreement was entered into between the Land Settlement Association Limited and the Chesterton Rural District Council. This Agreement was for "the reservation of open spaces in the Parish of Fen Drayton". The Agreement was entered into under Section 34 of the Planning Act 1932, and this would now be an Agreement under Section 106 of the Town and Country Planning Act 1990 which is, of course, a Planning Obligation.
4. The effect of the 1937 Agreement was that all properties within an area of 235 acres at Fen Drayton were subject to agricultural occupancy conditions which meant that on that particular Estate, only agricultural/horticultural use was allowed. Over the years, a few parcels of land had been exempted from the Agreement, such as the County School, some council housing, and some properties close to Fen Drayton High Street, which form part of the built framework of the village. However, most of the properties remain part of the Agreement and, as such, have the agricultural occupancy condition still applied to them.
5. In the seventy years that have elapsed since the Agreement was signed, as one would expect, the law relating to Town and Country Planning has changed considerably. There was a consolidating Act of Parliament in 1947, and the present major legislation is Town and Country Planning Act 1990. The effect of this legislation means that South Cambridgeshire District Council, like all other Planning Authorities in the country, have devised and adopted Planning Policies, and the present position with regard to the adoption of Planning Policies is that the land is subject to the South Cambridgeshire Local Plan Policy 2004, Policy Fen Drayton 1 and also the District Council Development Control Policies adopted in July 2007.
6. Paragraph 28.20 of the 2004 Local Plan states "It is the District Council's view that the Agreement now be replaced by the above statutory Local Plan Policy (Fen Drayton 1) which confirms that the former estate is to be subject to the countryside policies of the Development Plan".

7. This means that the terms of the original 1937 Agreement have been superseded by legislation and the existing Planning Policies in the District, such that the regulation of the Fen Drayton land being subject to the 1937 Agreement can now be controlled by the Countryside Policies of the Development Plan.

Considerations

8. In light of the executive summary and background information Members are asked to consider whether this Agreement entered into over 60 years ago has any value now, given that it has been superceded by the adoption of planning policies.

Options

9. Members are asked to pass a resolution to terminate this Agreement.

Implications

10. There are no specific implications since bringing the Agreement to an end will still mean that the land in question is protected by the existing planning policies.

Consultations

11. There have been no specific consultations since the only people affected by the Agreement are those who live in the area covered by the said Agreement and virtually all the people so affected have written in over the years, and particularly in the last year asking if the Agreement can be brought to an end.

The Effect on Annual Priorities and Corporate Objectives

12.	Affordable Homes	} Not specifically affected
	Customer Services	
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	The termination of the Agreement will enable the land in question to be protected by existing planning policies.
	Sustainability	} There are no specific implications
	Partnership	

Conclusions/Summary

13. When this Agreement was entered into 60 years ago it did have the benefit of protecting the properties concerned and ensuring that they would be subject to agricultural occupancy conditions. Since then such protection as is needed is now covered by existing planning policies such that this Agreement is no longer of any real benefit.

Recommendation

14. It is **RECOMMENDED** that the Agreement now be brought to an end.

Background Papers: All of the following background papers are contained on a file in the Legal Office reference PLAADV.1865 and these have been used in the preparation of this report.

These documents are available for public inspection.

Contact Officer: Catriona Dunnett, Principal Solicitor
Telephone: (01954) 713308

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 3rd October 2007
AUTHOR/S: Executive Director / Development Control Quality Manager

**REQUIREMENTS OF THE NATIONAL STANDARD
APPLICATION FORM AND THE IMPLICATIONS FOR THE
DEVELOPMENT CONTROL SERVICE**

Purpose

1. To consider the implications of the revised timetable for the 1App System in relation to the Council's planning functions.

Background

2. As part of the drive to provide a quicker, more predictable and efficient planning service, the Government has decided to introduce a mandatory standard electronic application form covering planning permission and other associated consent regimes to be used by all planning authorities. The proposals emphasise interactive electronic application forms, although there will be an opportunity to use a paper-based version.
3. In August 2007 the Government published its requirements to enable the introduction of a Standard Planning Application Form (1APP) for planning permission and other associated consents to be used by all authorities.
4. This will mandate the use of 1APP when applying for planning permission. The legislative changes will now commence on Sunday 6th April 2008 rather than Monday 1st October 2007 as previously stated.
5. From 6th April 2008, the 1APP will replace all existing types of planning application forms (except minerals) and will become the only legal way of submitting a planning application.

Requirements

6. Different types of application and scale of applications will require different levels of information and supporting documentation to be submitted to render each application valid. In all cases the requirements will be specified by the local planning authority. They will comprise a national core list, that will apply in all cases, and additional items specified locally from a list provided by central government.
7. In developing the 1APP system there is a need to develop local criteria to clearly identify what needs to be submitted alongside the national standard application form. This will require consultation to be carried out with the key stakeholders to ensure that the relevant type of information is supplied with a specific type of application.
8. Under the guidance recently published a 'Local Validation List' for each application type, is required to be consulted upon for a minimum of 6 weeks and to be adopted by the local planning authority by formal resolution prior to publication both electronically and in paper format. The purpose of this report is to record the formal resolution of this Committee to consult on the proposed local validation list. To ensure even greater consistency between authorities in Cambridgeshire it is hoped that the County Authorities will be able to carry out a joint consultation exercise.

Recommendation

9. That the Committee approves the suggested timetable (as set out in **Appendix 1**) for consultation, over a 6-week period, on the Local Validation List for different application types. I shall report back following consultation with the suggested Local Validation List for adoption by this Committee in early 2008.

Background Paper:

The Validation of Planning Applications - Draft Guidance for Local Authorities August 2007.

Contact: officer: David Rush – Development Control Quality Manager
Telephone: (01954) 713153

Appendix 1

Recommended process for determining information requirements for planning applications	Date
Resolution to Planning Committee to consult on the proposed local list for different application types.	3 October 2007
Consult Stakeholders with a minimum period for consultation with relevant stakeholders should be 6 weeks.	October and November 2007
Formal review of comments	December 2007
Report back for formal resolution and adoption of the local lists by the Planning Committee	9 January 2008 or 6 February 2008
Publication of the adopted local lists on the local planning authority website (and made available through the Planning Portal) in addition to paper copies being made available at planning reception.	February or March 2008
Review of Local List	February 2011

Last implementation date for new validation arrangements – 6th April 2008

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