

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

t: 03450 450 500  
f: 01954 713149  
dx: DX 729500 Cambridge 15  
minicom: 01480 376743  
[www.scambs.gov.uk](http://www.scambs.gov.uk)



29 June 2010

To: Chairman – Councillor Pippa Corney  
Vice-Chairman – Councillor Robert Turner  
All Members of the Planning Committee - Councillors Val Barrett, Trisha Bear,  
Brian Burling, Lynda Harford, Sally Hatton, Sebastian Kindersley,  
Mervyn Loynes, Charles Nightingale, Deborah Roberts, Hazel Smith,  
Peter Topping, John F Williams and Nick Wright.

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, 7 JULY 2010 at 2.00 p.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully  
**GJ HARLOCK**  
Chief Executive

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## AGENDA

## PAGES

### PUBLIC SPEAKING

Those non-Committee members wishing to address the Planning Committee should first read the Public Speaking Protocol.

### PROCEDURAL ITEMS

- 1. Apologies**  
To receive apologies for absence from committee members.
- 2. General Declarations of Interest**
- 3. Minutes of Previous Meeting**  
To authorise the Chairman to sign the Minutes of the meeting held on 27 May 2010 and 2 June 2010 as correct records. These minutes are attached to the electronic version of the agenda and

1 - 2

can be viewed by following the links from  
[www.scams.gov.uk/meetings](http://www.scams.gov.uk/meetings).

#### **PLANNING APPLICATIONS AND OTHER DECISION ITEMS**

- |            |   |                  |
|------------|---|------------------|
| <b>4.</b>  | <b>S/1709/09/RM - Willingham (Land to the South-East of 2 Short Lane)</b>   | <b>3 - 12</b>    |
| <b>5.</b>  | <b>S/0234/10/F - Willingham (12 Green Street)</b>   | <b>13 - 24</b>   |
| <b>6.</b>  | <b>S/1397/09/O - Caldecote (at Land to the East of 18-28 Highfields Road)</b><br>Appendices 1 and 2 are attached to the electronic version of the agenda and can be viewed by following the links from <a href="http://www.scams.gov.uk/meetings">www.scams.gov.uk/meetings</a> . | <b>25 - 46</b>   |
| <b>7.</b>  | <b>S/0551/10/F - Duxford (The Red Lion Hotel, Station Road East)</b>  | <b>47 - 56</b>   |
| <b>8.</b>  | <b>S/0664/10/F - Foxton (Foxton County Primary School, 11 Hardman Road)</b>   | <b>57 - 60</b>   |
| <b>9.</b>  | <b>S/1366/09/F - Gamlingay (Land off Station Road, and to the East of Merton Grange)</b>  | <b>61 - 68</b>   |
| <b>10.</b> | <b>S/0634/10/F - Harston (123 High Street)</b>  | <b>69 - 74</b>   |
| <b>11.</b> | <b>S/1780/09/F - Longstanton (All Saints Church, Rampton Road)</b>  | <b>75 - 80</b>   |
| <b>12.</b> | <b>S/0177/03/F - Meldreth (Biddalls Boulevard, Kneesworth Road)</b>   | <b>81 - 88</b>   |
| <b>13.</b> | <b>S/0559/10/F - Papworth Everard (Papworth Hospital, Ermine Street South)</b>  | <b>89 - 94</b>   |
| <b>14.</b> | <b>S/1608/09/F - Fen Drayton (The Old School, High Street)</b>  | <b>95 - 102</b>  |
| <b>15.</b> | <b>S/1480/09/F - Sawston (A Henry &amp; Co, Portobello Lane)</b><br>Appendices 1 and 2 are attached to the electronic version of the agenda and can be viewed by following the links from <a href="http://www.scams.gov.uk/meetings">www.scams.gov.uk/meetings</a> .              | <b>103 - 112</b> |
| <b>16.</b> | <b>S/0627/10/F - Sawston (Former Marley Buildings Ltd, Dales Manor, Babraham Road)</b>  | <b>113 - 120</b> |
| <b>17.</b> | <b>S/0594/10/F - Great Abington (48 North Road for Park Tonks Ltd)</b>  | <b>121 - 128</b> |
| <b>18.</b> | <b>S/0640/10/F - Great Shelford (36 - 38 Woollards Lane)</b>  | <b>129 - 134</b> |
| <b>19.</b> | <b>S/0330/10/F - Great Shelford (66 Cambridge Road)</b>   | <b>135 - 140</b> |
| <b>20.</b> | <b>S/0495/10/F - Horningsea (Church End House, Church End)</b>  | <b>141 - 146</b> |
| <b>21.</b> | <b>Tree Preservation Order - Linton</b><br>To confirm the Order   | <b>147 - 150</b> |

## **INFORMATION ITEMS**

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| <b>24.</b> | <b>Cambourne - Drainage update</b>  | <b>169 - 170</b> |

### **OUR VISION**

- We will make South Cambridgeshire a safe and healthy place where residents are proud to live and where there will be opportunities for employment, enterprise and world-leading innovation.
- We will be a listening Council, providing a voice for rural life and first-class services accessible to all.

### **OUR VALUES**

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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### **Disturbance by Public**

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

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and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) ..... 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(s) ..... of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

### **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 – 7 July 2010 – Declaration of Interests

Councillor .....

**Personal / Personal and Prejudicial [delete as appropriate]**

Item no: ..... App. No. .... Villlage: .....

Reason:

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**Personal / Personal and Prejudicial [delete as appropriate]**

Item no: ..... App. No. .... Villlage: .....

Reason:

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**Personal / Personal and Prejudicial [delete as appropriate]**

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/1709/09/RM - WILLINGHAM****Submission of Reserved Matters for the Approval of Access, Appearance, Landscaping, Scale and Layout of Outline Planning Consent S/0559/06/O for the Erection of 5 Dwellings and Garages Following Demolition of Existing Garage, Land to the South-East of 2 Short Lane, for Mr and Mrs R Laffling****Recommendation: Delegated Approval****Date for Determination: 16 February 2010****Notes:**

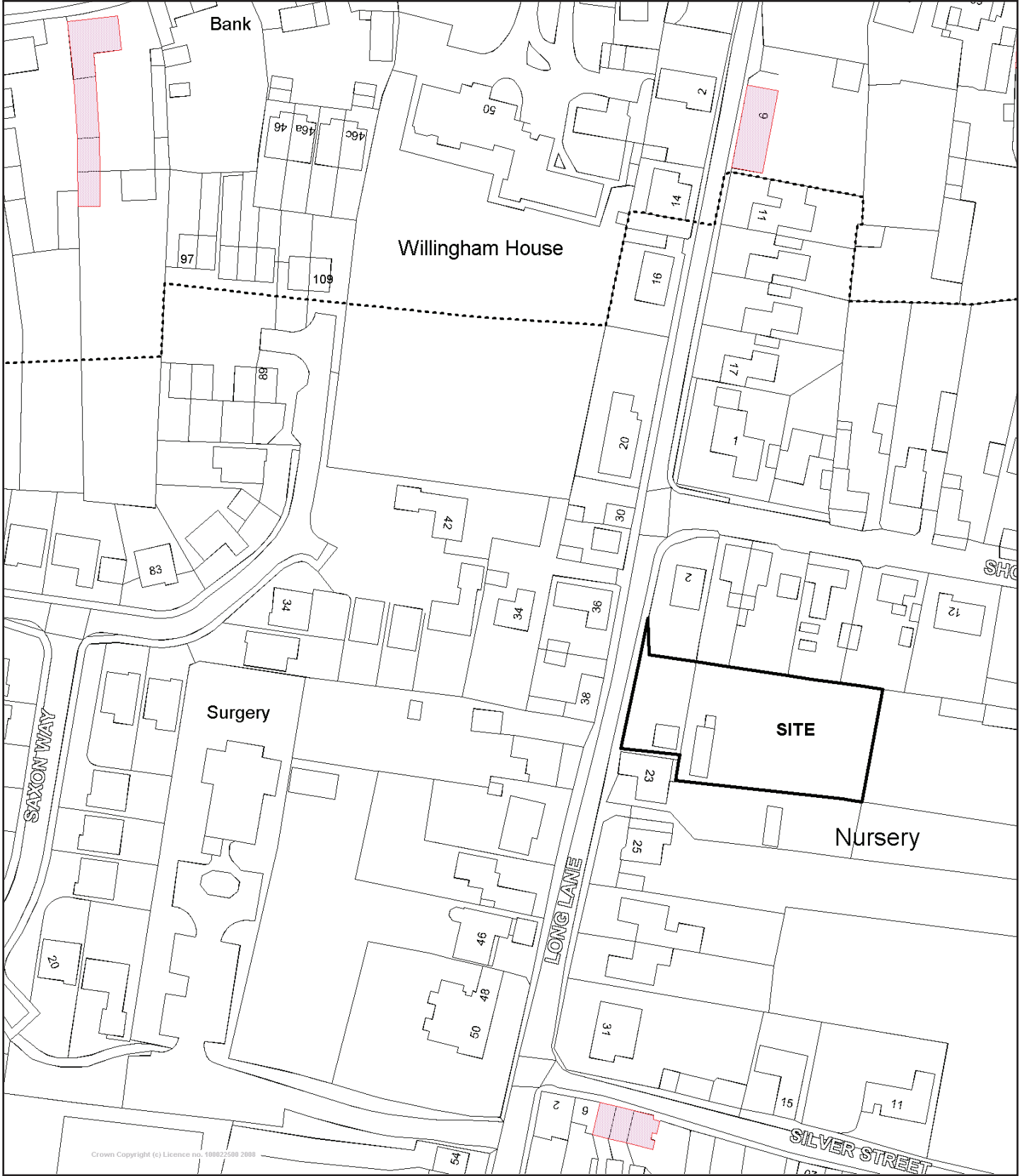
**This Application has been reported to the Planning Committee for determination because the officers recommendation of delegated approval conflicts with the recommendation of refusal received from Willingham Parish Council.**

**Members will visit this site on Wednesday 7 July 2010**

**Site and Proposal**

1. This reserved matters application, as amended by drawings franked 16 June 2010, seeks approval of access, appearance, landscaping, scale and layout for the erection of 5 detached dwellings and garages following demolition of an existing garage, on land fronting Long Lane to the south east of 2 Short Lane following the granting of outline planning consent in January 2007.
2. The site, which extends to 0.15ha, currently belongs to No. 2 Short Lane, Willingham, a detached house on the corner of Short Lane and Long Lane. The site, which fronts Long Lane, is to the south of properties in Short Lane. To the south of the site is No. 23 Long Lane, a detached house, and its long rear garden. To the rear (west) the site adjoins the rear garden of No. 14 Green Street, a Grade II Listed Building.
3. Opposite the site, on the other side of Long Lane, are residential properties sited close to the road. The site is currently partially overgrown and was formerly in horticultural use. The existing flat roofed garage to be demolished is located adjacent the garden of No. 23 Long Lane.
4. Long Lane is one-way with traffic permitted to travel from north to south.
5. The application proposes the erection of 4 houses and a bungalow, with a 2 bedroom bungalow and linked 3 bedroom house fronting Long Lane, and a 3 bedroom detached house and two four bedroom detached houses sited in the rear section of the site. A new access will be formed from Long Lane, to the south of the boundary with No. 2 Short Lane, with a roadway leading into the site. All the new properties will be served from the new roadway with each property being provided with a single garage and parking space in front.

S-1709-09-F



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Scale 1/1250 Date 21/6/2010

Centre = 540594 E 270336 N

July 2010 Planning Committee

6. The application is accompanied by a Design and Access Statement.
7. The density is 33 dph.

**Planning History**

8. **S/0556/09/O** – Residential Development – Approved with all matters reserved.
9. **S/2007/05/O** – Residential Development - Refused.

**Planning Policy**

10. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**

**Policy ST/5** – Minor Rural Centres

11. **South Cambridgeshire Local Development Framework Development Control Polices adopted July 2007:**

**DP/1** – Sustainable Development

**DP/2** – Design of New Development

**DP/3** – Development Criteria

**DP/4** – Infrastructure and New Developments

**DP/7** – Development Frameworks

**HG/1** – Housing Density

**HG/2** – Housing Mix

**HG/3** – Affordable Housing

**SF/10** – Outdoor Playspace, Informal Open Space, and New Developments

**SF/11** – Open Space Standards

**NE/1** – Energy Efficiency

**TR/2** – Car and Cycle Parking Standards

12. **Open Space in New Developments SPD** – adopted January 2009
13. **Biodiversity SPD** – adopted July 2009
14. **District Design Guide SPD** – adopted March 2010
15. **Affordable Housing SPD** – adopted March 2010

**Consultation**

16. **Willingham Parish Council** recommends refusal of the application as originally submitted. “It is considered that this is a gross over-development of the site located on a one-way street with attendant traffic flow problems. There is no apparent provision for social housing. The plans show three properties with four bedrooms whereas the accompanying documentation refers to three-bedroom properties only.

Comments on the amended scheme will be reported at the meeting.

17. The **Local Highway Authority** confirms that it would not wish to adopt the development in its present format. Visibility spays of 2.4m x 70m should be provided in a northerly direction, and these should be shown on the drawings. It comments in

respect of the original drawings that the vehicular access should be formed using dropped kerbs rather than the radii ones shown.

Conditions should include - no unbound material should be used in the surface finish of the driveway within 6 metres of the highway boundary of the site; adequate drainage measures to prevent surface water run-off onto the adjacent public highway; method statement for the process of construction; provision of parking and turning facilities clear of the public highway; and no structure overhanging or projecting upon the public highway.

Comments on the amended scheme will be reported at the meeting

18. The **Councils' Section 106 Officer** notes that Condition 7 of the outline approval required a Section 106 Agreement to be entered into requiring the payment of a financial contribution towards the provision of educational facilities in the local areas, although it appears no other obligations were identified and 'conditioned' in relation to the outline application.

## Representations

Comments have been received in respect of the original submission from:

19. The occupiers of **4 Short Lane** are concerned that the development may lead to a loss of daylight or sunlight if their home and/or garden are overshadowed by the development.
20. The occupiers of **23 Long Lane** object. The position of plots 1 and 2 would cause a significant reduction in natural light entering the kitchen of 23 Long Lane. This is the only downstairs window on the north side of the property and would significantly impact use of the room, would affect light entering the hall and dining room, and would increase the energy requirements needed to use this room.
21. It is suggested that plots 1 and 2 could be positioned so that the front of the buildings is level with the current line of the existing double garage, which is to be demolished as part of this proposal.
22. The access road for the entire plot could be positioned adjacent to 23 Long Lane which would alleviate the problem without causing significant issues to the houses on Short Lane, which are further back from the site.
23. Plots 1 and 2 could be rotated through 180 degrees such that the rear gardens of these plots are adjacent to Long Lane and hence the back house walls closest to Long Lane are further from the road, which would alleviate the problem.
24. In addition to the above the position of plot 3 and the windows which are shown in the rear aspect would significantly reduce the privacy of well used areas of the rear garden of No. 23. This could be alleviated by rotating plot 3 through 90 degrees such that the front of the house faced plots 4 and 5 and such that the back garden would become a side garden.
25. The position of plot 4 is close to the boundary of 23 Long Lane and any front or rear first floor windows would significantly reduce the privacy of well used areas of the garden of No. 23. This could be alleviated by moving the garage for plots 4 and 5 from the centre to the boundary of 23 Long Lane, for the garage of plot 4, and adjacent to the rear gardens of Short Lane for plot 5.

26. There is concern over surface water drainage.
27. The occupier of **38 Long Lane** states that there are no objections to the principle of development, however there are serious concerns that various necessary safeguards to privacy and road safety will not be put in place. No. 38 will be the house most affected by the development. According to plans a pair of semi-detached, two-storey houses will be sited directly opposite No. 38 and the frontages of these will be considerably further forward than the line of the existing garage to be demolished and the building line of other houses in Long Lane. If built as proposed there will be a loss of privacy and light to No. 38, with residents of the new properties being able to look directly into the living rooms and bedrooms at very close range and *visa versa*. As No. 38 is already *in situ* the only reasonable solution must be to ensure that the new houses are built no further forward than the line of the existing garage.
28. The proposed entry point to the new development will be directly opposite the driveway of No. 38, which will be inherently dangerous as the road is barely 5m wide at this point. Whilst it is not likely that the plans will be changed it is essential that there are clear road markings to show who has priority at this junction.
29. The proposed development will lead to an on-road parking problem in Long Lane. It can be expected that the five houses will, as a minimum, generate a parking requirement for eight cars, not including visitors. Whilst the drawings show provision for five single garages with hard-standing in front 2006 statistics show that while 53% of households had access to a garage, only 24% used them, therefore four or five cars from the development may be parked overnight outside the houses, with more cars parked around the development when the properties have visitors. It is therefore likely that there will be no room for cars to park on the access road and cars will therefore park in Long Lane outside existing properties, making it very difficult/impossible for existing occupiers to reverse into drives. The view of drivers when backing out of properties in Long Lane could easily be obscured, as could the view of these vehicles from oncoming drivers by parked cars. Cars parked outside No. 2 Short Lane would pose an even greater visibility hazard to drivers turning out of the new development. The only solution would be to ban parking on Long Lane in the vicinity of the access road to the new development and the Council is urged to order this, should the development go ahead.
30. The potential problem of parked cars becomes more of an issue as school children and mothers with infant children often walk in the road at this point, as the footpath is narrow and slopes steeply towards the road, often becoming slippery when it is wet or icy. Access may also be an issue for the Councils' refuse vehicles and those from the emergency services.
31. There are major concerns about the impact of construction traffic and although a condition may be placed on the planning consent it is inconceivable that constructors and visitors will not try and park their cars/other vehicles on Long Lane thereby exacerbating the problems already described. This emphasises the need for adequate parking restrictions to be put in place before development commences to ensure that access is not denied to existing properties and that at least 24 hours notice is given of any planned interruption to services.
32. The occupiers of **36 Long Lane** comment that they originally opposed the development on the grounds of the safety of children and mothers going to school, and patients attending the Doctors surgery, due to cars being unable to see traffic coming from the right. Due to the deplorable state of the pavements in Long lane people have

to walk in the middle of the road. It is therefore requested that it is ensures that the development has either a rumble strip or sleeping policemen at least 3 metres back from the entrance, which might help safety.

33. It has been noted that when the drive of No. 2 Short lane, which exists onto Long Lane, is in use, the two metre visibility splay of the new development becomes inoperative. It is requested that more of the close boarded fence and hedge be removed to provide a 4 metre splay.
34. It is noted that the location plan indicates that an apple tree may be removed and this should be resolved before any work is allowed to start, as it is understood that the new law is supposed to protect fruit trees.
35. As stated at the outline stage, the sewer in Long Lane is constantly attended by Anglian Water because of blockages. Are there any plans to rectify this prior to connecting a further five houses?
36. As previously stated it is a very dangerous lane for Mothers and children between 08.15 and 08.40 and 15.15 and 15.45. Could there be a restriction on lorry movements between these times and can assurance be given that all delivery vehicles to the site will adhere to the one-way system?
37. The occupier of **29 Long Lane** objects in principle. Continual building is not sustainable. In the past there was a strict line of development; the front pair of semis is in front of this – why?
38. There needs to be a wide visibility splay as Short Lane and Long Lane traffic will converge a short way from the access to the new site. Some form of regulation should be added to the plans whereby parking in Long Lane by the new houses could be negated. Providing adequate parking at the rear of the houses would solve this problem. This part of Long Lane forms the route for about 50% of traffic to the primary school, plus pedestrians. The pavements are in an unsatisfactory condition, especially as many school going mothers have prams.
39. It would be desirable if some form of planting be provided to make it as environmentally positive as possible.
40. The sewage system in Long Lane from 50 to 38 is low in gradient and the occupiers at 29, 27, 25, 48 and 38 have had problems in the past – this is a concern.
41. The occupier of **8 Short Lane** objects over residential amenity, visual impact and the intrusion of the development, particular in relation to the proposed development of two dwellings to the rear of the development. No. 8 Short Lane directly overlooks property and the development would have a dramatic effect to the light and visual amenity, noise and overshadowing.
42. Any comments received in respect of the amended scheme will be reported at the meeting

### **Planning Comments – Key Issues**

43. The principle of the erection of five dwelling son this site has been accepted by the granting of outline planning consent in 2007. The key issues for Members to consider with this application is whether the reserved matters submission is acceptable in terms

of housing layout, scale and mix (including impact on residential amenity), appearance, details of access and landscaping.

***Housing layout, scale and mix (including impact on residential amenity).***

44. The outline application included a draft layout plan which showed two 3-bedroom dwellings and three 4-bedroom dwellings. Although this plan did not form part of the outline planning consent, and approval pre-dates the adoption of Policy DP/2, there was no comment on housing mix in the officers report to Planning Committee. The reserved matters scheme, as amended, proposes one 2-bedroom unit, two 3-bedroom units and two 4-bedroom units and although this does not comply with the mix requirements set out in Policy HG/2, given the scale of the scheme and the improved mix from that shown at the outline stage, I am of the view that the submission is acceptable.
45. The size and shape of the site means that the potential options for the layout of five dwelling are limited. The amended layout proposes a single storey dwelling and two-storey dwelling fronting Long Lane as a pair of properties. The original submission proposed 2 two storey dwellings in this location, however the dwelling on Plot 2 was reduced to single storey in order to address concerns about potential loss of light to No. 23 Long Lane, which has a kitchen in the north facing elevation, which is the only opening serving that room. The bungalow, which is 4.8m high to the ridge, has been designed with a roof which is hipped away from the boundary with No. 23 Long Lane. This has the effect of significantly reducing the impact of Plot 2 and I am of the view that the relationship to No. 23 Long Lane is now acceptable.
46. The house on Plot 1 is designed with a hipped roof to reduce its overall mass and is 7.5m high to the ridge. The occupier of No. 38 Long lane has expressed concern that due to the proximity to the road the proposed dwellings on Plots 1 and 2 will result in a loss of amenity due to loss of light and privacy due to overlooking. This comment was made in respect of the original scheme and in my view the introduction of a single storey dwelling on Plot 1 helps to reduce this impact. Although there will be some loss of early morning sunlight to the front of No. 38 Long Lane, as the proposed house on Plot 1 is due east, I am of the view that the loss will not be sufficient to warrant a refusal of the application. Although there will be some overlooking between the front windows of the proposed house on Plot 1 and those in No. 38 Long Lane, this will be across the road and I am of the view that the relationship is no different to that found in many central village locations.
47. The house on Plot 3 has a fully hipped roof and is 7.8m high to ridge. As amended this dwelling is 8.5m from the boundary with the rear garden of No. 23 Long Lane. There is one bedroom window in the rear elevation of Plot 3 however there is an existing hedge approximately 3.5m high on the south boundary of the site which will prevent any unreasonable overlooking of the rear garden of No. 23 Long Lane. The front elevation of Plot 3 is 11m from the boundary of the site with the rear gardens of properties in Short Lane, and contains two bedroom windows. I will discuss with the applicants agent whether it would be possible to relocate one of these windows to the east facing elevation, which in my view will help prevent any unreasonable overlooking of the gardens of properties in Short Lane. I am of the view that the house on Plot 3 will not result in an unreasonable loss of light or be overbearing to the properties in Short Lane.
48. As amended the proposed dwelling on Plot 4 is sited 3m from the boundary with the rear garden of 23 Long Lane. Again the roof of Plot 4 is fully hipped and the position

of first floor windows in the front and rear elevations, and the siting of the garage is such that there will be no unreasonable overlooking of the rear garden of No. 23.

49. The proposed house on Plot 5 has been relocated in the amended layout so that it is 5m from the rear boundary of properties in Short Lane. An existing hedge along that boundary is to be retained. There are no first floor windows in the north facing side elevation and the future insertion of any windows can be controlled by condition. The fully hipped roof design will mean that the house will not result in an unreasonable loss of light or be overbearing to the properties in Short Lane.

### ***Appearance***

50. The design of existing properties in Short Lane and Long Lane is mixed. The proposed dwellings incorporate fully hipped roofs, which is a feature of other properties in the village. The design of the proposed dwelling is uncomplicated. Materials proposed are brick and tile, details of which are to be agreed at a later date. I am of the view that the appearance of the proposed dwellings are acceptable.

### ***Access***

51. Although access is a reserved matter, the question of whether an acceptable access to the site to serve five dwellings was the subject of detailed assessment at the outline stage. At the request of Members the view of independent Highway Consultants was sought prior the granting of outline planning consent and the conclusion was that an access in the position shown on the reserved matters submission was acceptable in principle.
52. The Local Highway Authority has not raised an objection to the details of the access arrangement as submitted however I have raised with it the comment made by the occupier of 36 Long Lane that it would appear that the visibility splay to the north may be affected by cars parked on the driveway of No. 2 Short Lane. The further comments of the Local Highway Authority on this point will be reported at the meeting.
53. A condition can be attached to any consent restricting the hours of deliveries to the site as suggested. Any measures to control parking of vehicles on the existing public highway in Long Lane will be a matter for the Local Highway Authority, and no such requirement was included in the outline planning consent.

### ***Landscaping***

54. Full details of hard and soft landscaping are not included with the proposal and will not be approved at this stage.

### ***Other Matters***

55. There is no requirement to provide affordable housing as part of the outline consent. At the time outline planning consent was granted affordable housing was only sought in villages with a population above 3000 for developments of 10 or more dwellings. Although that threshold no longer exists it is not possible to introduce a requirement to provide affordable housing at the reserved matters stage.
56. The outline planning consent requires the submission of a scheme for surface water drainage to be submitted and approved prior to commencement of development. There is no requirement for the submission of a scheme for foul water drainage and again this is a something which fell to be dealt with at the outline stage. I will however



make the applicant aware of the comments received from local residents in this respect.

57. There is no provision in the outline planning consent for public space either on site or in the form of an off-site contribution. As with affordable housing this provision cannot be secured at the reserved matters stage. The scale of the scheme would have been such that provision was not required at the time outline consent was granted.
58. An education contribution is required by the outline consent.
59. I am of the view that, subject to confirmation of the ability to provide the required visibility splay that, and the relocation of the bedroom window on Plot 3 to the east elevation, that the scheme as amended is acceptable.

### **Recommendation**

60. That delegated power are given for the approval of reserved matters, excluding details of landscaping, subject to safeguarding conditions

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Supplementary Planning documents
- Planning File Refs: S/1709/09/RM and S/0559/06/O

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

**Presented to the Planning Committee by:** Paul Sexton

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0234/10/F - WILLINGHAM**  
**Erection of 9 Dwellings following Demolition of Existing Dwelling**  
**At 12 Green Street for Relmfield****Recommendation: Delegated Approval****Date for Determination: 12 April 2010****Notes:**

**This Application has been reported to the Planning Committee for determination because the officers recommendation of delegated approval conflicts with the recommendation of refusal received from Willingham Parish Council.**

**Members will visit this site on Wednesday 7 July 2010**

**Site and Proposal**

1. This full application, as amended by drawings franked 10 June 2010 proposes the erection of 9 houses and garaging following the demolition of an existing house on a 0.19ha area of land at 12 Green Street, Willingham.
2. No 12 Green Street is a detached nineteenth Century house fronting Green Street, on the corner of Short Lane. The land to the rear of the property comprises garden, yard and associated outbuildings, including an open fronted barn and stable, and extends to the west with an extensive frontage to Short Lane. Short Lane is a narrow lane which is one-way with traffic only being permitted to enter from Green Street.
3. To the west of the site is vacant land and then a detached bungalow in Short Lane. To the south is 14 Green Street, a Grade I Listed building and its rear garden. The boundary is formed by a high brick wall. On the opposite side of Short Lane to the north is a detached house on the corner of Green Street, a line of single storey outbuildings which provide garaging for properties in Green Street, and a detached house and a pair of semi-detached houses, Nos 11,13 and 15 Short Lane which are built adjacent the road. There is a footpath along the north side of Short Lane from its junction with Green Street up to No 15 Short Lane.
4. The application as amended proposes the erection of a pair of 4-bedroom houses fronting Green Street (as a replacement for the existing house), and seven houses fronting onto Short Lane. Three of these (Plots 7-9) are to be affordable dwellings and comprise two 2-bedroom and one 3-bedroom properties in a terrace form. The other four plots are market housing and comprise a staggered terrace with two 2-bedroom properties and two 3-bedroom properties (Plots 3-6).
5. Access and parking to Plots 1, 2, 4 and 5 is obtained from Green Street through an outbuilding car port attached to the side of the new properties fronting Green Street.

S-0234-10-F



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July 2010 Planning Committee

Two car parking spaces are provided for each unit. The existing footpath in Green Street is to be realigned by approximately 0.5m in order to provide adequate visibility splays, which results in a narrowing of the existing carriageway at this point.

6. Off-street parking for Plots 3, 6, 7, 8 and 9 is provided to the side of the properties. Two parking spaces are provided for each dwelling, with the exception of Plot 6 which has two spaces and a single garage. A new 2m wide footpath is provided along the south side of Short Lane from Green Street, finishing at a point at the western end of the proposed house on Plot 9. Two visitor parking spaces are provided in Short Lane in the form of parallel parking bays in front of the proposed Plots 3-6.
7. Density of the scheme is 43dph.
8. The application is accompanied by a Design and Access Statement, Planning Statement, Open Space Assessment, Waste Strategy, Arboriculture Constraints Report and Method Statement, Utility Statement, Sustainability Statement, Health Impact Assessment and Energy Assessment, Extended Phase 1 Habitat Survey and Protected Species Assessment, Contaminated Land Assessment, Shadow Path Analysis and Planning Obligations Heads of Terms

### **Planning History**

9. There is no relevant planning history.

### **Planning Policy**

10. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**

**Policy ST/5 – Minor Rural Centres**

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

**DP/1 – Sustainable Development**

**DP/2 – Design of New Development**

**DP/3 – Development Criteria**

**DP/4 – Infrastructure and New Developments**

**DP/7 – Development Frameworks**

**HG/1 – Housing Density**

**HG/2 – Housing Mix**

**HG/3 – Affordable Housing**

**SF/10 – Outdoor Playspace, Informal Open Space, and New Developments**

**SF/11 – Open Space Standards**

**NE/1 – Energy Efficiency**

**CH/4 – Development within the Curtilage or Setting of a Listed Building**

**CH/5 – Conservation Areas**

**TR/2 – Car and Cycle Parking Standards**

12. **Open Space in New Developments SPD – adopted January 2009.**
13. **Biodiversity SPD – adopted July 2009.**
14. **Listed Buildings SPD – adopted July 2009.**

15. **District Design Guide SPD** – adopted March 2010.
16. **Affordable Housing SPD** – adopted March 2010.

**Consultation**

17. **Willingham Parish Council** recommends refusal of the application as originally submitted. ‘Doubts about site contamination requiring further investigation; best use of space with to parking, footpaths and the number of dwellings; shadowing and other impacts on local residents; the impact of construction traffic along a narrow one-way road.’

Comments on the amended scheme will be reported at the meeting.

18. The **Local Highway Authority** commented, in respect of the scheme as originally submitted that its default position for vehicle to vehicle visibility splays is the use of the Design Manual for Road and Bridges, which would require splays of 2.4 x 70m in both directions. However, Green Street could be seen as a lightly trafficked road, and under these circumstances, if the applicant could provide empirical data in the form of speed and traffic flows and subjective observations, these will be considered by the Highway Authority and the use of lower visibility splays, as detailed in Manual for Streets, may be applicable. However as originally submitted splays of 2.4m x 32.5m were shown with no submitted supporting data.

The Highway Authority requests that no ‘cobbled setts’ as shown on the original drawing are to be placed on the public highway and that a 2m minimum width is retained.

Dimensions of parking and reversing spaces should be shown.

19. The **Trees and Landscapes Officer** comments that the Arboricultural Method Statement covers all aspects of accommodating the Sycamore tree on the adjacent property within the proposed development. The method for demolition and removal of the existing outbuilding must be followed and installation of the ‘no-dig’ construction. An arboricultural consultant should be present during these works and the Trees Officer should be informed of the phasing. Details of the foundations of the ‘car port’ to be clarified as the design does not appear to be a lightweight construction to ensure that there is no excavation within the root protection area.

20. The **Conservation Manager** comments, in respect of the original submission, that the site is within the setting of 14 Green Street, a Grade II listed building, and visible within the approach to Willingham Conservation Area. The application follows preliminary discussions although the scheme has been revised and the submitted drawings did not form part of it.

The existing building dates from the nineteenth century and is of historic interest, but its demolition is not controlled as it is outside the boundary of the Conservation Area.

The site is cramped and the increase in span and height of the buildings facing Green Street, from those submitted at the pre-application stage has increased this.

The Green Street street scene shows the proposed buildings would be larger and higher than any of the buildings around them, including the listed building. The span is also contrary to the design basis of a vernacular building as it is significantly deeper

than such buildings in this locality, and the roofs and gables look consequently too large and top-heavy in comparison to the rest of the building.

The garages have roof with ridges along the short direction, contrary to vernacular buildings and making them appear truncated.

One of the previous concerns was the relationship of the proposed buildings to the substantial tree in the garden of the listed building. The heavy weight design of the building nearest the tree, in contrast to the stated lightweight intention, is likely to have a detrimental effect on it.

Refusal of the original scheme is recommended. The revised scheme was submitted following a meeting involving the Principal Conservation Officer. Comments on the revised scheme will be reported at the meeting

21. The **Corporate Manager (Health and Environmental Services)** has considered the implications of the proposal, including the proposals by BRD Environmental for a desk study and subsequent site investigation. The site contains several storage sheds and the applicant has included proposals for site investigation. It is therefore recommended that a condition be included in any consent requiring the investigation of the site for potential contamination and proposals for subsequent remediation works.
22. The **Housing Development and Enabling Manager** comments that the application provides for 3 affordable units, 2x2 bedroom and 1x3 bedroom, and confirms that the mix is satisfactory and in line with the Housing Needs for the District. The developer will need to confirm that the units are HCA compliant if a grant input via a Registered Social Landlord is to be sought.
23. **Cambridgeshire County Council (Education)** comments that it is estimated that the proposed development would generate a need for 2 primary school places and that Willingham currently has no spare capacity. A primary education contribution of £16,800 (£8,400 x 2) is therefore sought.
24. The **County Archaeologist** is of the view that the site should be the subject of a programme of archaeological investigation, which can be secured by condition, as it is located in an area of high archaeological potential in the historic village of Willingham.

### **Representations**

In respect of the original scheme:

25. The occupier of **11 Short Lane** objects on the consideration placed to parking. Short Lane cannot cope with on street parking and on this application there are two on road parking spaces for visitors which will probably be used on a more permanent basis.
26. The two social houses have an allocation of one off road parking space and this is not practical. Willingham is not a village with mass employment so the occupants will probably commute which will mean two cars, with problems of access.
27. 'The Green' complex at the top of Short lane has off road parking and has worked well; these plans will not. Although a pavement has been added to the width of the lane the road area is the same. Recently a delivery van could only get out of the lane by asking for cars to be moved and this will only magnify the problem.

28. The occupier of **19 Rockmill End** objects to the demolition of the existing property, which whilst needing significant renovation, is a period property and a long-standing part of the village. It is pleasing to see these old buildings, which are part of the village's history and appeal. To remove something in order, most probably, to make the proposed housing scheme more commercially viable for the developer, is disgraceful, and it is the responsibility of the Council to protect the look of the village. The house is on one of the main roads through the village and is highly visible, although it is recognised that the land to the rear is extremely suitable for development and could smarten the area up considerably.
29. The occupier of **10 Green Street** objects as there does not appear to be enough land left for parking, which could lead to Short Lane becoming congested. Whilst there is provision for the road to be widened slightly this is very near the entrance to the shared car park, which is used by 10 Green Street, and it would no doubt make it harder to turn into the car park. Access for service and emergency vehicles could be impaired. There is concern as to whether the existing drainage system is adequate to cater for the new development as problems have been experienced with the drains previously.
30. The occupiers of **11, 13 and 15 Short Lane** whilst being entirely sympathetic with the need to provide further housing, wherever possible as infill in existing communities, state that this should not be without due consideration for the impact on the daily lives of the existing residents in the immediate vicinity or on the local environment generally.
31. There is concern about the narrowness of Short Lane where car parking has always been an issue. For a significant amount of its length it is barely wide enough for cars to pass any vehicles parked on it. As existing dwellings possess off street parking, on street parking tends to be limited to temporary visitor parking and does not cause major problems. No 15 is the exception as it has no off road parking available.
32. Given that most households in Willingham possess more than one car the lack of parking provision within the scheme is a major issue and the visitor bays are likely to be used more than on a temporary basis. Once these are occupied other vehicles will be parked alongside the footpath in the carriageway.
33. Short Lane is the 'school run' to the Primary School and therefore experiences peak traffic, both vehicular and pedestrian at least twice a day and any on street parking will impede the flow of traffic. Both delivery and service lorries already have difficulty with the narrow carriageway and this will be further impeded by on street parking.
34. For the occupiers of 13 Short Lane the full width of the existing carriageway is needed to access or egress to and from the driveway in a standard salon car. With Plots 7/8/9 being directly opposite this driveway any car parked either wholly or partially on the carriageway opposite is likely to negate the ability to use the driveway.
35. Currently occupiers/visitors to 15 Short Lane are obliged to park directly opposite the proposed Plots 6 and 7, creating potential problems for all three parking areas.
36. The value of the 2m wide footpath that is being provided is questioned as it serves a limited number of houses which will have access to the only other stretch of footpath in the lane directly opposite. The width of this footpath is hard to justify when the carriageway is likely to be further narrowed by additional vehicles parking alongside it



37. The shadow drawings indicate that 11, 13 and 15 Short Lane will be seriously affected by the shadow cast by the development during the winter months. There is currently no barrier to available sunlight on the front of the properties which was an important consideration at the time of purchase as light is restricted to the rear of the properties, which face north. The shadowing is described as 'only slightly exacerbated at sun rise and sun set during winter months' but this is disputed.
38. The shadow drawings show that at 9am on 21 December all three properties will lie in shadow from the new development. No 11 will emerge from shadow at some point before midday. Nos 13 and 15 will still be in shadow at midday with No13 only emerging between midday and 3pm. No 15 will still be in shadow at 3pm. Since sun sets at 3.48pm at that time of year it is clear that Nos 13 and 15 will only receive sunlight for a very brief period of the day, if at all. This is not 'slight'. During the weeks which precede and follow that time a significant reduction in sunlight would still be experienced.
39. Suggested improvements to the original scheme include the removal of the footpath to improve the width of the carriageway, allowing better access to driveways and parking areas; the gardens of Plots 7, 8 and 9 could be reduced allowing the houses to be set further back from the road, allowing the provision of additional parking bays; a further benefit of this setting back would be to reduce the shadowing effect to some degree. If this is not possible it is suggested that parking could be provided in a central parking court behind the houses. This has worked to great effect in the recent housing development in Green Street.
40. The occupiers of **14 Green Street** are concerned about the inadequate provision for the boundary between the application site and their property. The application refers to only part of the existing boundary wall from the west edge of Plot 5 to the western site boundary as being retained, and any planning permission should make it clear that the entire wall should be retained for this length. Between Plot 5 and Green Street the existing boundary wall should be rebuilt to the same height (2.4m) in a good and proper manner, using suitable materials reclaimed from or which match the existing wall. This is requested as it is felt that in its present form the application will adversely impact on the character and setting of a listed building.
41. 14 Green Street was originally a farmhouse bounded on both northern and southern boundaries by agricultural buildings. To demolish the outbuildings on the northern boundary, without making suitable provision for the reconstruction of a brick wall, will create a major imbalance in the setting and look of the listed building. If the Local Planning Authority did not impose this requirement it would be inconsistent in its approach as it applied a similar requirement when consent was granted in 2007 for a detached house at 16 Green Street.
42. The lack of a suitable boundary wall will also have a significantly adverse impact on the amenities of the existing property as once the wall is removed the outlook will be onto a parking area. Security and privacy will also be affected and noise will emanate from the new development if there is no wall to prevent it.
43. There is concern about the impact of the development on the Sycamore tree situated within the grounds of 14 Green Street. The Arboricultural Report states that 'as a high quality tree it is vital that this tree is given adequate protection' and the Method Statement points out that failure to comply with appropriate working practices could result in the risk of damage, probably beyond repair, to the root system of the tree. The Local Planning Authority should therefore ensure compliance with these requirements.

44. The Party Wall Act needs to be observed.
45. The occupier of **29 Long Lane** comments that it is essential that all traffic connected with the site is served off the main road and not Short Lane.
46. The occupier of **10c Green Street** is concerned that the development will create a demand for on street parking that the immediate surroundings cannot accept and there will be occasions of inconvenience and even danger arising. Parking in Short Lane has the potential to force traffic to the right hand side of the road where cars emerge.
47. Comments on the amended scheme will be reported at the meeting.

#### **Planning Comments – Key Issues**

48. The key issues to be considered in the determination of this application are: the principle of development, density and housing mix, appearance, affordable housing, access and parking, impact on setting of adjacent listed building, impact on street scene, neighbour amenity, open space provision, drainage. contamination and, education provision.

#### ***Principle of Development***

49. The site is within the village framework. Willingham is identified in Policy ST/5 as a Minor Rural Centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings can be permitted. The scale of the development is therefore acceptable in principle. The existing house is a prominent and attractive building when viewed from Green Street and whilst it is regrettable that it is to be demolished it is not statutorily protected and I cannot object to its demolition.

#### ***Density and Housing Mix***

50. The density of development is 43dph which complies with the requirements of Policy HG/1 as Willingham is a sustainable settlement. Although the recent changes to Planning Policy Statement 3 have removed the minimum density figure of 30 dph there is still an obligation to make best use of sites and I am therefore of the view that a density of 43dph on this site is acceptable providing the scheme satisfies all other necessary policies and criteria.
51. The scheme provides a housing mix of two 2-bedroom houses, two 3-bedroom houses and two 4-bedroom houses. To fully satisfy the housing mix required by Policy HG/2 would require an additional 2-bedroomed house in lieu of a 4-bedroom one, however the applicant has provided figures on the viability of the scheme which indicate that such a change to the mix would prejudice the ability to bring forward three affordable dwellings as part of the scheme. I am therefore minded to accept the market housing mix as proposed.

***Appearance***

52. The amended drawings have revised the details of the new houses on Plots 1 and 2 following comments of the Conservation Manager. The span of the houses on Plots 3 – 6 has been reduced. The views of the Conservation Manager on the revised scheme will be reported at the meeting but I am of the view that the appearance of the new properties is now acceptable subject to any further detailed changes required.

***Affordable Housing***

53. The scheme provides for 3 affordable dwellings units for rent, which equates to 40% of the net increase in the number of dwellings provided as a result of the development. The Housing Development and Enabling Manager confirms that the provision is acceptable.

***Access and Parking***

54. The revised scheme, showing a realignment of the footpath on Green Street to achieve the required visibility splays has resulted from discussions with the Local Highway Authority. Although the realignment of the footpath will result in a narrowing of the carriageway at this point it will still be a minimum of 6.3m wide, which satisfies the Local Highway Authority requirements.
55. The amended scheme increases the off-street parking provision for the site. Each unit is now provided with a minimum of 2 off-street parking spaces, and in the case of Plot 6 the provision now exceeds the Councils' maximum adopted car parking standards, however given the local concern about the potential increase in car parking on Short Lane as a result of the development I am of the view that this additional provision is acceptable in this instance,
56. There are two visitor parking spaces provided in Short Lane but the submitted drawing indicates that with the provision of these, and the 2m footpath required by the Local Highway Authority, there is still an available width of just over 3.4m in Short Lane. The visitor parking bays are located opposite the garaging rather than existing residential properties.
57. I note the concerns of local residents regarding the narrow nature of Short Lane however as amended adequate off-street parking provision is shown. The Local Highway Authority wishes the new 2m wide footpath to be extended so that it runs the entire length of the site frontage rather than stopping in line with the western edge of the house on Plot 5. I am of the view that stopping the footpath at this point allows the provision of the second off-street car parking spaces for Plots 8 and 9, and that this provision outweighs any gain to highway safety that would arise from the extension of the footpath for what would only be a further 5m.
58. To prevent the potential problems of car parking opposite the existing access to No 13 Short Lane, making using the driveway more difficult, I will suggest to the Local Highway Authority that road markings are introduced at this point as a preventative measure.
59. A condition requiring temporary parking facilities for construction vehicles and a management plan for construction traffic would be appropriate.

***Impact on Residential Amenity***

60. The occupiers of 11, 13 and 15 Short Lane have objected on the grounds that the proposed dwellings will have an adverse impact in terms of overshadowing. At the present time the existing dwellings benefit from undeveloped land to the south side of Short Lane and therefore the path of the sun at the front of these properties is relatively unimpeded for the majority of the day.
61. The proposed development will result in new buildings sited a minimum of 12 metres from the front walls of Nos 13 and 15 Short Lane. The proposed terrace of properties on Plots 7-9 has a ridge height of 8.4m. The submitted shadow path analyses shows that for the majority of the year there will be no significant impact on loss of light or overshadowing of existing properties, however the impact is increased during the winter months.
62. I am of the view that this additional impact, for a limited period of the year, is not likely to be sufficient to justify a refusal of the scheme, however I have requested that a more comprehensive analysis is provided covering a greater period of the year, either side of the winter period.
63. Prior to the meeting officers will arrange to view the site from inside the houses at 13 and 15 Short Lane, so that any impact can be further assessed.
64. I am of the view that setting the buildings further back into the site is not an option as it would decrease the distance to the rear garden of No 14 Green Street to an unacceptable degree. At the present time a minimum distance of 14m is maintained, which in my opinion is satisfactory.

***Impact on the setting of 14 Green Street***

65. The Conservation Managers comments on the impact of the new units on Plots 1 and 2 on the setting of the adjacent listed building at 14 Green Street have already been outlined. I am hopeful that the amended scheme will address those concerns.
66. I support the comments from the occupiers of 14 Green Street to ensure appropriate boundary treatment, and that this should be formed by a suitably detailed replacement wall where the existing boundary treatment is to be removed, which matches the existing height, in order to maintain privacy and safeguard the setting of the listed building. This matter can be addressed by a suitably worded condition.

***Drainage***

67. Anglian Water has not commented on the application. The documentation submitted with the application suggest that the additional foul flow from the development can discharge into the existing sewer network and connect to an existing manhole in Green Street or a new connection in Short Lane. Conditions can be included in any consent requiring detailed scheme for both foul and surface water drainage to be submitted for approval prior to commencement of development.

***Open Space Provision***

68. No public open space is provided within the site and I am of the view that this is a situation where an off-site contribution is appropriate. The applicant is aware of this requirement and has included this in the draft heads of terms for a legal agreement which will secure the contribution, and can be secured by condition.

**Contamination**

69. Willingham Parish Council is concerned about the need for further investigation of potential contamination. The applicant has carried out an initial investigation and has suggested the need for further work to be undertaken. The Councils' Scientific Officer is happy with this approach, which is normal procedure, and is content that the matter can be dealt with by a standard condition.

**Education**

70. The applicant has accepted the request from Cambridgeshire County Council for an education contribution and has included this in the draft heads of terms for a legal agreement, which will secure the contribution and can be secured by condition.

**Other matters**

71. The Trees and Landscapes Officer, Conservation Officer and occupiers of 14 Green Street have referred to the importance of the Sycamore tree in the front garden of that property, close to the boundary with the application site. The Trees and Landscapes Officer has requested further detail as to the construction of the car port structure attached to plots 1 and 2, which is in close proximity to this tree to ensure that it can be accommodated without prejudice to the retention and well-being of the tree. The applicant is aware of this point, and matter can be controlled by suitably worded conditions.
72. A condition can be attached to any consent securing a scheme of archaeological investigation as required by Cambridgeshire Archaeology.
73. I will report the comments received in respect of the amended scheme and report on any further details submitted in respect of the impact of the houses on Plots 7-9 on Nos 11,13 and 15 Green Street.

**Recommendation**

74. That subject to satisfactory resolution of the above that delegated powers be given to approve the application

**Conditions (to include)**

1. 3 year time limit
2. Details of materials
3. Landscaping scheme
4. Boundary Treatment
5. Foul and Surface water drainage scheme
6. Hours of working during construction
7. Contamination assessment/remediation
8. Protection of Sycamore tree/construction details
9. Highway Authority requirements, including provision of parking for construction vehicles and management plan.
10. Provision/maintenance of car parking spaces
11. Scheme for provision of affordable housing, public open space, education and other contribution as required by Policy DP/4
12. Archaeological investigation

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Supplementary Planning documents
- Planning File Refs: S/0234/10/F

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

**Presented to the Planning Committee by:** Paul Sexton

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/1397/09/O – CALDECOTE****Outline Application for 97 Dwellings including Access and Layout at Land to the East of 18-28 Highfields Road for Banner Homes****Recommendation: Delegated power to approve or refuse scheme subject to planning contributions being adequately addressed before determination****Date for determination: 18 February 2010  
(Major Application)****Notes:**

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

**Members of the Committee will recall deferring this application until further consultation was carried out with Cambridgeshire County Council with regard to what the financial contributions would be used for in improving the local infrastructure of Caldecote to accommodate an additional 97 dwellings. Officers also questioned the proposed mix that was not reflective of LDFDCP adopted 2007. The original report is attached for reference.**

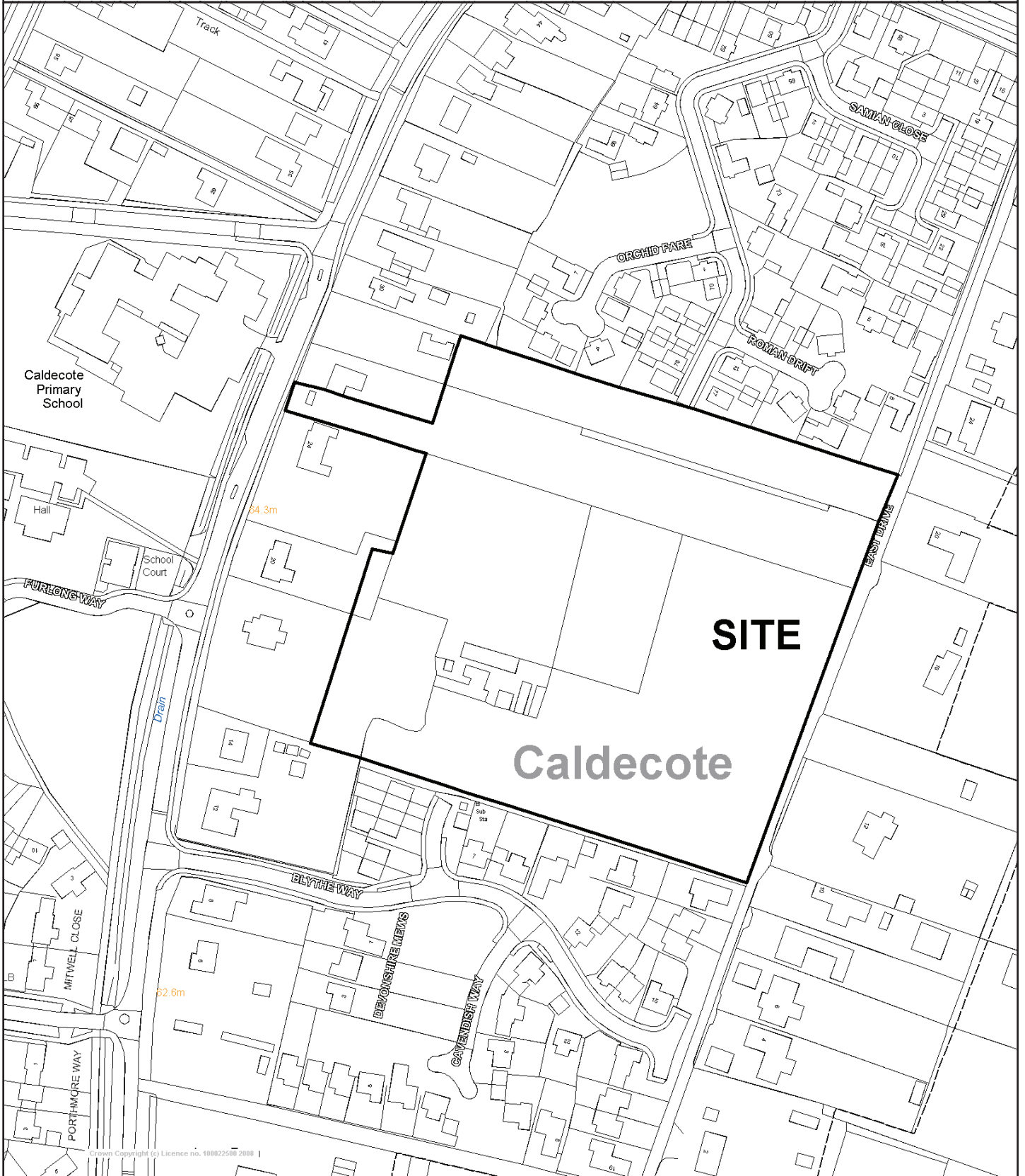
**Site Description**

1. This 2.9-hectare site is located in the centre of Caldecote to the east of Highfields Road on predominately undeveloped land. The site is bounded on all sides by existing residential development. To the North and South is development that was approved under the allocation site 'Caldecote 1' in the Local Plan 2004. To the East are loosely developed plots with relatively larger garden curtilages. The properties along the eastern boundary predominately face towards the application site and are accessed via East Drive. There is a substantial mature tree boundary that runs along the eastern edge of the site. To the west are residential properties that face towards Highfields Road, their rear gardens backing onto the proposed development site.

The site is separated from the neighbouring residential developments by close-boarded fence and mature hedgerows.

2. The outline application, received 25 September 2009, proposes the erection of 97 dwellings and associated access. The matters to be considered are layout and access only leaving appearance, landscaping and scale to be considered as reserved matters.
3. The land is currently accessed from Highfields Road and the existing outbuildings that are located in the southwest corner of the site are proposed to be demolished. The proposed access to the site from the south via Blythe Way with pedestrian links

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July 2010 Planning Committee



from Highfields Road. An 'emergency only' access is also proposed from Highfields Road. The development also shows the siting for one Local Equipped Area of Play (LEAP).

4. The revised application proposes 97 dwellings. 58 of these are market dwellings and 39 affordable units. The market mix now comprises 19 x 4 bed units, 15 x 3 bed units, and 24 x 2 bed units. The affordable mix comprises 1 x 4 bed unit, 22 x 3 bed units and 16 x 2 bed units. This mix has changed since the original application to better reflect Local Development Framework Policy.

### **Policy Background**

5. This site has been allocated for housing development since its designation as a Rural Growth Settlement in the 1989 Cambridgeshire Structure Plan. The South Cambridgeshire Local Plan 1993 designated this area (and neighbouring sites approx 11.8ha) for residential development under Caldecote 1. In 1993 a Development Brief for Caldecote/Highfields was adopted as supplementary planning guidance. However, this allocation was not carried over into the newly adopted 2007 Local Development Framework, though it is saved until the Site Specific Policies Development Plan Document adopted January 2010.

### **Planning History**

6. For the purpose of this application I will refer only to the history of the site after its allocation in the Local Plan 2004 under 'Caldecote 1' as it is apparent this site has been intended for residential development for some time.
7. **S/0360/07/F** – Erection of 25 Dwellings – Withdrawn.
8. **S/1242/07/F** – Erection of 25 dwellings and construction of new access – Refused and later dismissed at appeal. It was considered by the Inspector that the development proposed a piecemeal, unsatisfactory form of development that would materially detract from the character and appearance of the surrounding area.
9. The above applications considered only 0.84ha of the current application site for development.

### **Consultations**

10. **Caldecote Parish Council** - Recommends Refusal for the following reasons:
  - A. The Parish Council do not consider the application takes account of location, the density and high level of low cost homes and consider it is inappropriate for the village. It would have a serious impact on the rural nature of the village. The low cost homes do not meet any local need in Caldecote. A particular concern of the Parish Council and residents is the increased traffic flow in the old village and past the school, especially at school and peak times.
  - B. The Parish Council has not been given any further information from the developer in the community provision and the ability of the infrastructure to cope with the expansion. In view of the decision of the Local Planning Authority confirming this for the previous submission they can see absolutely no reason for District Councillors to change that view.

- C. The Planning Design and Access statement claims that the majority of the application site falls under saved Policy HG5 of the Adopted Local Plan. However, the Parish council does not accept the statement based on the following:
- (a) HG/5 allows for exception sites to be built to meet identified local housing needs. The housing needs of Caldecote have not been taken into account in the design of this development. The community does not require the level of affordable housing that is being proposed.
  - (b) The proposal does not satisfy the condition HG/5./b. because the number, size and mix of the proposed dwellings are not appropriate to the strict extent of the identified local need. The developers have not proven extent of nor identified the level of local need. If such has been identified, then it has not provided this information to the Parish Council, and ought to do so for our consideration.
  - (c) The recent survey carried out for the Parish Plan showed negligible need for affordable housing in the community. The summary of the result is given at the end of this response. There is no demonstrable need for affordable housing in the village.
  - (d) The scale of the scheme is not appropriate to the size and character of the village and so contradicts HG5/3/c.
  - (e) The services within the village are not sufficient to cater for the needs of the village in its current state, and are therefore insufficient to cater for the proposed development site, and do not fulfill HG5/3/d. The services that are deficient include: local shop, primary school places, bus transport through the village, drainage and sewerage capacity of pumping station, insufficient sidewalks and cycle paths. A full list is given further in this document.
  - (f) The development, contrary to HG5/3/e will damage the character of the village due to the addition of the proposed mix of housing. The character of the village has already been seriously compromised by previous developments.
- D. Furthermore, the proposed development contravenes the following policies: DP/1/b, DP/1/m, DP/1/p, DP/1/r, DP/7/b, DP/7/c, HG/2/1, HG/2/2, HG/3/1.
- E. Additionally:
- (a) It would have a serious impact on the rural nature of the village.
  - (b) The low cost homes are not being provided to meet any need in Caldecote.
  - (c) The Parish Council has not been given any further information from the developer on community provision and the ability of the infrastructure to cope with the expansion.
  - (d) In view of the decision of the local planning authority confirming this for the previous submission they can see absolutely no reason for District Councillors to change that view.

- (e) An increase in traffic past the school remains a serious concern, the school has limited parking and there is already a problem at the school entrance. An increase in the traffic past this point is likely to cause accidents.
- (f) Insufficient places at primary, secondary, nursery and 6th Form schools in the area.
- (g) The sum proposed in the section 106 is not sufficient to meet the need for primary school places.
- (h) The 2 extra homes opposite the school entrance and not part of the current application should be accessed from this development as discussed at pre-application talks.
- (i) There is insufficient public transport in the village (now only 1 bus a day), resulting in high car use; this is ignored in the travel plan report.
- (j) Access has not been provided for pedestrians to Clare Drive (actually it has now been proposed in the amended plan); adjacent properties will be cut off from each other.
- (k) Poor road crossing provision on Highfields Road to the school, a central refuge is required.
- (l) Despite assurances from Anglian water the foul water system is already overloaded with blockages and frequent discharge from the pumping station when heavy rain occurs, resulting on one recent occasion to tankers being deployed for 48 hours. The parish council has reported problems to Anglian Water on several occasions, and there is an acknowledgement by Anglian Water that surface water feeds into the pump and does cause problems. It is our view that Anglian Water should be made to revisit its design for the pumping station, as it has been problematic now for more than 4 years.
- (m) The entrance to Blythe Way is unsuitable – design safety concerns
- (n) The junction between Blythe Way and Highfields Road is unsuitable for the extra traffic
- (o) Insufficient parking for residents and visitors particularly in view of the small garages that are not sufficient in size to encourage use.
- (p) Main Street in the older part of Caldecote is too narrow to take any increased traffic volume.

**F. If the application is approved:**

- (a) Agreement should be reached on Community payments via an agreed section 106 legal agreement **before permission is granted**, and to include contributions to the Primary school, Secondary School and pre-school. Contributions to village amenities as per new method of calculation

- (b) Contribution for POS maintenance and as the proposed POS sites is smaller than required an extra sum of money to be paid to offset this.
- (c) Wildlife, all development should make due consideration of problems associated with wildlife disturbance – survey required. The area also has rare orchids.
- (d) Archaeology survey required.
- (e) With such a large proportion of social homes the community will require assistance from a community development worker, something that has been lacking previously with the growth of the village.
- (f) Roads should have kerbs to prevent footpath parking
- (g) Efforts should be made to secure a pedestrian access from Clare Drive
- (h) Local equipped area for play (LEAP) to be provided, and defined so that cars cannot park on the paths or grassed areas. Check ROSPA for guidance on fencing and gates, planning would prefer open with mounds or planting.  
Dog fouling more likely with open access and less control to keep dogs out.  
Residents to be consulted on what is provided in the way of play equipment.
- (i) Storage and site compounds to be specified, parking to be controlled while construction is taking place.
- (j) No access for site traffic near the school, all traffic to be direct from Blythe Way to the A428, not the old village of Caldecote as the road system would not be suitable.

**G. Conditions should be applied on the following during construction**

- (a) Storage and Site compounds to be specified, parking to be controlled while construction is taking place.
- (b) No access for site traffic near school, all traffic to be direct from Blythe Way to the A428, not the old village of Caldecote as the road system would not be suitable.
- (c) No work should be carried out before 8am and should finish by 6pm. (1pm Saturdays).
- (d) No work on Sundays or Bank holidays.
- (e) Any spoil removed should not be used to raise ground levels and create neighbouring flood problems.
- (f) Site traffic should be diverted away from existing roads if possible, roads if used should be kept free of mud and if necessary regularly swept. Wheel washing facilities should be used.
- (g) Parking and site compounds should be provided to ensure that disturbance to nearby properties is kept to a minimum.

- (h) Planting plans to be agreed before any construction is started to ensure existing planting is preserved if possible.
- H. Caldecote Parish carried out a survey of its residents regarding future development. 42% of the village responded and the results are detailed below.
- (a) 58% of the respondents wished for no further homes in the village.
  - (b) What kinds of housing do you think Caldecote needs?
    - Homes for people with special needs 11
    - Homes for single people 31
    - Housing associations 18
    - Large family homes 34
    - Local authority (rented) 18
    - No further homes are needed 133
    - No opinion 25
    - Sheltered housing 28
    - Small family homes 40
  - (c) What types of housing developments would be acceptable in Caldecote?
    - Carefully designed larger groups 19
    - Conversion of redundant buildings or redevelopment of existing dwellings 93
    - Expansion on the village's edge, within the planning envelope
    - Object in principle to further housing developments in Caldecote 105
    - No opinion 15
    - Single dwellings in controlled locations 66
    - Small groups of less than ten dwellings 57
- I. With regard to the amended plans dated 23 April 2010 the Parish Council still recommend the scheme for refusal
- 11. **Local Highway Authority** – No new comments following amendment dated 23 April 2010.
  - 12. **Urban Design Panel** – No new comments since amendment dated 23 April 2010.
  - 13. **County Archaeological Unit** – No new comments since amendment dated 23 April 2010.
  - 14. **Cambridgeshire Police Architectural Liaison Officer** – No new comments since amendment dated 23 April 2010.
  - 15. **Cambridgeshire Fire and Rescue Service** – No new comments since amendment dated 23 April 2010.
  - 16. **Environment Agency** - No new comments since amendment dated 23 April 2010.
  - 17. **Anglian Water** – No new comments since amendment dated 23 April 2010.
  - 18. **Awarded Drains Manager** – No new comments since amendment dated 23 April 2010.
  - 19. **Cambridge Water Company** – No new comments since amendment dated 23 April 2010.

20. **Ecology Officer** – No new comments since amendment dated 23 April 2010.
21. **Trees and Landscape Officer** - No new comments since amendment dated 23 April 2010.
27. **Landscape Officer** - No new comments since amendment dated 23 April 2010.
22. **S106 Officer** - No new comments since amendment dated 23 April 2010.
23. **Housing Development and Enabling Manager** - Overall there are 4,531 applicants registered in South Cambridgeshire and 20,436 within the Cambridge Sub-Region. For South Cambridgeshire there were 572 rented properties let in the year 2009/10, with 282 newbuild affordable homes being built. Within the Strategic Housing Market Assessment (results of which can be located on the Cambridgeshire Horizons website) carried out in August 2008, it identified that there would be a shortfall of just over 1,100 affordable homes per annum over the next 5 years. There is little doubt of the need for affordable housing within the District and the difficulties faced in trying to best meet the needs of the most vulnerable and of those who wish to remain in our villages but cannot afford to do so.
24. There is no requirement for this site to be made available for people with a local connection to Caldecote as the site is within the framework and would therefore be open to all applicants who are registered on the Councils Home Link system. South Cambridgeshire DC has a legal obligation to give reasonable preference to all applicants assessed as being in the highest housing need.
25. Under the Home-Link Choice Based Lettings Scheme, applicants are assessed and placed in one of four bandings:  
  
Band A – Urgent Need  
Band B – High Need  
Band C – Medium Need  
Band D – Low priority
26. To ensure local housing needs are met, 90% of properties advertised through the Home-Link CBL Scheme will be labelled as available to applicants with a local connection to South Cambridgeshire District and 10% will be made available to applicants with a connection to the Cambridge Sub Region (25% for new homes on the growth sites).
27. **Environmental Health Officer** – No new comments since amendment dated 23 April 2010.
28. **Scientific Officer (Contaminated Land)** – No new comments since amendment dated 23 April 2010.
29. **Environmental Services Manager** - No new comments since amendment dated 23 April 2010.

### **Representations**

30. A representation has been received from Councillor Tumi Hawkins. This has been added as an appendix as the comments are quite detailed. She raises concerns with regard to the following:

- (a) Capacity of the pumping station
- (b) Local Services and Transport
- (c) Design Principles

31. There have been 11 letters of objection received following the amendment dated 23 April 2010. All of those who wrote in were notified with regard to the changes.

The objections following the amendment are summarised as follows:

- (a) Only 1 access onto the site
- (b) No school capacity
- (c) The existing infrastructure is not capable of taking more dwellings
- (d) Lack of amenities
- (e) Unfair distribution of affordable housing (loss of value to existing properties)
- (f) Traffic increase and implications on highway safety
- (g) Access road is too narrow
- (h) Retention of trees and screening very important along East Drive
- (i) Loss of light and outlook to some properties on the site – not enough information regarding house details
- (j) Caldecote is not a commuter village and currently has very poor public transport services (only 2 services in the village, other services are located some distance from the development site on St Neots Road)
- (k) It estimated that an additional 175 cars will occupy the site
- (l) Completely out of character with existing density and design of existing units
- (m) Monetary contribution for education is pointless as there is nowhere for the money to be spent as local schools have developed and increased in size to their capacity
- (n) Monetary input is not a solution to the problems this development will cause
- (o) Continued development in Caldecote will have an adverse impact on existing village and its occupiers.
- (p) There is no market for housing in this area and no finances in the current economic climate to justify a development of this scale
- (q) The roads to the south of the village are not capable of taking more traffic

#### **Planning Comments – Key Issues**

32. The key issues to consider in determining this application are the principle of development, layout, access and planning obligations. These are predominately addressed in the earlier report. The key issues in re-visiting this application are infrastructure, density and housing mix.

#### ***Principle of Development***

33. Policy - Under policy ST/6 of the Core Strategy adopted 2007 this site is restricted to development of up to 15 dwellings. With this in mind, development of that proposed would not normally be supported. However, a site specific allocation of this site for residential development still remains.
34. The residue of the Caldecote allocation was not carried forward from the LP2004 into Site Specific Policies because during plan preparation as it was understood that the site was not going to be delivered, therefore it could not be relied upon to contribute towards the delivery of the dwellings required by the Core Strategy. The policy was saved until Site Specific Policy (SSP) adoption.

35. Subsequent to SSP submission, it became clear that the site was likely to come forward. The housing shortfall work for the SSP did acknowledge this and its potential contribution to supply during the plan period. This was captured in the consultation document as a pending planning application:  
*'Caldecote 1 (saved housing allocation) - Land between Highfields Road and East Drive - approximately 90 dwellings. This is a 'saved' housing allocation from the South Cambridgeshire Local Plan 2004, and currently forms part of the development plan. A planning application is anticipated in November (2008).'*

36. The site was allocated for residential development under the saved 'Caldecote 1' policy from the Local Plan 2004 and therefore the basic principle of developing this site for housing is considered acceptable.

### **Infrastructure**

#### *Education*

37. From the consultations received it is apparent that there is no capacity in the existing local educational system at pre-school, primary or secondary levels. A financial contribution has been requested by County Council for this shortfall and referred to in detail under the Planning Obligations heading.
38. The contribution will be used to provide additional education capacity for the new residents of the development. It is split between pre-school provision (£81,480), primary provision (£203,700) and secondary provision (£242,500).
39. In so far as the secondary contributions are concerned, there is currently a Secondary Education Review underway in South West Cambridgeshire and the outcome of that review will determine forward spend/priorities for all secondary schools in the area. These monies will feed into the education capital programme to meet, amongst others, the needs arising from this development (and of course the tests set out in circular 5/05).
40. Likewise, now the contributions are being confirmed for pre-school and primary provision, this will also feed into the respective programmes for new capacity. It is premature, at this stage, to be able to say exactly how the money will be spent in any detail.

#### *Transport*

41. It is argued that there is not enough available public transport to accommodate 97 additional households and the Principal Transport Officer requested further information to help better assess the impact this development will have on the wider area, in addition to £140,000 financial contribution towards infrastructure.
42. Whippet Coaches have provided the County Council with an estimated cost of £80 per day. This would provide three inward journeys to Cambridge from Caldecote (including one morning peak), and two outward journeys from Cambridge. The evening peak is currently being retained on a commercial basis. Whippet Coaches believe this is the best way of encouraging enough passengers to make a replacement service commercially viable.
43. The costs of this service are as follows:  
£80 per day over 5 days per week (Monday to Friday) is £20,480 per annum



£20,480 per annum over 5 years (to give the service a chance to become commercially viable) is £102,400

Adding inflation of 5% per year for 4 years then provides a total of £124,467.84

It should be noted that this figure is based on discussions with the operator in January 2010 and may differ in the future. Future commercial changes may also impact on the cost, either through increased or decreased provision of public transport. The County Council would contract the service on behalf of the developer.

#### *Other public transport improvements*

44. Real time information is required to be installed at the bus stop on the old A428 (St Neots Road) The cost of this is around £7,000 per bus stop. An additional £5,000 is required to improve the bus stop to provide a shelter and raised kerbs. At least £1,000 should also be included for the ongoing maintenance costs of the shelter. This gives a total contribution of around £140,000, which has been agreed with the developer of this site.

#### *Cycle Improvements*

45. The developer has agreed to provide some cycle parking next to the bus stop on the old A428 to improve on the current arrangements, which are unsatisfactory.

#### **Density**

46. The development brief for Caldecote adopted 1993 sought a density of between 25-30 dwellings per hectare. This is relevant to the existing developed land to the north and south of the application site and the site itself that was then part of a much larger scheme. At the time the application was presented to Members it was a national requirement that 30 dwellings per hectare was a minimum level of development for residential schemes and the proposed 33 dwellings per hectare for this scheme would be within the prescribed limits and indeed towards the lower end of that limit. Recent Government changes have led to revisions being made to Planning Policy Statement 3 – Housing (PPS 3). It has deleted the national indicative minimum density of 30 dwellings per hectare from the national requirement to allow local authorities and communities to make decisions that are best for the locations in which new development is to be sited. It is still considered by officers that the level of development proposed on the plot is reflective of its neighbouring sites and the density suitable to the layout and location proposed. It is considered that the density proposed is suitable for this site.

#### **Housing Mix**

47. The scheme proposes 97 dwellings, 58 of which are market dwellings. The mix of affordable units complies with the housing need. The mix of market dwellings originally comprised 45 x 4 bed units, 10 x 3 bed units and 2 x 2 bed units. The developer has tried to adjust the mix to meet the requirements of HG/2 by proposing 24 x 2 bed, 15 x 3 bed and 19 x 4 bed. For developments of more than 10 dwellings Policy HG/2 requires the market mix to provide a range of accommodation including 1 and 2 bed dwellings with, as a starting point, the target requirements of at least 40% of homes with 1 or 2 bedrooms, approximately 25% with 3 bed and approximately 25% with 4 or more bedrooms. Policy HG2 further states that the requirement for an appropriate mix will be assessed 'having regard to economic viability, the local context of the site and the need to secure a balanced community'.

48. The changes made to the market housing mix are now more reflective of the relevant policy. A viability assessment was carried out at the expense of the developer and officers are now supportive of the proposed market mix based on the findings of the submitted assessment.

***Other issues***

49. The previous scheme included parking provision for two properties, located off the development site, in the most northern corner of the site, fronting Highfields Road and shown dotted on the layout plan. The Parish Council asked that these units be accessed from the within the development site rather than straight from Highfields Road. It was agreed by the developers that this was possible. This has since changed, as the land was incorrectly included in the applicant's ownership. The ability to provide access from the rear to future properties would no longer be possible through the development of this scheme. The two units are not part of this application. The development of these plots may come up in the future, however, allowing this scheme to progress would restrict off road parking being accessed from the rear.
50. The build layout has been improved since the involvement of the Councils urban design team however there is still room for improvement particularly where side boundaries to properties face roads or public areas. It is suggested the boundary treatment should be demarcated in high quality brick walls and not fencing allowing planting alongside or up the walls.
51. There was a question mark over the trees on the eastern boundary. The applicant states that when Blythe Way was built they originally fenced the scheme along the legal boundary, which lay on the outer side of the hedge. The Council took action against this (as it did not consider it to be visually acceptable), which culminated in an appeal, which was dismissed. Therefore the fence was re-erected on the inside of the hedge. The applicants have checked legal Title for the land subject to the current application and are of the view that the boundary runs through the hedge on the East Drive boundary. It may well be that we will have to agree to a fence within the hedge line (as previously) but it emphasises the point that the fence line on the adjoining site is not the legal boundary.

***Planning Obligations***

52. The developer has agreed to meet all requirements of the Councils on and off site contributions, the majority of which were discussed at length during pre-application discussions. Some figures may have changed since these discussions. Following the submission of the application the Draft Heads of Terms have been assessed by the Councils S106 Officer who has asked for a revised draft to take on board all requirements in line with advice from Circular 05/2005. In total, all contributions equate to over £1 million.
53. Officers have been working to ensure that a S106 Agreement is in place and agreed to before development is formally approved. This has incurred additional administrative costs for the developer that will still need to be paid should the scheme be refused. The developer has agreed to this.

### **Water and Drainage**

54. Drainage has been raised as a major concern by local residents and this has been cross-referenced with both the Awards Drainage Manager and the Environment Agency. Confirmation has been received from the EA stating that the FRA submitted demonstrates that there will be no additional surface water run off from the site post development than that which currently discharges as green field run and it accepts of the approach proposed. Ground levels are not to be raised and a condition requiring finished floor levels.
55. With regard to Foul water drainage I have discussed the site with Anglian Water and approached them regarding the large dossier of information copied to me from the Parish Council Clerk for Caldecote, this contains various information and photographic evidence that there have indeed been capacity problems in Highfields with regard to drainage. It would seem that there has been significant problems in the past and a recent letter from the Customer Response Manager dated 19<sup>th</sup> March 2010 states the following:

*“In exceptional circumstances, rain water draining into the foul only sewers can also result in them overflowing, causing flooding of the surrounding area. Rain water draining into the foul only sewer comes about due to inappropriate connections made by local property owners. The properties that are served by our foul sewage pumping station in Highfields Road, Highfields, Caldecote should have their surface water run off draining to soakaways or a nearby drainage ditch. Outside of rainfall events, there are no problems with the pumping station, which is why we have stated to the application that there are no problems. With regard to the Water Industry Act 1991, the developer has a right to connect, I’m afraid we cannot refuse an application to connect”.*

56. Previous comments from Anglian Water in the earlier report under paragraph 29 remain the same.
57. In light of the level of concern drainage issues have raised the developer has been working with Anglian Water and Woods Hardwick to ensure that capacity is not a problem for the development proposed.

### **Conclusion**

58. The site is allocated for residential development and the relevant policy saved to allow development on this site to proceed. The proposal for 97 units is considered an acceptable density for the site and the developer has informed officers that it is prepared to enter into a S106 agreement to meet planning obligations for a development of this size.
59. The layout of the scheme is the result of long ongoing discussions between officers and the applicants to ensure a high standard of design, it has been amended a number of times to take further account of the requirements of Parish Council and planning officers. Sufficient parking is provided at an average 1.8 spaces per dwelling.
60. With regard to the concerns surrounding foul drainage officers can confirm that the applicant is willing to take on board any requirements Anglian Water request of them and additionally may take on any reasonable costs that might help improve drainage for the development proposed if additional capacity is a problem.

61. The housing mix is significantly improved from the original housing mix that was proposed and now far more reflective of the Development Control Policies adopted 2007. The contributions sought have been broken down to justify and explain why they are needed and where the monies will be spent.

For the above reasons officers give the following recommendation:

**Recommendation:**

**The application will be approved subject to a S106 Agreement.**

Conditions

1. **Approval of the details of the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.**  
(Reason - The application is in outline only.)
2. **Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.**  
**The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
3. **The landscaping details required under condition 1 above shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The Planting details and details of all site boundaries shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
4. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. **No development shall commence until details of the following 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**

**a) Surface Water Drainage**

(Reason - To ensure satisfactory drainage of the site).

**b) Foul water drainage**

(Reason – To ensure satisfactory drainage of the site)

**c) Finished floor levels of the building(s) in relation to ground levels.**

(Reason - To ensure that the height of the building(s) is well related to ground levels and is not obtrusive.)

**6. No development approved by this permission shall be commenced until:**

**a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**

**b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.**

**c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**

**d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.**

(Reason - To prevent the increased risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

**7. No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.**

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains.)

**8. Prior to the commencement of development (including any pre-construction, demolition or enabling works) a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The Construction Management Plan shall include:**

**(a) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures**

**(b) Details of haul routes within the site**

- (c) **A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the site and siting of the contractors compound during the construction period to be agreed on phase basis**
- (d) **Dust management and wheel washing measures**
- (e) **Noise method, monitoring and recording statements in accordance with the provisions of BS 5228:2009 Code of practice for noise and vibration control on construction and open sites – Part 1 and 2.**
- (f) **Concrete crusher if required or alternative procedure**
- (g) **Details of odour control systems including maintenance and manufacture specifications along with**
- (h) **Maximum noise mitigation levels for construction equipment, plant and vehicles**
- (i) **Site lighting**
- (j) **Screening and hoarding details**
- (k) **Access and protection arrangements around the site for pedestrians, cyclists and other road users**
- (l) **Procedures for interference with public highways**
- (m) **External safety and information signing notices**
- (n) **Liaison, consultation and publicity arrangements, including dedicated points of contact**
- (o) **Complaints procedures, including complaints response procedures**

**All development shall take place in accordance with the approved Construction Management Plan unless formally agreed in writing with the Local Planning Authority.**

(Reason - To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with the requirements of Policies NE/13, NE/14, NE/15, NE/16 and DP/2 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)

- 9. No development shall commence until details of a scheme for the provision of educational and recreational infrastructure to meet the needs of the development in accordance with Local Development Framework Policy DP/4 and SF/10 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**

(Reason - To ensure the development makes a gain for local infrastructure provision as required by Policy DP/4 and SF/10 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)

10. **No development shall commence until a scheme for the provision of affordable housing as part of the development 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:**
- (a) **The numbers, type and location of the site of the affordable housing provision to be made;**
  - (b) **The timing of the construction of the affordable housing;**
  - (c) **The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and**
  - (d) **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 provision of affordable housing in accordance with Policy HG/3 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)
11. **No development shall take place until details of the provisions to be made for nesting birds have been submitted together with details of the timing of the works, and are subsequently approved in writing by the planning authority. The works shall be completed in accordance with the approved details.**
- (Reason - LDF policy NE/6 Biodiversity seeks biodiversity enhancement and restoration. Planning Policy Statement 9, Key Principals ii & v also support the inclusion of appropriate biodiversity features within new developments.)
12. **No demolition, removal of vegetation or development shall be carried out on site between 14th February and 14th July inclusive in any year, unless otherwise agreed in writing by the Local Planning Authority and a scheme of mitigation implemented.**
- (Reason – To avoid causing harm to nesting birds and in compliance with the adopted Local Development Framework 2007.)
13. **Before development commences, a scheme for the provision and location of fire hydrants to serve the Development to a standard recommended by the Cambridgeshire Fire and Rescue Service shall be submitted to and approved by the Local Planning Authority. No development shall take place otherwise than in accordance with the approved scheme.**
- (Reason - To ensure adequate water supply is available for emergency use.)
14. **No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Tree Officer following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall**

**have been previously agreed in writing with the Local Planning Authority.**

(Reason - To protect trees, which are to be retained in order to enhance the development and the visual amenities of the area.)

- 15. No construction work and or construction collections from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.**

(Reason - To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction in accordance with the requirements of Policy NE/15 of the adopted Local Development Framework 2007.)

- 16. 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 agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.**

(Reason – To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction in accordance with the requirements of Policy NE/15 of the adopted Local Development Framework 2007)

- 17. Prior to the installation of lighting, full details of a lighting scheme for the site and/or lighting of plots within the site shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include a site plan(s) showing the location of all external lighting, details of the various types of lighting to be erected, height, type, position and angle of glare of any final site lighting / floodlights, the maximum ground area to be lit, the luminance of the lighting including an isolux contours plan and measures to prevent light spillage from the site. No external lighting shall be installed anywhere on the site other than in complete accordance with the approved lighting scheme and maintained thereafter.**

(Reason - In the interests of the amenity of nearby residents and to help prevent light spillage from the site, to ensure the appearance of the development is satisfactory in accordance with the requirements of policy DP/2 and NE/14 of the adopted Local Development Framework 2007)

#### **Informatives**

1. During 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. To satisfy the recommended noise insulation condition, the noise level from all powered plant, vents and equipment, associated with this application that may operate collectively and having regard to a worst case operational scenario (operating under full power / load), should not raise the existing concurrent lowest representative background level  $\text{dB } L_{A90}$  by more than 3 dB(A) (*i.e. the rating level: the specific noise level of source plus any adjustment for the characteristic features of the noise, needs to match the existing background noise level*). This requirement applies both during the day 0700 to 2300 hrs over any 1 hour period  $\text{dB } L_{A90}^{1\text{hr}}$  and the existing lowest background level  $\text{dB } L_{A90}^{5\text{mins}}$  ( $L_{90}$ ) during night time between 2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and at each of the proposed residential premises (or if not practicable at a measurement reference position / or positions in agreement with the LPA). Noticeable acoustic features and in particular tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and to protect the amenity of the area, preventing unreasonable noise disturbance to existing and proposed premises.

To demonstrate this requirement it is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. In addition to validate /verify any measured noise rating levels, noise levels should be collectively predicted at the boundary of the site having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring noise sensitive premises; with noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations (background  $L_{90}$ ) and hours of operation. Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked. Any ventilation system with associated ducting should have anti vibration mountings.

4. A separate statement on Renewable Energy Statement prepared by Woods Hardwick accompanies the application. It states that the 10% renewable provision will be by either:
  - Air Source Heat Pumps (ASHP)
  - Photovoltaic's or
  - Solar Heating Panels

If ASHPs are installed they will generate noise which has the potential to cause noise disturbance to the proposed residential themselves and existing residential. To ensure this noise impact is adequately considered and controlled it is advised that should ASHP be used the following condition is recommended at Reserved Matters:

*Before the development/use hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing by the local planning authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.*

*(Reason: To protect the amenity of nearby properties in accordance with policies NE/15 and DP/2 of the South Cambridgeshire Development Control Policies Development Plan Document 2007)*

5. A drainage contribution will be required by the Council to offset the cost of future maintenance to the award drain being proposed as the outlet for surface water from the development.
- 
1. The development is considered generally to accord with the Development Plan and particularly the following policies:
    - **South Cambridgeshire Local Development Framework 2007:**
      1. **Core Strategy**
        - ST/6 – Group Villages
      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
        - DP/7 - Development Frameworks
        - HG/2 - Housing Mix
        - HG/3 - Affordable Housing
        - SF/1 - Protection of Village Services and Facilities
        - SF/6 - Public Art and New Development
        - SF/10 - Outdoor Play Space, Informal Open Space and New Developments
        - SF/11 - Open Space Standards
        - NE/1 - Energy Efficiency
        - NE/3 - Renewable Energy Technologies in New Development
        - NE/6 – Biodiversity
        - NE/12 – Water Conservation
        - TR/1 - Planning for More Sustainable Travel
        - TR/2 - Car and Cycle Parking Standards
        - TR/3 - Mitigating Travel Impact
        - TR/4 - Non-motorised Modes

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, traffic, drainage /flooding, sustainability, affordable housing, landscaping, layout and housing mix**

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

- Core Strategy 2007
- Development Control Policies 2007
- Site Specific Policies
- Planning file Ref: S/1397/09/O

**Contact Officer:** Saffron Garner Senior Planning Officer  
Telephone: (01954) 713252

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

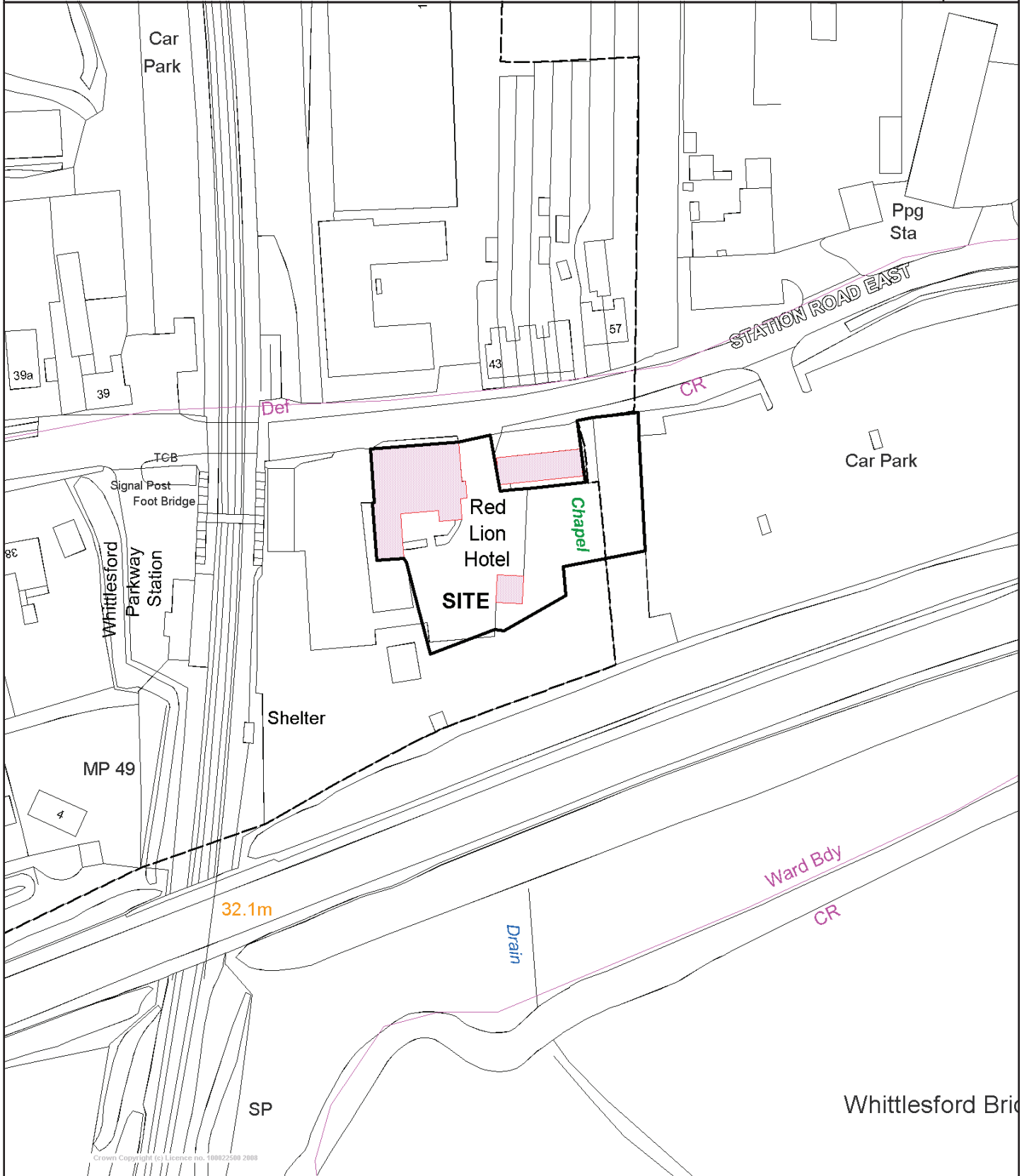
**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0551/10/F - DUXFORD****Alterations and extensions, The Red Lion Hotel, Station Road East  
For Ms Sophie Gregorios-Pippas****Recommendation: Delegated approval/refusal****Date for Determination: 25 June 2010****S/0552/10/LB - DUXFORD****Part demolition, alteration and refurbishment; demolish single-storey extensions to rear/eastern elevation; resite fire escape, remodel internal spaces; construct new kitchen, dining and function rooms: The Red Lion Hotel, Station Road East****Recommendation: Delegated approval/refusal****Date for Determination: 10 June 2010****Notes:****This Application has been reported to the Planning Committee for determination at the request of Cllr J Williams.****Members will visit this site on 7 July 2010****Site and Proposal**

1. The proposal relates to The Red Lion Hotel, a grade II listed building, which is adjacent to Duxford Chapel, a grade II (star) listed building and a scheduled ancient monument. The chapel is also an Historic Property in the care of English Heritage and which is open to the public. The site lies within the village framework for Whittlesford Bridge (Inset Map 107 of the Adopted Proposals Map), adjacent to the railway line and Whittlesford Station, and an elevated section of the A505. To the east the site is adjoined by the railway station car park.
2. A hotel is currently under construction in the south west end of the Red Lion Hotel's curtilage, adjacent to the A505. This was granted planning permission under reference S/1862/08/F.
3. The proposal requires both planning permission and listed building consent. These applications were submitted dated 6 April 2010. The proposal is to demolish some of the 20<sup>th</sup> century additions to the southern and eastern side of the building. The kitchen, which is at present within these additions, is to be relocated to the western wing, which will enable it to be larger. Toilets are to be relocated to the western wing and provided with disabled facilities. Disabled circulation within the building is to be improved.

S/0551/10/F - Whittlesford



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Scale 1/1250 Date 21/6/2010

Centre = 548493 E 247246 N

July 2010 Planning Committee

4. The proposal will provide a larger dining area with kitchenette, and an additional casual seating area. The former kitchen area is to be re-used as a coffee room/ snug. The proposal will add approximately 192 sqm of floorspace. The rear of the hotel is to be extended back a distance of between 9.5 and 12.5m. On the eastern elevation, the fire escape stairs are to be relocated and set behind a new screen wall. A new opening is to be made at first floor level through the historic fabric to gain access to the relocated fire escape.
5. Amended plans were received, date-stamped 15 June 2010, which show an amended position for the new eastern screen wall and to minimise the openings made in it. These followed discussions with English Heritage with the intention of improving the setting of the Chapel.
6. Externally, parking is to be relocated away from the rear of the hotel and Chapel, and this area is to be landscaped, to improve the setting of the buildings.
7. The proposal also includes the change of use of an additional piece of land to the east of the Chapel, with length 34m and width 14m. This is to form an extension to the landscaped area of the hotel and to improve the setting of the Chapel.
8. Parking is to be increased from 70 to 81 spaces to cater for the increased dining area. The number of bedrooms in the new hotel is to increase from 71 to 73. These proposals are the subject of separate but related planning applications.
9. This application includes revisions to the hard and soft landscaping works to the immediate environs of the hotel and Chapel. The only trees to be removed are within the area of additional land to the east of the Chapel, where new planting is proposed.
10. The applications are supported by a Design and Access Statement; Planning Statement; Historic Building Analysis; Heritage Statement; Statement of Archaeological Potential; Transport statement; Extended Phase 1 Habitat Survey; Land Contamination Report; Services Statement; Preliminary Schedule of Alteration Works and Repairs.

## Planning History

Current applications:

11. **S/0544/10/F** - Variation of condition 10 revision of approved car-parking layout  
**S/0546/10/F** - Car park extension for 81 spaces  
**S/0548/10/F** - Variation of condition 10 to permit extension of car parking layout

Determined applications

12. **S/0543/10/A** - Display of illuminated signage Part approved, part refused 23.6.10
13. **S/1874/09/LB** - Demolition of freestanding garden retaining wall and attached lamp post Approved 12.2 10
14. **S/1862/08/F** - Erection of 70-bedroom hotel with associated car parking and landscaping. Approved 21.9.09. Section 106 Agreement sealed 11.9.09.
15. **S/1161/08/F** - Erection of 70-bedroom hotel with associated car parking and landscaping. Refused 29<sup>th</sup> September 2008. Appeal withdrawn.

16. **S/1231/08/LB** - Total demolition of air raid shelter – approved 9<sup>th</sup> September 2008.
17. **S/0417/79/F** and **S/0418/79/LB** - Extensions to the rear of the hotel were approved in 1979 but not implemented.
18. **SC/0535/72/O** - outline planning permission for a 20-room freestanding block was granted in 1973 but was not implemented.
19. **SC/59/403** - Improvement to catering store facilities Approved 11.1.60

### **Planning Policy**

**Planning Policy Statement 5: 'Planning for the Historic Environment' (2010).**

*East of England Plan 2008*

**E6** (Tourism)

**ENV6** (The Historic Environment)

*South Cambridgeshire Local Development Framework Development Control Policies  
DPD 2007*

**DP/1** (Sustainable Development)

**DP/2** (Design of New Development)

**DP/3** (Development Criteria)

**DP/7** (Development Frameworks)

**Objective ET/f** (Growth of Tourism)

**ET/5** (Development for the Expansion of Firms)

**Objective SF/a** (Services and Facilities)

**SF/1** (Protection of Village Services and Facilities)

**CH/2** (Archaeological Sites)

**CH/3** (Listed Buildings)

**CH/4** (Development Within the Curtilage or Setting of a Listed Building)

**TR/1** (Planning for More Sustainable Travel)

**TR/2** (Car and Cycle Parking Standards)

**TR/3** (Mitigating Travel Impact)

Supplementary Planning Documents

Listed Buildings SPD (2009)

Landscape in New Developments SPD (2010)

20. **Circular 11/95 - The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development of permitted, enforceable, precise and reasonable in all other respects.

### **Consultation**

21. **Duxford Parish Council** – approval, with no additional comments.
22. **Whittlesford Parish Council** - approval, with no additional comments.
23. **Council's Conservation Officer** - recommendation of refusal. The Conservation Officer comments:



24. The Red Lion Public House is listed grade II, dates from the fifteenth century and was built as a coaching inn. It is on a thirteenth century hospital site of which the chapel remains and is listed grade II\*.
25. The application follows pre-application discussions about extension with English Heritage and ourselves although the submitted scheme was not previously discussed. Further negotiation has taken place regarding some of the concerns.
26. In principle it is accepted that some extension is justified due to the previous consent for the hotel currently under construction, in order to provide the dining facilities that are linked to this. There is also some potential to improve the appearance of the building by removing the less attractive twentieth century extensions and there is the opportunity to move the kitchen from the most sensitive part of the building into an extension on the eastern end of the building as we previously suggested or into the early twentieth century western wing as proposed.
27. Some concerns, discrepancies in the drawings and additional information about details can be covered by condition and I would recommend that any approval would have conditions to cover investigative opening up, retention of historic features, support for the historic structure, structural alterations, roof alterations, chimney alterations, infilling of openings, ramps, alterations to fireplaces, alterations to the ancient door, proposed doors, windows, screens, eaves & verge, rooflights, canopy, vents, heating system (boiler position and vents), fire alarms, security fixtures, lighting, signage, re-rendering (extent and type), air conditioning units, wiring, and cleaning of historic structure.
28. Two further concerns are the subject of some amended drawings. This covers the extent of loss of fifteenth century structure on the ground floor of the east wing and the design of the proposed entrance and extent of proposed flat roof within the courtyard area, and the amended scheme as discussed is expected to overcome the concerns.
29. There are two significant concerns that remain. I have suggested alternatives that would be more sympathetic and less destructive but these would involve a change to the floor plan and therefore I have been informed that the applicants are unwilling to negotiate further. The first is the extent of the extension and the second is the extent of removal of fifteenth century structure on the first floor of the original eastern wing. On plan, the footprint area taken by the extension is almost the same as the extent of the remains of the current building and considerably exceeds the footprint of the original building prior to the twentieth century. This would result in an extent of modern building that competes with the historic building. From the A505, this would dominate the foreground views and this would be a significant increase on the existing flat roof and modern extension. The amended drawings are intended to reduce the visual extent of the large flat roof and to allow views of the gables behind the extension but would not overcome the spread of the extension. As the existing roof form with its numerous gables are significant as part of the character of the building and the flat roofs are unsympathetic to that, their extent should be minimised. The modest spans and small scale of the existing building are also an important part of its significance and character and the proposed large roofs and large open plan spaces would dwarf this, to the detriment of the listed building. In case of identified harm such as this, PPS5 considers that there may be mitigating circumstances that need to be considered. However, the greater the loss, the greater the justification that is needed, alternatives should be considered to achieve the justified aim with the

least harm to the significance of the heritage asset and where there are less damaging alternatives, the harm should not be permitted (Policy HE9.4).

30. The justification for the extension was that it was necessary as part of the agreement for the hotel and would ensure the survival of the listed building as a public house with visitors from the hotel dining and using the listed building. The proposed extension doubles this accommodation by providing for a full 70 dining spaces with secondary kitchen, and also a further space for 70 people to wait in order to dine. It is unlikely that all 70 people from the hotel would be using the dining facilities at the same time and any waiting should be managed to be as short a period as possible in order to give good service and could equally be accommodated within the original building or bar area, where it would help to ensure the future viability of these historic spaces.
31. The alternative we suggested retains the seating area for 70 diners but turns the dining area 90 degrees so it includes the entrance lobby and so does not extend further than the existing western wing, thus reducing the bulk of the extension and roofs and following the extent of the existing wings. The roof could be similar to the amended scheme to allow views of the gables, but would be significantly smaller as the flat roofed element with central gable would be set back behind the gables facing the A505. On this basis therefore there is at least one alternative that would achieve the viability needed for the future of this listed building, without the harm that the proposed scheme shows.
32. The loss of historic fifteenth century structure on the first floor results from the proposal to relocate the fire escape door into the bedroom that forms the end of the original eastern wing. This involves the extension of an existing (early twentieth century) window into a door. However, only part of the historic frame is visible and the applicant is unwilling to carry out the necessary opening up to identify the full extent of the implication on the historic structure. The timber frame construction typical of the end of a fifteenth century structure includes substantial arched braces that go from the corner post to the mid rail and to the eaves beam. Sometimes these are exposed as they are both decorative and practical to stiffen and support the gable and to prevent racking of the structure. It is likely that the lower arched brace still remains in its entirety and that the original lower timber studwork remains below the window and this would also be lost. There is another structural concern in that in the early twentieth century the timber frame directly below this was removed in order to extend the kitchen. As this was prior to listing this destructive work could not then be controlled, but it means that there would be a band of missing structure running vertically up the building in the area of the proposed doorway, with only the mid rail providing any tie to the structure. Any new material or openings in this area would not provide the continuity and consistency that the original frame did. As the historic building assessment included with the submission identifies visible distortion of the historic frame and particular structural movement already having occurred in this area, to weaken the historic structure further and to put unreasonable strain on the mid rail and roof would risk an increase of this structural movement. Both the loss of important historic structure and the potential long term damage would be detrimental to the special interest and character of this listed building.
33. The alternative we suggested was to provide the fire escape through modern structure in the central bedroom, where a corridor could be formed through the existing lobby and shower room to lead onto the flat roof. From there a fire escape staircase could be formed between the historic east wing and the proposed dining room extension. Further discussion would be needed about details such as the handrail across the roof (I suggest it is simple so resembles a solid balustrade), fire

officer requirements regarding the corridor within the building (which may for instance need an additional lobby), the extent of any increased ground floor area (up to 1.2m increase on the extension length but compensated by the loss of the prominent front part of the flat roofed extension facing the entrance road where the escape staircase is located in the submitted scheme), the access to the roof space of the kitchen area of the dining room extension (possibly by setting the doorway into the roof) and the relocation of the shower room within the twentieth century structure of the bedroom. On this basis therefore there is at least one alternative that would achieve the fire escape needed for the first floor of this listed building, without the harm that the proposed scheme shows.

34. The application therefore does not comply with the relevant guidance in PPS5. I therefore recommend refusal due to the bulk and form of the proposed extension and the loss of historic structure, which would be detrimental to the interest of the listed building and contrary to Policies HE7.5, 9.1 and 9.4 of PPS5 and Policy CH/3.
35. **English Heritage:** English Heritage has been involved in pre-application consultations concerning the Red Lion and we are currently processing a Scheduled Monument Consent application for works associated with this matter. In connection with the SAM consent application, English Heritage has no objection in principle to the works in the area of the scheduled monument and, subject to the agreement of conditions, this application will be approved shortly.
36. With reference to the planning and listed building application for works to the existing public house; this proposal includes relocating the service yard from the east side of the public house to the west side (including associated refuse storage etc). This has two distinct advantages in respect of the setting of the Scheduled Monument; firstly it will remove the need for service vehicles to enter the site past the west gable of Duxford Chapel and secondly it will remove the visual clutter associated with the storage of refuse, crates of empty bottles, recycling etc from areas adjacent to the Chapel. The works to the east elevation of the public house will also provide visual enhancements, including rationalisation of the waste water pipework and better screening of the fire escape staircase. As part of the pre-application consultations we made representations in respect of the extension in so far as it impacts on the setting of the Scheduled Monument and are satisfied that the current proposals are a significant improvement and will not result in harm to the setting of Duxford Chapel. Furthermore, the changes to the service arrangements will offer the opportunity for improvements to the surface treatment in the vicinity of the west gable of the Chapel and English Heritage would wish to see a condition included in any permission requiring agreement over the hard and soft landscape treatment in this area.
37. English Heritage does not wish to comment on the other aspects of the proposals that do not impact on the setting of the Chapel, and are content for the local planning authority to assess these aspects of the scheme in light of national and local planning policies. In the event that the scheme is to be approved, and in order to ensure the proposed enhancements to the setting of the chapel are delivered, English Heritage would wish to see a suitably worded condition included that would prevent the new accommodation from being brought into use until all the agreed landscaping and other enhancement works have been completed.
38. **Disability Forum-** Entrance doors to disabled WC should be widened to 900mm.
39. **Environmental Health Officer** – Concern at possible issues of noise disturbance to nearby residents. Recommended conditions to submit for agreement details of

extract vents and external lighting, restricted hours of use of power operated machinery during the construction period.

### **Agent's Statement**

40. The agent has included a Planning Statement which indicates that the proposals are part of a major refurbishment of the building to facilitate its long term conservation. This, in conjunction with Phase 1, will enable the site to remain economically viable as a hotel/inn into the long-term future. The refurbishment and expansion of the existing building offers hotel guests food and beverage facilities on the site as well as the atmosphere of a traditional country pub.
41. In 1979, a scheme was granted but not implemented for a substantial rear extension to both cross wings of the building, forming an H shape addition and doubling the size of the existing building.
42. The new hotel has been approved with 70 car parking spaces. An application has been submitted to increase the capacity of the new hotel to 73 units, and other applications to increase the on-site parking to 81 spaces. The agent considers that this remains ample to both the new hotel and the extended Red Lion, due to the excellent access to the local rail and bus network. Moreover, a number of car sharers are expected. The hotel is adjacent to a 185-space car park run by NCP for the users of the railway, which is largely empty at night when the main demand for hotel guests will occur.
43. The Phase 2 proposal takes full advantage of the new single access driveway serving the site as a whole, by relocating deliveries away from the Chapel and memorial garden.

### **Representations**

44. None received.

### **Councillor J Williams as Local Member**

45. Councillor Williams has stated:  
'There are a number of separate applications going through at the moment but two in particular concern the quite significant extension proposed to the existing Red Lion building and it appears that there are Conservation concerns. The application numbers are S/0551/10/F (the detailed plans), and Listed Building consent S/0552/10/LB.

Apart from some comments in the Parish Council meeting about the design of the windows, Duxford Parish Council, have signified recommendation of all the applications.

Since the extension is an important application in itself, and officers' and Parish Council's recommendations may conflict, I would like ask for the relevant applications to go to Committee, and to have a site visit.'

### **Planning Comments**

46. The proposals to refurbish and extend the existing hotel represent a second phase of development of the site. This phase is a requirement of the S106 Agreement attached to the planning permission for the new hotel, in order to secure the

necessary refurbishment works to the listed building. The proposal to extend the building arises from the need to service the food and beverage needs of the extra clients coming to the site, and has been part of the vision to keep the business viable into the future.

47. The proposals have been the subject of pre-application discussions, and subsequently, which have resulted in amended proposals. The Conservation Officer has identified two areas of continuing concerns, together with measures to overcome the concerns. Discussions are continuing with the agent in order to resolve these issues, and Members will receive an update on progress.
48. English Heritage has confirmed that the proposal to enlarge the hotel site by including land to the east of the Chapel is considered acceptable, subject to suitable landscape details being approved.
49. The occupation of the hotel extension, if approved, should be linked by condition to the enlargement of the car park to provide an additional 11 spaces, in order to improve on-site provision.

### **Recommendation**

50. Both applications, as amended by plans date-stamped 15.6.10: Delegated approval/refusal, to enable further discussions to take place.

### **Conditions, if approved**

#### **S/0551/10/F**

1. Time limit
2. Details of landscaping
3. Maintenance of landscaping
4. Details of external lighting
5. Details of extract vents and flues
6. Provision and retention of car parking
7. Restriction on hours of operation of machinery during the construction period.

#### **S/0552/10/LB**

1. Time limit (LBC1)
2. Investigative opening up in the presence of the Conservation Officer (LBC4)
3. The works shall be carried out so that no damage is caused to the fabric and features of this listed building (LBC5)
4. Scheme for the proper protection and shoring as work proceeds to be agreed (LBC6).
5. Precise details of the following items to be agreed:
  - a) structural alterations,
  - b) roof alterations,
  - c) chimney alterations,
  - d) infilling of openings,
  - e) ramps,
  - f) alterations to fireplaces,
  - g) alterations to the ancient door,
  - h) proposed doors, windows, screens, eaves & verge, rooflights,
  - i) canopy,
  - j) vents, heating system (boiler position and vents),
  - k) fire alarms, security fixtures,
  - l) lighting,

- m) signage,
- n) re-rendering (extent and type),
- o) air conditioning units,
- p) wiring,
- q) cleaning of historic structure. (LBC 28)

**Reason, if refused** (both applications)

1. The excessive bulk and unsympathetic form of the proposed extension, together with the loss of historic structure at first floor level to gain access to the proposed fire escape, would be detrimental to the interest of the listed building and contrary to Policies HE7.5, 9.1 and 9.4 of PPS5 and Policy CH/3.

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

- PPS5: Planning and the Historic Environment 2010
- East of England Plan 2008
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Planning file refs: S/0551/10/F; S/0552/10/F

**Contact Officer:** Ray McMurray – Principal Planning Officer  
Telephone: (01954) 713259

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0664/10/F - FOXTON**  
**Proposed Erection of Ecospace Classroom at**  
**Foxton County Primary School, 11 Hardman Road**  
**for Foxton County Primary School**

**Recommendation: Approve**

**Date for Determination: 23 June 2010**

**Notes:**

**This application has been reported to the Planning Committee as the Parish Council has recommended refusal for this minor application**

**Site and Proposal**

1. The site measures 0.006 hectares and is located on the very edge of the village framework. Surrounding the site is the rest of the Foxton Primary School. To the south of the site is the boundary hedge that generally measures approximately 1.5 metres in height; this hedge separates the school from the open fields.
2. The application, validated on the 28 April 2010, is for a new outbuilding. The Head teacher states that this is required to provide storage space, to provide space for pupils to be taught and to meet the statutory requirements for teachers to have quiet space to prepare and assess schoolwork. The agent confirms that the proposal is in order to provide better teaching space for the current level of pupils rather than to allow a growth in the school.
3. The proposed development measures approximately 6.6 metres x 7.1 metres, with a height of 2.8 metres. The proposed development will be clad in Red Cedar, have a green roof and wooden fenestration.

**Planning History**

4. **S/0921/98/F** – The proposed replacement Primary School was approved.

**Planning Policy**

5. South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007:

**DP/1** - Sustainable Development

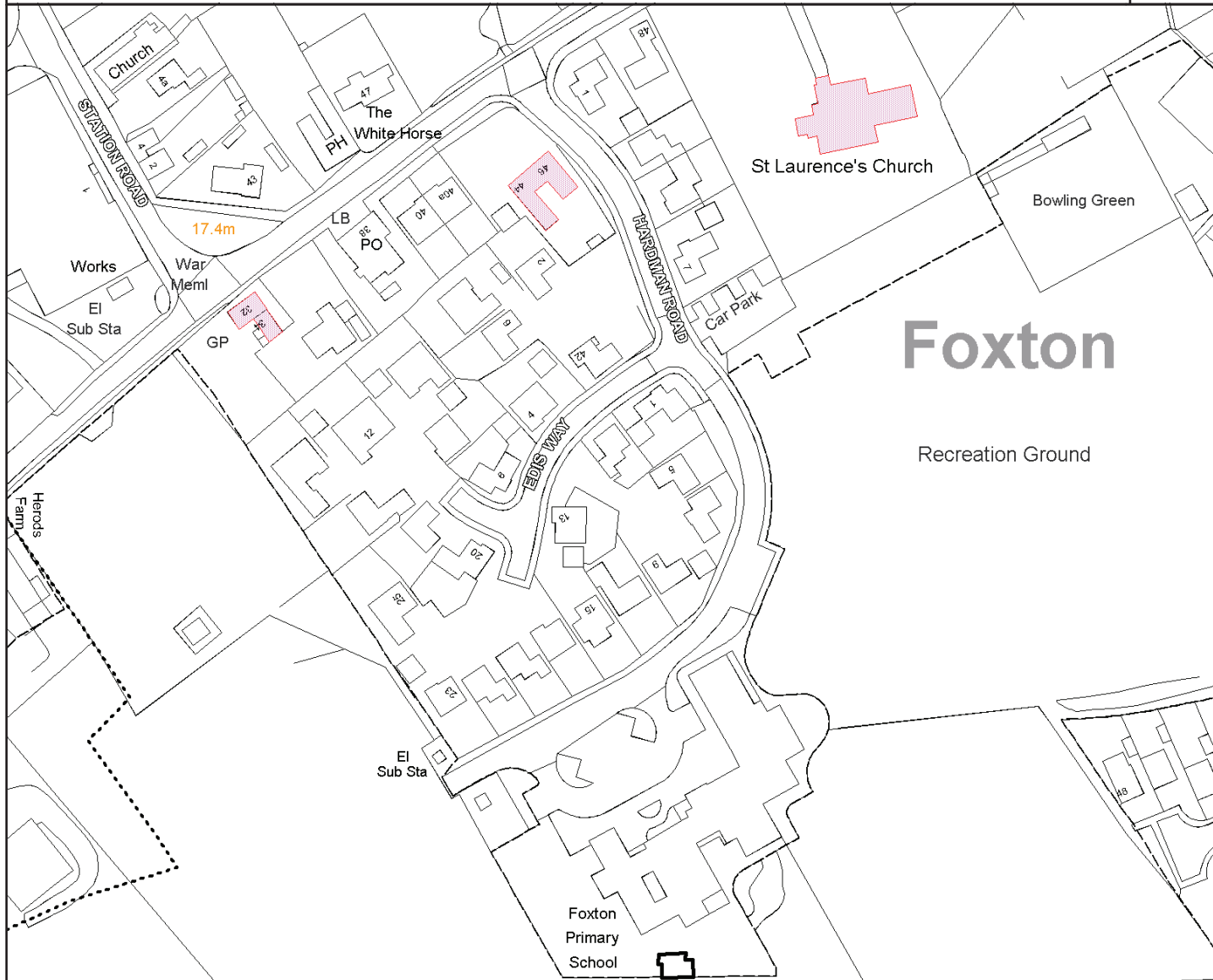
**DP/2** – Design of New Development

**DP/3** – Development Criteria

**DP/4** – Infrastructure and New Developments

**DP/7** – Development Frameworks

S-0664-10-F



**SITE**

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July 2010 Planning Committee



### Consultation

6. **Foxton Parish Council** – The Parish Council states that the existing school was designed to permit extensions to facilities. The accommodation now required should readily be addressed by an extension in permanent construction to match the existing school building. The Parish further states that the siting, materials and construction proposed are inappropriate in this setting.

### Representations

7. No representations have been received.

### Planning Comments

8. The main planning considerations for this development are the principle of the development, does it preserve or enhance the visual appearance of the area and the impact upon residential amenity.
9. ***The principle of the development*** – The site is located within the village framework. The supporting evidence in the submitted application state that the proposed development is in order to meet the current needs of the school. It is for this reason that the proposed development is not considered to have any significant impact upon the amount of parking that is required. It is also considered that the small loss of hard standing/playground, if the proposed development were approved, would not cause any significant impact upon the functions of the school.
10. The issue raised by the Parish Council regarding that the existing school has been designed to allow for extension and the proposed outbuilding should not be allowed is not considered to be material. It should be noted that it is the duty of the Local Planning Authority to assess the proposed development as submitted.
11. ***Impact upon visual amenity*** – The proposed development will not be seen from any public location. The existing school blocks the site from being viewed from the car park and it is not considered possible to view the site from the recreation ground. The proposed external materials are considered to be acceptable and will likely improve as they age. The existing 1.5 metre high edge will obscure some of the development from the agricultural fields. The agent has stated that room will be left between the hedge and proposed development to allow for trimming and maintenance. The proposed design, while flat roofed, is considered to be an interesting sustainable design and would not affect the visual appearance of the area. It is not considered reasonable to control the long-term maintenance of the green roof.
12. ***Impact upon residential amenity*** – The proposed single storey development located at the rear of the school would not have any impact upon residential amenity.

### Recommendation

#### Approve

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. The development hereby permitted shall be carried out in accordance with the following approved plans: SC-01, SC-02, Mc95os, Mc95, Mc95dp and SC-03. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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

- South Cambridgeshire Local Development Framework Development Control Policies 2007
- Planning File Ref: S/0664/10/F

**Contact Officer:** Andrew Phillips, Planning Officer

**Telephone:** 01954 713169

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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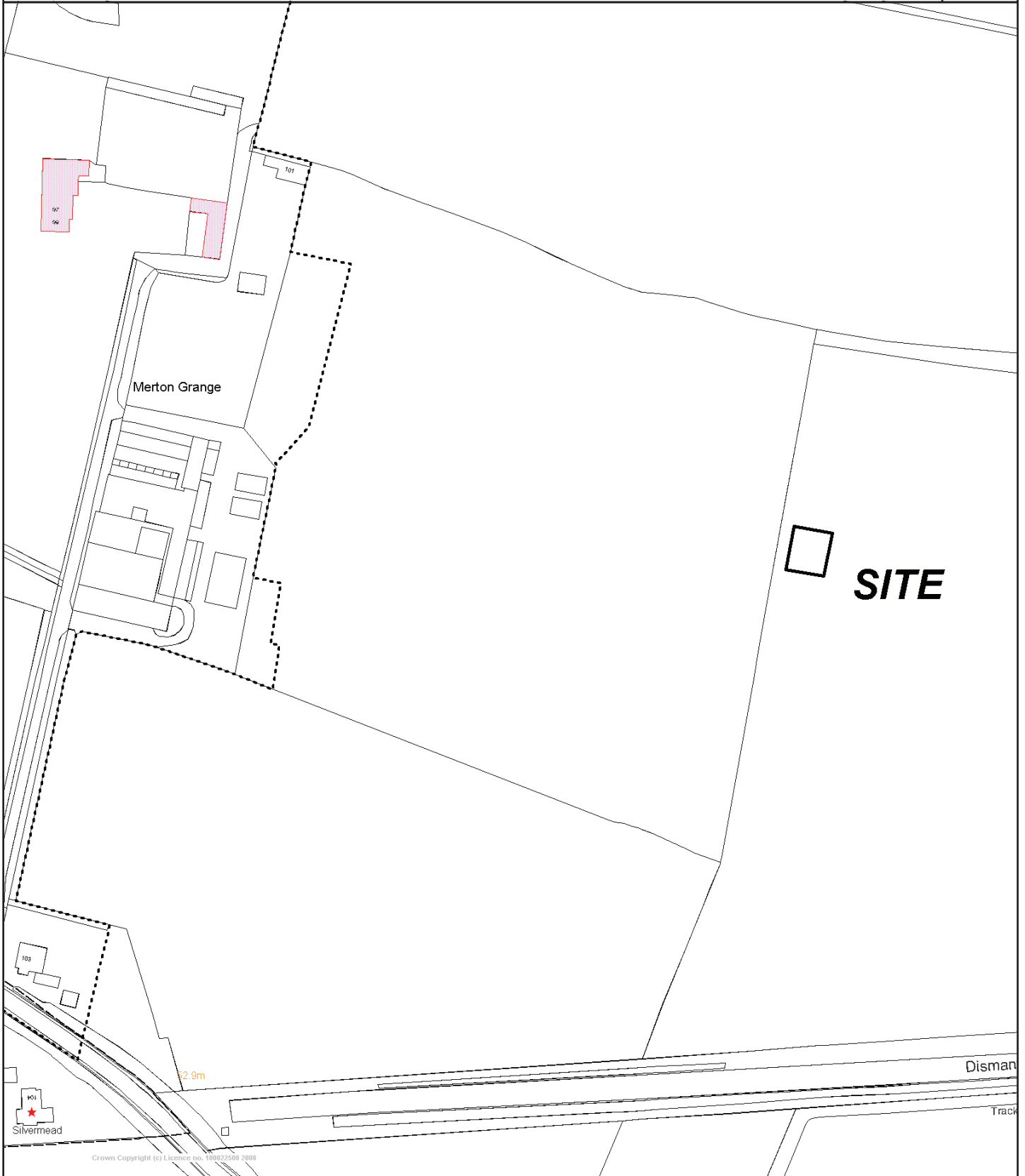
**S/1366/09/F - GAMLINGAY****Land off Station Road, and to the East of Merton Grange for Mr I Quince****Recommendation: Approval****Date for Determination: 17 December 2009****Notes:**

**This Application has been reported to the Planning Committee for determination because the officer recommendation of delegated approval is contrary to the recommendation of refusal from Gamlingay Parish Council.**

**Site and Proposal**

1. This full application, registered on 22 October 2009, proposes the erection of an extension to the existing free range poultry unit, which is located on land to the north of Station Road, Gamlingay. The site area of the application is limited to the area of the extension but the applicant controls a large area of surrounding land which is used in association with the operation.
2. The majority of the land is to the north of the route of the former Cambridge to Bedford railway line. To the north the land is bounded by Millbridge Brook with agricultural land beyond extending to Long Lane. To the west of the land are Merton Grange and its associated outbuildings, and a dwelling fronting Station Road. To the east is agricultural land.
3. The existing free range production building is located to the east of an existing hedgerow and measures 85.3m x 18.3m. It is 6.8m high. The proposed extension to the north end of the building will extend its length by a further 27.5m giving a total length of 112.8m. The proposed extension is the same width and height as the existing building and will be constructed using the same materials - dark green coated profile steel sheeting.
4. Access to the site is from Station Road, approximately 150 metres to the east of the top of the old railway bridge.
5. The application is accompanied by a Design and Access Statement and a Supporting Statement which refers to the Environmental Statement and Environmental Report, which were submitted with previous applications
6. The application has been screened in respect to the possible requirement for an Environmental Impact Assessment (EIA). The previous applications were not considered to be development requiring an EIA. The view has been taken that the current proposal, which will add an additional 4000 birds, should be viewed similarly.

S-1366-09-F



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Centre = 524951 E 252034 N

July 2010 Planning Committee

### Planning History

7. **S/0662/08/F** – Siting of Mobile Home and Installation of Septic Tank – Approved with Conditions.
8. **S/2148/07/F** – Erection of a Free Range Poultry Unit (Phase 3) – Approved with Conditions.
9. **S/2147/07/F** - Erection of a Free Range Poultry Unit (Phase 2) – Approved with Conditions.
10. **S/2046/07/F** - Erection of a Free Range Poultry Unit (Phase 1) to include egg room and associated hardstanding – Approved with Conditions.
11. **S/0675/07/PNA** – Agricultural Track – Prior Approval not Required.
12. **S/1322/06/F** – Siting of Agricultural Mobile Home - Refused.
13. **S/1321/06/F** – Erection of Poultry Shed together with Access – Refused – Appeal Withdrawn.
14. **S/2194/01/F** – Erection of Agricultural Storage Building together with Access – Refused – Appeal Dismissed.
15. **S/2193/01/F** – Agricultural Mobile Home and Access – Refused – Appeal Dismissed.

### Planning Policy

16. **South Cambridgeshire Local Development Framework Development Control Polices adopted July 2007:**

**Policy DP/1** – Sustainable Development  
**Policy DP/2** – Design of New Development  
**Policy DP/3** – Development Criteria  
**Policy NE/4** – Landscape Character Areas  
**Policy NE/6** – Biodiversity  
**Policy NE/11** – Flood Risk  
**Policy NE/14** – Lighting Proposals  
**Policy NE/15** – Noise Pollution  
**Policy NE/16** – Emissions

### Consultation

17. **Gamlingay Parish Council** recommends refusal. ‘Council has long objected to the provision of an egg farm in this location, and has objected in the past on environmental concerns/flooding into the brook, and concerns about the financial viability of the business case presented at previous enquiries. The Council is in receipt of 5 letters of complaint concerning the issue of fly infestation relating to the existing farm of 8,000 chickens, which are attached for your information.

The proposal to increase the farm by another 4,000 hens when there is a serious environmental health issue in existence relating to the existing farm management practices would be irresponsible.

The Parish Council objects to the proposal on the grounds of environmental impact, specifically relating to the continuing fly infestation issues’.

18. The **Corporate Manager (Health and Environmental Services)** commented in November 2009 that environmental health services had received several complaints over the course of the year from residents, relating to fly infestation allegedly from the existing free-range production unit. At that time the issue was still ongoing and had been investigated by an officer who was of the opinion that the complaints were justified. Although officers had been advised that alterations in the pest control scheme had recently been implemented complaints had been received subsequent to this. ‘Considering the aforementioned, in the interests of public health, it is not possible to support the application at this time. As agreed during our site meeting of 20<sup>th</sup> November, further details of what new procedures have been implemented to control flies on the site should be submitted. Also evidence needs to be shown that an expert in this field, as agreed, will be consulted on the matter with the view to highlighting further mitigation measures.’

Following the receipt of the additional information from the applicant the additional comments have been received. ‘Having now seen the report, which states that the Environmental Consultant who specialises in entomology is satisfied that a nuisance is unlikely to occur based on the new pest control techniques, I would be prepared to support an application.’ It is confirmed that a recent visit to both residents and business owners in the area indicated that they had not experienced any recent problems during spells of favourable weather when problems occurred last year, which coincides with the pest control measures being put in place.

19. The **Local Highway Authority** is of the view that no significant effect upon the public highway should result from this proposal should it gain benefit of planning permission.
20. The **Environment Agency** comments that its Environment Management team has been consulted and has no objection to the proposal as submitted.

It comments that all surface water from roofs should be piped direct to an approved water system using sealed downpipes. Open gullies should not be used

Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 165), and to the satisfaction of the Local Authority. The maximum depth of soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

21. The **Bedfordshire and River Ivel Internal Drainage Board** raises no objection in principle but wishes informatives to be included on any decision notice advising that no development shall take place within 7m of the watercourse without the Board’s prior consent under the Land Drainage Byelaw. This includes fencing, landscaping or other structures; Surface water runoff from the proposals should be restricted to the greenfield equivalent rate unless a higher discharge rate is agreed and has the consent of the Board under the Land Drainage Byelaw.

22. The **Ecology Officer** has no objection.
23. **Natural England** commented that the report accompanying the 2007 application clearly identifies that the site had some biodiversity/protected species interest and made some useful recommendations to protect and enhance these. The applicant should be required to update the surveys/mitigation and include these within a Biodiversity Management Plan for the site. It is therefore requested that a condition is attached to any consent requiring the submission of a Biodiversity Management Plan, to include a time-schedule and details of any further ecological survey work, mitigation and enhancement proposals, prior to any work commencing.

### **Representations**

24. Letters of objection have been received from the occupiers of **103 Station Road; Pinewood Structures, Station Road; Silvermead, 104 Station Road; 102 Station Road;**

The existing facility has inadequate pest control and any expansion will only make matters worse. The existing production unit is a hazard to health and any expansion plans should be put on hold until the owner can demonstrate an ability to manage the existing facility adequately.

Both residential and commercial premises in the area have been continually plagued by flies. This has led to a loss of productivity and morale in the commercial factories.

There will be an increase in the number of heavy good vehicles on what is a small country road in a small village with primary school children crossing. The old railway bridge is already a blind spot and there have been a number of traffic incidents. Further levels of HGV traffic only raises the risk of a fatal accident happening.

### **Applicants' Representations**

25. In a letter accompanying the application it is stated that the extension to the existing building is considered necessary as a result of the significant time delay since the original applications were submitted some 8 years ago. This delay, together with the current financial situation has resulted in an operation which is less cost effective than originally planned. There have also been significant cost increases, particularly in terms of equipment which has to be bought from the continent, as well as the price of electricity which is a considerable part of the running costs for the operation. In order to mitigate these effects, an additional 4000 hens are planned.

As a result of the extension, the size of the collection tank for the storage of the effluent from the washing out of the hen house will be increased from 15.44m<sup>2</sup> to 20.5m<sup>2</sup>. The servicing of this tank will be as described in the Acorus report which accompanied the earlier applications.

There will be no additional ecological impact to that reported in the ecological surveys which were undertaken in May 2007 and no additional impact on species than that reported in the species survey/assessment, also carried out at that time.

In June 2010 additional information was submitted pointing out that the applicant had recently appointed a Professional Pest Control Company to oversee various insect issues. A Fly Abatement Programme has been put together to run coterminous with the Pest Control Team. (Copies of this information can be viewed as part of the supporting documents for this application).

**Planning Comments – Key Issues**

26. The key issues for Members to consider in the determination of this application are environmental impact, residential amenity, visual impact and highway safety.
27. **Environmental Impact.** Environmental Health Officers have received a number of complaints about an increase of flies in the area and, following investigation, have identified the existing egg production unit as being the likely source of the problem. When this application was originally submitted the view of the Environmental Health Section was that an application to extend to existing premises could not be supported until that issue had been satisfactorily addressed. It was suggested to the applicant that he needed to engage the services of an expert in this field in order to demonstrate that the matter was being dealt with appropriately.
28. Although some additional procedures in respect of pest control were put in place earlier in 2010, including treating with a larvicide to break the fly life cycle at as early a stage as possible, Environmental Health Officers remained of the view until recently that these procedures should be allowed to operate through the summer months, when it is most likely that problems with flies will occur, so that it could be established how effective these measures had been.
29. Following the receipt of the additional information in June, which includes confirmation that additional fly control measures have now been put in place, and a specialist Company engaged to advise on the problem, the view is that the application can now be supported.
30. A condition should be attached to any consent to ensure the continued implementation of the Fly Abatement Programme, and any other agreed pest control measures.
31. No other significant environmental impact has been identified. Both the Environment Agency and the Bedfordshire and River Ivel IDB raise no objection to the application subject to various informatives being included in any consent.
32. Any planning consent should repeat conditions imposed on the consents for the original building in order to control the environmental impact.
33. **Visual Impact.** The proposed extension will result in a building which is 112m in length. The existing building is well screened from Station Road and Hatley Road. The proposed extension to the building will be to the north and will therefore not materially affect the impact of the building when viewed from this direction.
34. To the west the building is screened by an existing hedgerow and additional planting on the west boundary of the site, required as part of the original landscaping scheme, will further reduce the visual impact of the building from the direction of Merton Farm once established. Although the proposed extension will increase the mass of building when viewed from that direction I am of the view that as any public view is over 200m away any additional visual impact is acceptable.



35. The existing building can be clearly viewed from Long Lane to the north, although again this view is long distance at approximately 600m. The proposed extension will increase the visual impact of the building when viewed from Long Lane, but although the building is already quite distinctive in this location I am of the view that the additional section to be added will not increase the impact of the building to a degree whereby refusal of the application on these ground would be justified. Again additional planting required as part of the earlier consents will soften the impact of the building when viewed from this direction once established.
36. **Access.** The Local Highway Authority has not objected to the application as there will be no significant change to the number of vehicles as a result of the proposed development. There will therefore be no adverse impact on highway safety.
37. **Ecology/Wildlife.** The Ecology Officer has raised no objection to this latest application. I have asked the applicant to update the surveys/mitigation as requested by Natural England.
38. Gamlingay Parish Council has queried the financial viability of the business case previously presented, however I am of the view that this is not a material planning consideration in this application.

### **Conclusion**

39. This application has been held pending discussions between the applicant and his advisers and the Councils Environmental Health Officers in an attempt to resolve the identified fly problem. It was recognised that the application for an extension to the existing operation could not be supported unless this issue could first be satisfactorily addressed.
40. Having now received the revised comments from the Environmental Health Section I am of the view that the application can now be supported.

### **Recommendation**

41. That the application be approved subject to safeguarding conditions to include the control of the following:

### **Conditions**

1. Time Limit – 3 years
2. Foul Water Drainage
3. Surface Water Drainage
4. Pollution Control
5. Landscaping
6. Implementation of Landscaping
7. Restriction on Hours of Deliveries/Collections
8. External Lighting
9. Fly Abatement Programme

### **Informatives**

Environment Agency and Bedfordshire and River Ivel IDB

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

- East of England Plan 2008
- South Cambridgeshire Development Control Policies 2007
- Planning file refs: S/1366/09/F; S/2148/07/F; S/2147/07/F and S/2046/07/F

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

**Presented to the Planning Committee by:** Paul Sexton

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0634/10/F - HARSTON**  
**ATM Cash Machine POD (Retrospective) at 123 High Street for BP Harston****Recommendation: Approval****Date for Determination: 16 June 2010****Notes:**

**This application has been reported to the Planning Committee for determination as the Officer recommendation is contrary to the response from the Parish Council.**

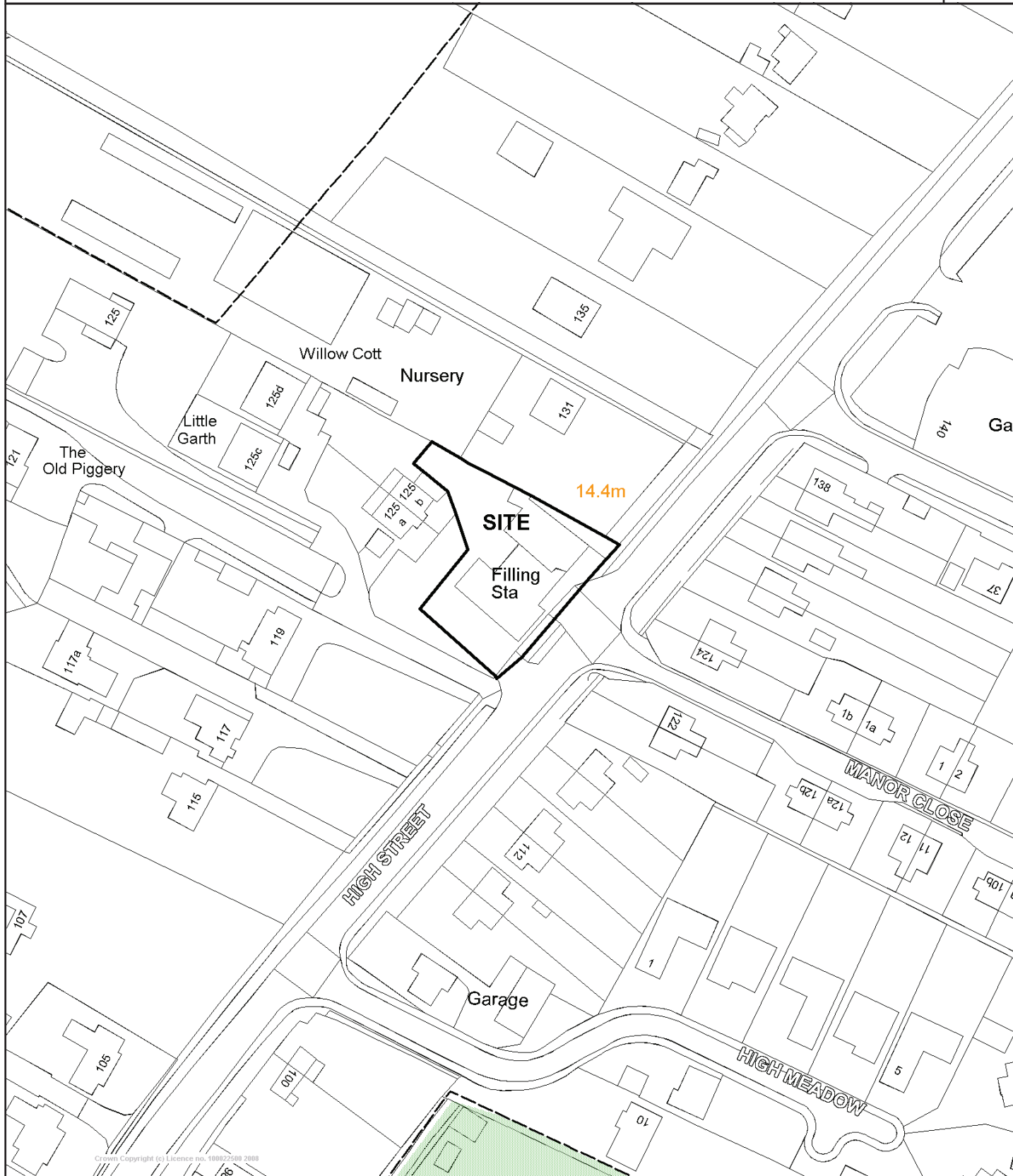
**Site and Proposal**

1. The application site is occupied by a BP petrol filling station located inside the Harston village framework and on the west side of the A10 High Street. The road is subject to a speed limit of 30 miles per hour, whilst there is a pedestrian crossing adjacent to the north-eastern corner of the site. Beyond the northern boundary of the site is a bungalow, No.131 High Street, which is situated approximately 15 metres away from the common boundary. To the south is an access serving a number of properties including Nos. 125a and 125b High Street, a pair of semi-detached dwellings located to the west whose rear gardens adjoin the western boundary of the site.
2. The full application, registered on 21 April 2010, seeks retrospective consent to site a free-standing cash machine on the premises. This ATM pod is sited directly adjacent to the western edge of the building, approximately 23 metres away from the frontage of the premises, 8 metres from the boundary with No.131 High Street and 12 metres from the boundary with No.125b High Street. The structure has a footprint of 0.9 metres x 0.9 metres and stands a total of 2.45 metres high. The cash machine element is illuminated at night by low-level backlit illumination. To each side of the machine are two anti ram-raid bollards.

**Relevant Planning History**

3. **S/0767/90/F** – Planning permission granted for the redevelopment of the petrol filling station including shop, office and alterations to access. This was subject, in part, to a condition restricting the hours of operation to 7am-10pm on weekdays, and 8am-10pm on Sundays.
4. **S/1336/07/F** – An application for the installation of an ATM was withdrawn. The proposal sought to position the cash machine at the front/east elevation of the building. The application was considered at Chairman's Delegation, at which it was resolved to approve the scheme subject to further information regarding illumination. Whilst such information was provided and deemed to be acceptable, the design of the machine differed from the original drawings,

S/0634/10/F - Harston



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Scale 1/1250 Date 21/6/2010

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July 2010 Planning Committee

and the applicant was therefore required to withdraw the application with a view to subsequently submitting a revised scheme.

5. **S/0367/10/F** – Application for the removal of condition 8 of planning permission S/0767/90/F to allow for the petrol filling station to operate 24 hours was withdrawn. Officers had been minded to refuse the application due to the impact upon the amenities of occupiers of Nos. 125a and 125b High Street, by reason of noise and light pollution.
6. **S/0844/10/F** – An application to vary condition 8 of planning permission S/0767/90/F to extend the opening hours to 1 additional hour either side of the existing permitted hours was submitted to this Authority last month and is currently pending a decision.

### **Planning Policy**

7. East of England Plan 2008:  
**SS1** - Achieving Sustainable Development  
**ENV7** - Quality in the Built Environment
8. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 2007:  
**DP/1** - Sustainable Development  
**DP/2** - Design of New Development  
**DP/3** - Development Criteria  
**NE/14** - Lighting Proposals  
**NE/15** - Noise Pollution
9. Supplementary Planning Documents:  
District Design Guide SPD – Adopted March 2010
10. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
11. **Circular 05/2005 (Planning Obligations)** - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

### **Consultations**

12. **Harston Parish Council** recommends refusal, stating:  
“We feel this ATM is too near private dwellings and use at night, particularly by drivers of the heavy goods vehicles traversing our High St, would create great disturbance.”
13. **The Environmental Health Officer** raises no objections to the implications of the proposal in terms of noise and environmental pollution. In addition, it is not considered there would be an excessive number of vehicle movements visiting the site through the night, to warrant a recommendation for refusal on such grounds.

14. **The Local Highways Authority** raises no objections, stating that the location of the ATM cash machine is satisfactory.

**Representations**

15. Objections have been received from the occupiers of Nos. 122, 125a and 125b High Street. The key points raised are:
- (a) The structure is permanently illuminated and affects the occupiers of 125b at night.
  - (b) There is increased noise disturbance to occupiers of adjoining dwellings due to customers using the facility.
  - (c) There are more motorists using the cash machine resulting in a loss of privacy to occupiers of No. 125b.
  - (d) As a result of cars parking outside the cash machine, there are more fumes from the site.
  - (e) The cash machine poses an increased security risk to nearby dwellings. The last cash machine sited at the front of the premises was ram raided on several occasions.
  - (f) The cash machine was erected before planning permission was applied for.
  - (g) Why is the facility required? There are four ATM's within five minutes drive.

**Planning Comments – Key Issues**

16. The application has been submitted following pre-application advice. Initially, it was proposed to site an ATM at the front of the service station. Officers raised concerns about the highway safety implications of the proposed siting, which it was considered may lead to vehicles stopping and parking on the A10 and result in conflict with vehicles exiting the service station and pedestrians using the nearby crossing. Concerns were also raised regarding the visual prominence of the proposed ATM. As a result of these issues, Officers suggested at the time that the ATM be sited within the service station area adjacent to the shop.
17. The key issues to be considered in the determination of this application relate to: the design and visual impact of the structure; the impact upon the amenities of adjoining residents; and highway safety.

**Design and Visual Impact**

18. The free-standing cash machine structure is set well back from the road on the south-west side of the shop and on the west side of the forecourt canopy. It stands 2.45 metres high, so is therefore much lower than the adjacent shop and canopy, and is coloured dark green to match the colour of the fascia of the shop. The cash machine is very discretely sited and does not result in harm to the character and appearance of the street scene.

**Residential Amenity**

19. The cash machine is sited approximately 12 metres away from the edge of No.125b High Street's garden area and around 17 metres from the rear elevation of the dwelling itself. The other half of the pair of semi-detached dwellings, No.125a, is sited some 3 metres further away. Objections have been received from the occupiers of both dwellings. In order to assess the impact upon the amenities of occupiers of these properties, the Environmental Health Officer has visited No.125b High Street after dark and

viewed the cash machine from the bedroom window, and has concluded that the light from the machine itself does not cause serious harm to the amenities of nearby residents by reason of light pollution. In addition, the Environmental Health Officer has raised no concerns in respect of any noise disturbance arising from the use of the cash machine, including from associated vehicle movements.

20. Concerns have been raised by nearby residents regarding the security implications of the cash machine. As stated within paragraph 2, there are anti ram-raid bollards on both sides of the structure, whilst the petrol filling station is also protected by CCTV, thereby providing adequate surveillance of the ATM for security purposes.

### ***Highway Safety***

21. Vehicular access to the ATM is via the existing petrol filling station and forecourt, and the Local Highways Authority (LHA) has raised no objections in respect of the highway safety implications of the development. In its comments relating to the previously withdrawn application, the LHA stated that petrol filling stations are very high generators of traffic and that the additional movements associated with an ATM on the premises would not have a significant additional detrimental impact upon the public highway.

### **Recommendation**

22. Approval.

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

- East of England Plan 2008.
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.
- South Cambridgeshire Local Development Framework (LDF) Supplementary Planning Documents: District Design Guide.
- Circulars 11/95 and 05/2005.
- Planning File Refs: S/0634/10/F, S/0367/10/F, S/1336/07/F, S/0767/90/F and S/0844/10/F.

**Contact Officer:** Lorraine Casey – Senior Planning Officer  
Telephone: (01954) 713251

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

**S/1780/09/F – LONGSTANTON**

**Slate North Isle of Church Roof at All Saints Church, Rampton Road  
for Reverend Malcolm Raby**

**Recommendation: Refusal**

**Date for Determination: 29 January 2010**

**Notes:**

**This Application has been reported to the Planning Committee for determination on the recommendation of an elected member of the District Council.**

**Site and Proposal**

1. All Saints Church is Grade I Listed Building, mostly mid to late 14<sup>th</sup> century, of fieldstone, clunch, limestone, brick and plain tile roof to the main roof and a previous lead roof to the north isle. The Church is located at the junction of Rampton Road, Woodside and the High Street and is surrounded by residential dwellings with the Rectory positioned to the north of the site. The Church falls within Longstanton Conservation Area.
2. The planning application, registered on 4 December 2009, seeks to install natural Welsh slate to the roof of the single storey, north aisle of the Church, which currently has a temporary felt roof following the burglary of the previous lead roof in July 2007.

**Planning History**

3. None.

**Planning Policy**

4. **National Policy**

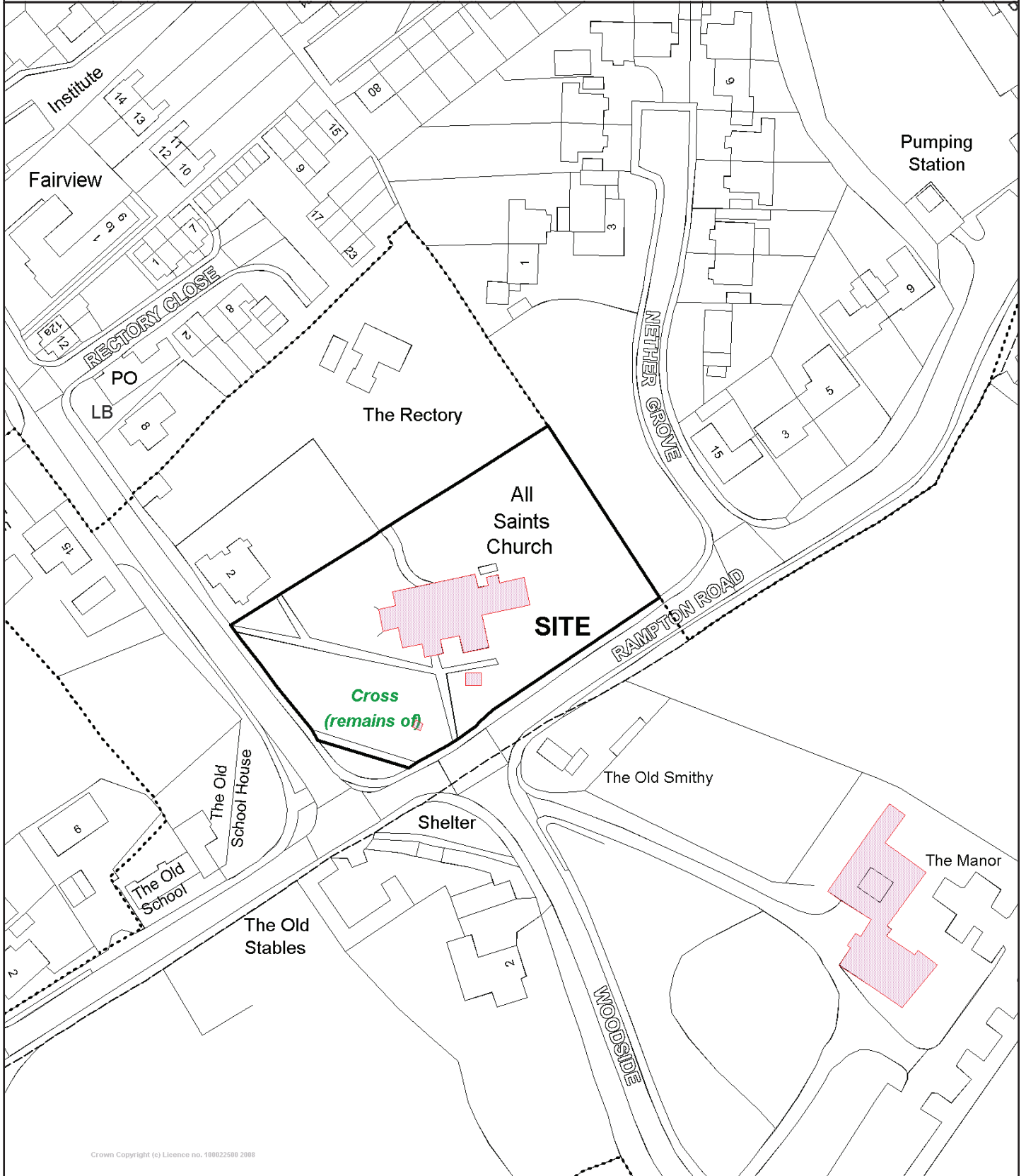
**Planning Policy Statement 5:** Planning for the Historic Environment  
Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide

5. **Local Development Framework Development Control Policies (Adopted July 2007):**

**DP/1** (Sustainable Development), **DP/2** (Design of New Development), **DP/3** (Development Criteria), **DP/7** (Development Frameworks), **CH/3** (Listed Buildings) and **CH/5** (Conservation Areas).

6. **Local Development Framework Supplementary Planning Documents:  
Listed Buildings SPD - Adopted July 2009**

S-1780-09-F



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## **Consultation**

7. **Longstanton Parish Council** - Recommends approval with all materials in keeping with the existing building.
8. **Listed Building Officer** - Recommends refusal. The original lead roof was stolen several years ago and there is a concern about replacing the lead for it just to be stolen again. It is acknowledged that the DAC and English Heritage have been involved and that they are supportive of the replacement roof material being slate. However, the team have serious reservations about introducing a new material on a building that never had slate. In addition, slate is inappropriate on a structure that is 15/16th century and is out of character. Any material needs to either be a temporary solution until lead can be renewed or it needs to be compatible with the age and character of the building. Lead is historically accurate and appropriate and it is what was there.
9. **English Heritage** - Due to the difficulty of detailing a lead roof covering on this roof slope we have accepted the proposed change of materials. We have in principle supported the approach currently on the table; and it does not look as if EH is likely to want to change its recommendation. Conservation is a difficult subject where compromises have to be made the whole time and my own personal view was always that the use of slate in this situation would not cause major loss of understanding of the history of the church even while adding to its complexity. I will refrain from quoting from Venturi, but we must remember that at the moment there is no roof on the North aisle at all.

## **Representations**

10. **District Councillor Brian Burling** – Requests that the application be determined by full Planning Committee due to the following reasons: this is a specialist application, the use of slate as an alternative is not inappropriate, the use of slate does not have any adverse visual impact on this Listed Building, slate has been approved by the Ely Diocese and English Heritage and the church is unable to find an insurer to cover the full loss of any further theft of lead from its premises.

## **Planning Comments – Key Issues**

11. The key issues to be judged in the determination of the application are the impact of the development on the Grade I Listed Building.

## ***Impact on the Listed Building***

12. The proposal is due to the theft of lead from the roof approximately two years ago during the wave of thefts at that period due to the sudden increase in prices of lead worldwide. Although the theft of lead from roofs is not as common now, there is still a risk which is of concern to the parish. Should the lead be stolen, there is a limit on the value of a claim which is lower than the cost of the work. The proposal has been discussed amongst officers with sight of the insurance policy from Ecclesiastical Insurance, who are the insurers dealing with churches and it acknowledged that the church already has a light and camera on the tower.
13. The fundamental concern relates to the unsuitability of slate in the proposal to change the material of the roof of the Tudor aisle. Slate is a material only used in South Cambridgeshire from the nineteenth century onwards. Because this aisle previously

had a parapet, it also creates an awkward junction at eaves level where there has to be a wide strip of lead at a flatter angle below the slate at eaves level.

14. The loss of lead is recognised to be a nationwide problem and it has been considered in policy making. Because lead is a long-lasting traditional material that can survive for many hundreds of years, the priority would be to reinstate it. Paragraphs 17.34-17.36 of the Listed Buildings SPD recommends that stolen lead is replaced on a like-for-like basis but that alternatives may be looked at if it is repeatedly stolen, when they can be temporary until the price of metal goes down so that the appropriate material can be replaced at some point in the future. It also notes that in some cases the Council may sometimes support terne-coated (stainless) steel or sarnafil (the lead-finish plastic sheet alternative) where thefts are a particular problem. Both of these look like lead from a distance and provide a medium term solution whilst the problem persists.
15. The English Heritage Inspector did not support terne-coated stainless steel on the basis of the detail at the roof edge where the roof flattens out, but felt that slate may be an alternative in practical terms. The Listed Buildings Officer does not support this use of slate as it does not take into account the period of the building and the palette of materials characteristic of this locality at the time. It would also create a precedent for a longer term change to the character of church roofs in the area, most of which predate the nineteenth century.
16. PPS5 replaces PPG15 and Policies HE7.5, HE9.5 and HE10 relate to the design of alterations. They say that local authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment, and that consideration of design should include the materials. PPS5 Practice Guide paragraph 80 notes that a successful scheme is one that has taken into account the diversity or uniformity in style, construction, materials, detailing, decoration and period of existing buildings and spaces.

### **Conclusion**

17. I therefore recommend refusal of the application due to the construction, materials and details of the proposed slate roof, which would be contrary to the style, design and period of the historic aisle that forms an important part of the interest and character of the Grade I Listed Building. The proposal is contrary to PPS5 and CH/3.

### **Recommendation**

18. That the application is refused, for the following reasons:

The proposal would harm the special character and appearance of this Grade I Listed Church due to the construction, materials and details of the proposed slate roof, which would be contrary to the style, design and period of the historic aisle that forms an important part of the interest and character of the Grade I Listed Building. The proposal is therefore considered to be contrary to Policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD) and policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment (including HE7.1, 7.2, 7.4 and HE9.1, 9.2 9.4) and PPS 5 Historic Environment Planning Policy Practice Guide (including 86, 111, 178 and 182).

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

- Planning Policy Statement 5: Planning for the Historic Environment
- Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.
- Listed Buildings SPD - Adopted July 2009

**Contact Officer:** Andrew Winter – Planning Officer  
Telephone: (01954) 713082

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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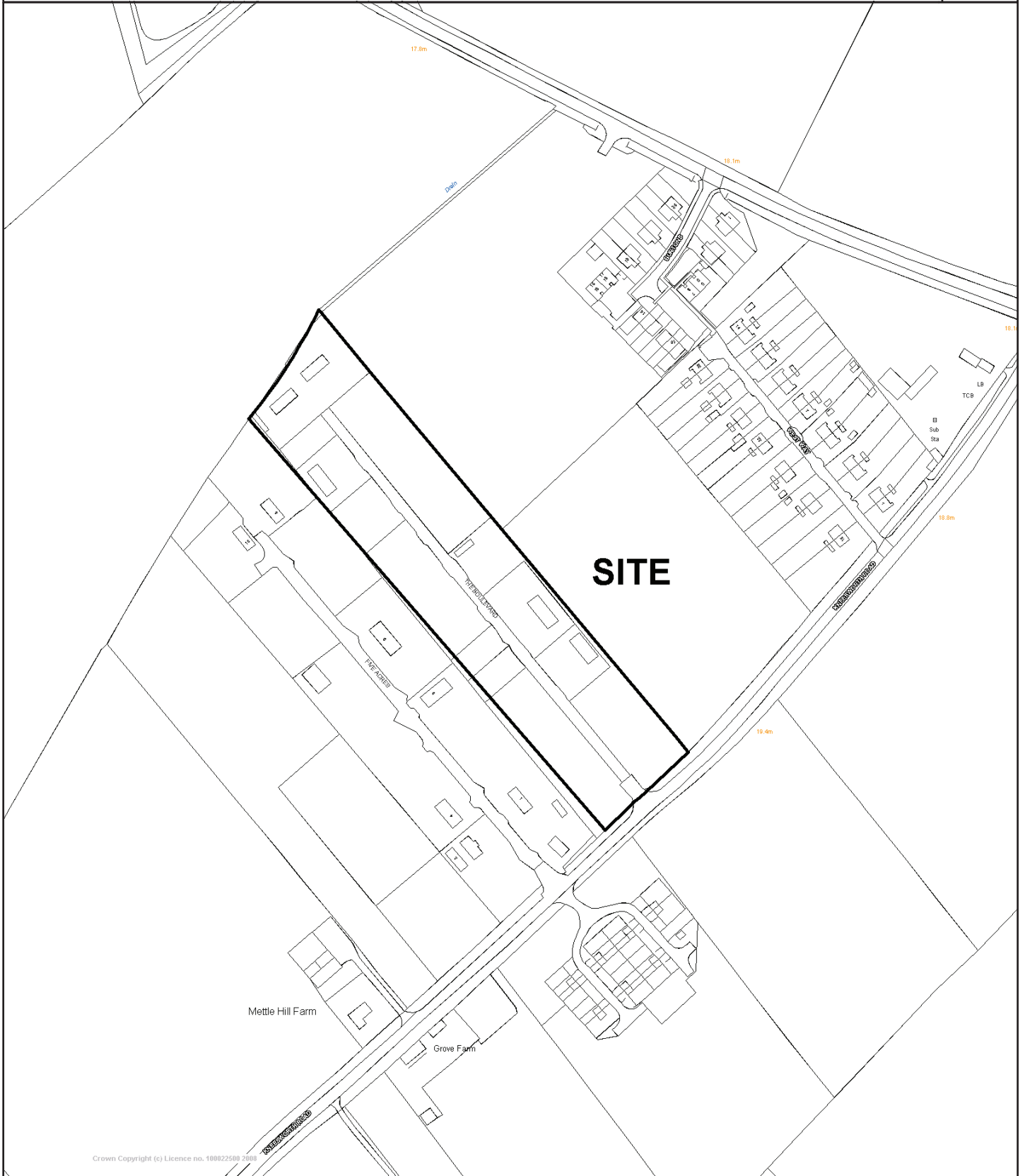
**S/0177/03/F - MELDRETH**  
**Increase in the Number of Plots from 11 to 13 (Condition 9)**  
**Biddalls Boulevard, Kneesworth Road for Mr J Biddall****Recommendation:****Date for Determination: Not Applicable****Notes:**

**This Application has been reported to the Planning Committee in order that Members can resolve how this proposal would have been determined had it been originally reported to them, in order that Officers can incorporate that resolution into the Councils' Proof of Evidence to be presented at a forthcoming Public Inquiry**

**Site, Proposal and Background**

1. Biddalls Boulevard is a 2.11 hectare showpersons site to the north west of Kneesworth Road, Meldreth. Immediately to the south west of the site is Five Acres, a similar size showpersons site.
2. To the north east and north west is agricultural land. There is existing planting on the south east, north east and north west boundaries of the site. Opposite the site is agricultural land and the former Cambridgeshire County Council Travellers site.
3. Condition 9 of the original planning consent for the site restricts the number of plots for the stationing of mobile homes and caravans to no more than 11, with each individual plot being occupied by a maximum of 3 mobile homes or caravans, unless the Local Planning Authority were to give its prior written approval to any increase in these numbers.
4. Members may recall refusing a submission requesting an increase the number of plots on the site from 11 to 17 at the August 2009 meeting (Item 9), following a site visit, on the grounds that the proposal was premature in the context of the emerging Gypsy and Traveller Development Plan DPD and would prejudice the consideration of that document. Members were also of the view that the proposed intensification of the use of the site was unacceptable given the absence of a safe pedestrian route from the site to the village of Meldreth. It was felt that the lack of such a route would be likely to result in less people choosing to walk from the site to the village and would therefore result in greater reliance on the private car, contrary to the aims of Policy DP/1 of the adopted Local Development Framework.
5. An appeal has been lodged against that decision and will be determined by Public Inquiry.

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6. Following that refusal, the applicant submitted a request to increase the number of Plots from 11 to 13. Although that submission was originally accepted as being valid a letter was subsequently sent to the applicant advising that the District Council was of the view that, having considered all available information, that there appeared that more than 11 plots had already been provided on the site and that therefore was a breach of Condition 9 of the original planning consent. As that condition required the *prior* approval of the Local Planning Authority to be given to any increase in those numbers it was determined that the submission was not in the appropriate form and that the applicant would have to submit the proposal as a new planning application. The applicant indicated in that submission that he would be prepared to contribute 50% of the costs of the provision of a new footway on behalf of all residents of his site, with the other 50% being contributed by the showmen on the adjoining Five Acres site.
7. The applicant has lodged an appeal against the non-determination of that submission and I therefore need to seek Members view as to how they would have considered the request had it been put before them in order that I can present that view at the Public Inquiry.

### **Planning History**

8. Planning consent was granted at appeal in 2004 for the use of land to travelling showpeople's quarters (**Ref: S/0177/03/F**). That consent included conditions requiring the submission of a plan detailing the layout of the site, including the means of enclosure of individual plots; and restricting the number of plots for the stationing of mobile homes and caravans to no more than 11, with each individual plot being occupied by a maximum of 3 mobile homes or caravans, unless the Local Planning Authority were to give its prior written approval to any increase in these numbers.
9. At the August 2009 meeting Members refused a proposal to increase the number of plots from 11 to 17 as described earlier in this report.

### **Planning Policy**

10. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies 2007:**  
**DP/1** (Sustainable Development)  
**DP/3** (Development Criteria)  
**DP/7** (Development Frameworks)
11. **Gypsy and Traveller DPD Issues and Options 2** was published for consultation on 10 July 2009. In respect of showpersons accommodation it comments:

Whilst no specific figure was included in the draft East of England Plan policy, following the Panel Report the emerging policy requires that provision of 18 plots should be made for Travelling Showpeople in the period 2006 to 2011 in Cambridgeshire & Peterborough, with a 1.5% annual allowance for household growth. In planning to 2021 this would create an additional requirement of 12 plots, giving a total for 2006 to 2021 of 30 plots. A plot is a term used with reference to Travelling Showpeople to refer to a space for a single accommodation unit.

The emerging East of England Plan policy does not specify how much of this growth should take place in South Cambridgeshire. A cross-boundary project may need to be undertaken between all the local authorities in the county to consider how pitches

should be located across the area. The primary evidence used by the Panel in their recommendation was based on surveys and evidence collected by the Showman's Guild. This indicated that the majority of need was identified in other districts, particularly East Cambridgeshire. This is reflected in the emerging East of England Plan policy, which refers to the need as being located in 'East Cambridgeshire and elsewhere'. In South Cambridgeshire, 3 additional plots are required over 5 years, 2 resulting from household growth, and 1 from an existing overcrowded plot.

There are two Travelling Showpeople sites in South Cambridgeshire, both on Kneesworth Road in Meldreth. One site has capacity for an additional 6 plots within the site area. These additional plots would contribute towards the requirements of the East of England Plan. This is included as a site option for consultation.

12. In response to the consultation on the DPD, 3 representations were received in support of the proposal and 6 representations objecting, including an objection from Meldreth Parish Council and the former District Councillor.
13. The Gypsy and Traveller DPD was aiming to meet the targets for pitch numbers set out in the East of England Plan. The new Government's proposed abolition of regional plans means that the targets for numbers of pitches will now be set locally, and reflect local need and historic demand.
14. The work on the Gypsy and Traveller DPD will now progress more slowly while the new government produces its guidance on how the District Council should plan for the needs of our Gypsies and Travellers.
15. **Circular 04/07 – Planning for Travelling Showpeople** requires that the needs of Travelling Showpeople are to be treated in a similar way to those of Gypsies and Travellers, with provision requirements created through regional plans and implemented through district plans.

### **Consultation**

16. **Meldreth Parish Council** had commented in September 2009 that it 'considered your letter dated 28 August and the request from Mr Biddall's agent to increase the number of plots from 11 to 13. As you know Meldreth Parish Council had recommended approval of an earlier request for 13 plots. I have been asked to pass onto you the strong concerns that the council has on the confusing information presented since the first request in January this year and on the way these requests have been handled. While councillors stand by their recommendation of approval of an increase to 13 plots they are strongly against the granting for the requested plots on the latest site plan (dated 12 August 2009) as we have strong evidence from residents on the site that there are already 13 plots occupied on the site and our recommendation therefore applies solely to these plots.

As you know the Inspector who heard the appeal by Mr Biddall in 2004, and subsequently granted planning permission for not more than 11 plots, required the prior written approval of the local planning authority in respect of any increase in these numbers. We recall that, at one stage, you ruled that as this was a retrospective application that a reply by letter to a request to increase the numbers was not the correct procedure and that a full planning application was needed. However after a site visit you changed that as you said that there were only 11 sites marked out by fences.

At our meeting yesterday we considered written representations from three residents of the Boulevard, oral presentations by 6 residents and a report from Cllr Susan van de Ven. From their information and using the plans submitted by Mr Biddall we can summarise the situation which we hope will help your deliberations:

- (a) The site was originally divided by Mr Biddall into 40 plots (50' frontages) for sale and numbered from the front of the site – 1-20 on the left and 21-40 on the right.
- (b) These were brought by families in various multiples and were all sold with planning permission and title deeds
- (c) Referring to the site plan dated 28 April 2009; Plot 9 was brought by Mr and Mrs Fred Chapman as Plots 19/20 and Plot 10 (39/40) by Mr and Mrs Sid Chapman. They are occupied by different families, have separate deeds, sewage, power and council tax. The fence is removable to allow plant to exit and they are divided by an access road. However on the site plan dated 12 August 2009 they have been combined into one plot 8, although we understand the fences are now up again.
- (d) Similarly Plots 16 (27/28) and 15 (29) on the site plan dated 28 April 2009 were sold separately to Mr and Mrs Michael Mayne in November 2006 (Plot 16) and September 2007 (Plot 15) when they realised they needed extra accommodation for a growing family. Again they have separate deeds. However on the site plan dated 12 August 2009 they have been combined into one plot numbered 10.

It should be clear from this that there are already at least 13 plots already owned by people other than Mr Biddall and already occupied on site. We understand that SCDC's Mr Swain also checked that yesterday. We believe therefore that the request for an increase to 13 plots should be handled by a full planning application. This would have the advantage that:

- (a) It would make it clear the land owned by Mr Biddall as opposed to that already sold to others.
- (b) The process would have full transparency, particularly to those affected on site, who would presumably all be 'carded'.
- (c) At the conclusion of the of the process it would be clear which plots have planning permission and which do not, making planning enforcement possible.'

The Parish Council confirms that it would still support approval of an increase to 13 plots, provided these are the plots already occupied by families who have bought in good faith, and that this should be the final number.'

17. The comments of the **Local Highway Authority** will be reported at the meeting. In respect of the earlier proposal to increase the number of plots from 11 to 17 it comments that the provision of a new footpath link would be desirable and perhaps should have been asked for under the first application, when the majority of the development was being undertaken. Its view was that it would be difficult and onerous to insist that the limited number of new plots proposed bear the costs of the provision of a footpath link.

18. **Cambridgeshire County Council** as Education Authority advised at the time of the earlier submission that adequate capacity existed at both Meldreth Primary School and Melbourn Village College to cater for any demand arising from the proposed increase in the number of plots

### **Representations**

19. Representations were received from the occupiers of **Nos. 18, 19/20, 27, 39/40 The Boulevard, 9 Five Acres and 10 Five Acres.**

The objections received from the residents of The Boulevard relate to the inaccuracy of the submitted plan in that it does not relate to the way in which existing plots have been sold off and occupied, as detailed in the comments from Meldreth Parish Council.

The letters from the residents of Five Acres object to the suggestion made by the applicant that 50% of the cost of the new footpath would be borne by residents of Five Acres.

### **Planning Comments – Key Issues**

20. The key issues for Members to consider in now coming to a view on this proposal is whether approval of an additional two plots will materially change the impact of the existing site on the surrounding countryside; whether the proposal is premature given the status of the emerging Gypsy and Traveller DPD; whether the addition of two plots would justify the provision of a footpath link from the site to the west towards West Way; and whether the submitted plan, which does not accurately reflect the existing plot boundaries within the site should be accepted.

This view will be given without prejudice to the Councils' view that the request was not submitted in a valid format.

21. The site is well contained with effective planting on three site boundaries. The other boundary is with the showpersons site to the south west. Plots are divided within the site by close-boarded fencing. In my view the increase in the number of plots within the site will not materially affect the visual impact of the site on the surrounding countryside given existing boundary planting, which the applicant has agreed to supplement as specified above. An area of open space is to be provided within the site for use by the occupiers of the plots.

22. A Government document entitled The Planning System: General Principles states:

“In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD.

Where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay this would impose in determining the future use of the land in question.”

23. The Gypsy and Traveller DPD recognises that there is a requirement to provide additional plots for showpersons in the District and suggests that the existing Meldreth site is one of the options that could be considered for accommodating some of this demand recognising that this site has the capacity for an additional 6 plots. It is recognised that the need figure will now be reassessed. In my opinion the proposal for an additional 2 plots within an established site would not be premature as it would not be so substantial or significant that granting permission would prejudice the DPD and I am mindful that the progress of the document has been delayed. Members took a different view on this point previously, albeit this was for an additional 6 plots.
24. I will report the comments of the Local Highway Authority in respect of the justification for requiring a footpath link along Kneesworth Road to support an additional two plots. I am of the view that such a requirement may be difficult to justify given the small increase in numbers proposed. I am mindful that the applicant has offered to pay 50% of the cost of this provision but there is no mechanism through the planning system through which the additional 50% can be required from third parties.
25. It is clear from the available evidence that the proposed layout plan does not accurately reflect the existing plot layout (for example, Plot 8 on the submitted plans is divided into two plots on the site), or the way in which the plots have been sold to individuals and I am sure this point will be debated at the future Public Inquiry. Notwithstanding the fact that this was one of the factors which contributed to the Council's view that the proposed submission was not valid Members need to consider, without having regard to land ownership issues etc, whether there would be any planning objections if the site were to be subdivided into 13 plots in the manner shown. In my view it would be difficult to object on these grounds.

#### **Recommendation**

26. My recommendation will be dependant on the advice received from the Local Highway Authority as to whether the provision of footpath link is considered to be essential to the approval of this proposal. If it does not I will recommend the Planning Committee that comes to the view that the submitted layout plan franked 14<sup>th</sup> August 2009 is an acceptable way to layout the site.

Any view Members take will not prejudice the fact that the Council considers the submission to have been invalidly made.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- South Cambridgeshire Local Development Framework Gypsy and Traveller DPD (Consultation Draft)  
Planning File Ref: S/0177/03/F

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

**Presented to the Planning Committee by:** Paul Sexton

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0559/10/F – PAPWORTH EVERARD****Erection of Building Comprising Heritage Centre, Gift Shop and Staff Rest Facility,  
with Single Storey Link to Provide Offices for Fundraising and the Erection of a  
Building for Seminar Room at Papworth Hospital, Ermine Street South  
For Papworth Hospital NHS Trust****Recommendation: Approval****Date for Determination: 16 June 2010**

**This Application has been reported to the Planning Committee for determination following a recommendation of refusal by the Parish Council that does not accord with the officer recommendation.**

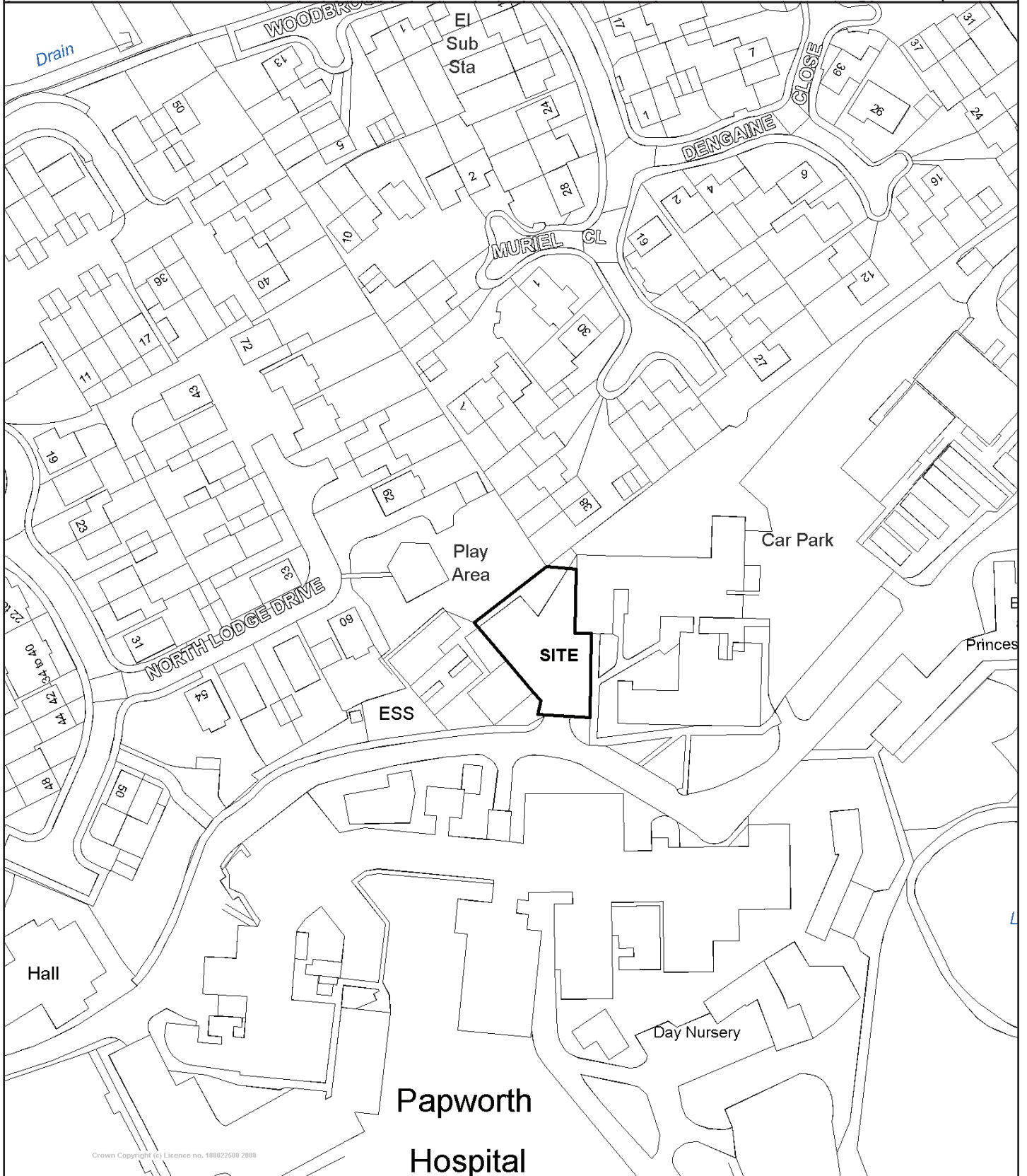
**Site and Proposal**

1. The site lies on the Papworth Hospital site, located to the eastern side of Ermine Street South. The hospital has an internal road layout linking to the many permanent and temporary buildings on site. The application site is at the northern end of the hospital complex. To the north of the site is a play area at North Lodge Drive, with dwellings to its north, west and east sides. The hospital land is set on higher ground than that to the north.
2. The full application, validated on the 21 April 2010, seeks the erection of two different buildings. A two storey modular building would form the heritage centre and shop, and would be linked to the existing two-storey pharmacy building. There would be a single storey element to the north creating office space for the fundraising team. A detached single storey building would then form a new seminar room. The application is accompanied by a Design and Access Statement.

**Planning History**

3. The site has a long planning history, the majority of which is not relevant to the determination of this planning application. Planning permission was granted for the adjacent pharmacy building through planning permission **S/1876/08/F** dated 22 December 2008.
4. Application **S/1214/07/F** granted temporary consent for the change of use of land to form a new 300 space hospital car park on land to the south of the hospital, accessed through Stirling Way. Condition 1 of the approval stated the use shall cease on 30<sup>th</sup> June 2012. A current application, **S/0040/10/F**, has been submitted to vary the condition to allow the use to continue until 31 March 2015, although this remains undetermined.

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5. Since application **S/1214/07/F** was approved, a number of applications on the Hospital site have been approved that have resulted in changes to the parking provision on site. These are summarised below.

<b>Planning Ref</b>	<b>Description of Development</b>	<b>Net Loss of Spaces</b>
<b>S/0010/10/F</b>	Portable Building (although not yet approved)	2
<b>S/0378/09/F</b>	Extension to ICU Building Including Room Top Plant Room (Amended Design)	19
<b>S/1876/08/F</b>	Extension to Existing Pharmacy	9

### **Planning Policy**

6. **South Cambridgeshire Local Development Framework Development Control Policies (LDFDCP) 2007:**

**DP/1** – Sustainable Development, **DP/2** – Design of New Development, **DP/3** – Development Criteria, **DP/7** – Development Frameworks, **CH/2** - Archaeological Sites, **TR/1** – Planning for More Sustainable Travel and **TR/2** – Car and Cycle Parking Standards.

7. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

### **Consultation**

8. **Papworth Everard Parish Council** recommends refusal of the application, as eleven parking spaces will be lost. They do note that if permission is granted, then a condition is recommended to require the Hospital to deliver enforceable traffic measures in the form of yellow line in critical locations on nearby public highways in consultation with the Parish Council. Any consent should also be for a temporary period only.
9. The **County Council Assistant Archaeologist** has requested a condition for archaeological investigation given the potential of the site.

### **Representations**

10. No further representations have been received.

### **Planning Comments – Key Issues**

11. The key issues relating to the application are the parking provision on site, and the impact upon the occupiers of the adjacent properties.

### ***Parking Provision on Site***

12. Historically, parking has always been a contentious planning issue at the Papworth Hospital site. This has particularly caused concerns for local people given levels of on-street parking in the nearby vicinity. The site has been the subject of numerous planning permissions over the years, which have had the cumulative affect of reducing on site parking provision. This was recognised as a problem, and the Hospital then sought consent for a large parking area to the rear of Stirling Way

through application S/1214/07/F. This car park is open on site specifically for staff parking.

13. Since the car park application was approved, other applications have resulted in a net loss of 30 spaces on site. At the same time, employee numbers have increased. The current application would lose 12 spaces, totalling 42 spaces since the new car park was open. Given the provision of 300 extra, albeit temporary, spaces on the site, I do not consider that the cumulative loss of parking since 2007 would result in a serious loss of parking for the Hospital site as a whole. It is appreciated that the new car park is for staff only, but this provides a large number of demand for spaces.
14. I note the concerns from the Parish Council regarding parking on the site and the surrounding roads. The Parish Council recommend a condition be imposed if the application is supported for a scheme of yellow lines to be painted on adjacent roads. Whilst it is noted that this would alleviate problems in the locality, I do not consider it reasonable for such a condition to be added to this planning application, given the small number of parking spaces lost. Such line painting may be a future consideration for the Hospital and Parish Council outside of this planning application. However, it would be appropriate for development to be granted temporary planning permission in this instance.

#### ***Impact Upon the Occupiers of the Adjacent Properties***

15. The land to the north of the site is a play area accessed from North Lodge Drive. The two storey heritage centre and shop would be located approximately 8.2m from the shared boundary at its closest, whilst the single storey fundraising unit would be within 3.8m. The two-storey element would be 7.3m in height, whilst the single storey element would be 3m in height. Both developments would easily be visible from this play area, particularly given the slope on the site. However, I do not consider that any harm would be caused to users of this play space. No windows are shown in the north elevation, but I do not consider a condition restricting any future windows as necessary in this instance.
16. The property of 62 North Lodge Drive is again set on lower ground, but would be 27m from the boundary of the Hospital. Whilst the occupiers of this property would have views of the buildings, I do not consider given this distance that any serious harm would result. The property at 38 Hamden Way would be close to the development, particularly the single storey seminar room. However, given the existing relationship with the recreation room, I do not consider any serious harm would be caused to the occupiers of this property. The occupiers of 60 North Lodge Drive would again see the development but given the distances involved, no serious harm would result.

#### ***Other Matters***

17. I note the comments from the County Archaeologist relating to the site. Such a condition was not requested for the adjacent pharmacy site. However, further justification has been provided by the County Council given the proximity to the Scheduled Ancient Monument moat site and the former Roman road of Ermine Street. I consider such a condition appropriate in this instance.

**Recommendation**

18. The application is recommended for approval subject to the conditions listed below.

**Conditions**

1. The temporary buildings, hereby approved, shall be removed from the site and the land restored to its former condition on or before 31 March 2015.  
(Reason – Approval of the proposal on a permanent basis would be contrary to the proper planning of the area and the land should be reinstated to facilitate future beneficial use, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 09547 01, 09547 02 & 09547 02 Rev P1 date stamped 9 April 2010.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Development Control Policies adopted 2007
- Circular 11/95 – The Use of Conditions in Planning Permissions
- Planning Files Ref: S/0559/10/F, S/0040/10/F, S/0010/10/F, S/0378/09/F, S/1876/08/F and S/1214/07/F

**Contact Officer:** Paul Derry – Senior Planning Officer  
Telephone: (01954) 713159

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/1608/09/F – FEN DRAYTON**  
**Change of Use from Offices (B1) to Children's Day Nursery (D1)**  
**at The Old School, High Street for The Whitfield Group**

**Recommendation: Delegated Approval/Refusal**

**Date for Determination: 4 March 2010**

**This Application has been reported to the Planning Committee for determination because the Parish Council has recommended refusal contrary to officer recommendation.**

**The site lies within the Fen Drayton Conservation Area**

**Site and Proposal**

1. The full application, received on 7 May 2009 and amended dated 5 March and 17 March 2010, relates to a detached building located within the Fen Drayton village framework and Conservation Area. It is a part single, part two-storey property, facing onto High Street. It currently has a lawful office use (Class B1), although the building is not occupied at present. The proposal seeks a children's nursery use on the site. Members previously voted to refuse an application for a similar scheme at the site at August Planning Committee 2009, details are which are provided below.
2. The building has two existing accesses. The first access is direct from High Street to the front of the property, which serves a small parking area. The second access runs across the frontage of the public house to the south of the site, and serves the existing parking area to the rear, as well as a further access to the adjacent dwelling at Teal Cottage. There is a mini-roundabout on the junction between High Street and Horse and Gate Street. To the front of the building is a brook, and the site lies within flood zones 1, 2 and 3 of the Environment Agency matrix. The brook is also designated as a Protected Village Amenity Area. A Flood Risk Assessment has been submitted with the application, along with a Design and Access Statement, and an Access and Traffic Statement. A Tree Survey, Arboricultural Implication Assessment and Method Statement were also submitted as part of an amendment.
3. The public house to the south, the Three Tuns Inn is a grade II\* listed building. To the north is a detached dwelling, the Blandings, and the shared boundary at the rear is a 1.8m high hedge. To the west, behind a 1.8m wooden panel fence, is the rear garden of Teal Cottage. There are some trees along this boundary.

**Planning History**

4. Application **S/0446/09/F** was refused by Members at August Planning Committee 2009 and dismissed at appeal for the change of use of the building to a children's day nursery. The reason for refusal related to highway safety matters concerning the

S-1608-09-F



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access onto High Street. The Planning Inspector concluded that the development would not be served by an appropriate safe means of access from the public highway and would therefore be detrimental to public safety. This application did not include the widening of the bridge. A follow up application, **S/1265/09/F** was refused for the same reasons.

5. Application **S/0039/90/F** for the use of the building as offices and car park was approved dated 19th March 1990. This followed the refusal of application **S/1710/89/F** for the same use on grounds of noise disturbance to the occupiers of adjacent dwellings from the car park.

### **Planning Policy**

6. **Local Development Framework Development Control Policies 2007:**

**DP/1** – Sustainable Development, **DP/2** – Design of New Development, **DP/3** – Development Criteria, **DP/7** – Development Frameworks, **CH/4** – Development Within the Curtilage of a Listed Building, **CH/5** – Conservation Areas, **CH/6** – Protected Village Amenity Areas, **NE/6** – Biodiversity, **NE/11** – Flood Risk, **NE/15** – Noise Pollution & **TR/2** – Car and Cycle Parking Standards.

7. **Paragraphs 4.37 – 4.42** of Local Development Framework Listed Buildings: Works to or Affecting the Setting of Supplementary Planning Document adopted July 2009 relate to the setting of Listed Buildings. It is noted that the setting of a listed building can include other properties (buildings), and its setting owes its character to the harmony produced by a particular group of buildings.
8. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

### **Consultation**

9. **Fen Drayton Parish Council** recommends refusal on a number of grounds. Its summary states:
  - (a) There is no material change to the previous scheme refused and dismissed at appeal
  - (b) The widening of the bridge will seriously affect the adjacent trees, and would further depress this aspect of the village
  - (c) Potential flooding from the brook would result
  - (d) There would be a serious impact upon the existing Mothers and Toddlers group and the Pre-School group
  - (e) There is concern regarding the potential for increased journey numbers to and from the site
  - (f) Comparisons with other nurseries do not show any in other small villages
  - (g) There will be a shortage of staff parking
  - (h) No speed data for High Street is provided
  - (i) Vehicles will arrive at the site at peak times
10. With regard to the tree survey submitted, Fen Drayton Parish Council note that the trees by the brook contain nesting Rooks, and any works to roots would adversely affect these birds.

11. The **Local Highways Authority** objected to the proposal on grounds of highway safety. They have been in discussions with the applicant since the application was submitted, and have responded to various information passed through regarding other nurseries in the area. The main area of concern to the Local Highways Authority is whether there is a right for any motor vehicles to access the parking spaces to the rear. A planning condition regarding the use of the access is not considered appropriate. They note concerns relating to the enforceability of parking arrangements and the potential impact upon the adopted public highway. Also, it is noted that due to other facilities in the village, demand for the use will be from outside the village where the car will be the primary method of travel. Negotiations are continuing.
12. The Council's **Conservation Officer** refers to previous comments made regarding the site. This relates to internal and external changes. None are shown on the plan, while the officer considers such proposed changes to potentially impact on the exterior of the building. Concerns are also raised as to the setting of the Conservation Area, and the impact upon the setting of the listed building.
13. The Council's **Environmental Health Officer** has considered the proposal in terms of noise and environmental pollution, and it is concluded there are no significant impacts from the Environmental Health standpoint. Members should be aware that at application S/0446/09/F, the Environmental Health Officer did recommend a condition regarding a noise management scheme.
14. The Council's **Trees Officer** has stated that the Hayden's Report indicates that the widening of the bridge can be achieved whilst retaining the adjacent tree. There are no objections providing the proposals within the report are followed, with Hayden's present on site during the works.

### **Representations**

15. The occupiers of **Teal Cottage, Horse and Gate Street**, located to the east of the site, have questioned some aspects of the application. This specifically relates to the location of the diagrams for the bridge widening, the potential addresses of staff, the necessity to protect children given the proximity of the brook to the front of the site, and the impact upon the existing pre-school in the village.
16. The occupiers of **33 Cootes Lane** notes concerns regarding the trees should the bridge be widened, and questions whether two vehicles would be able to pass. Concerns regarding an increase in vehicle numbers in the village are also raised.

### **Planning Comments – Key Issues**

17. The key issues relating to the application are highway safety and parking, the impact upon trees, the impact on the amenity of the occupiers of the adjacent dwellings, impact upon the Conservation Area, the adjacent listed building and Protected Village Amenity Area, and flooding.

### ***Highway Safety and Parking***

18. The Local Highways Authority original objected to the proposal. Given the previous Inspectors comments, there are continuing concerns regarding the access to the site, and potential parking on High Street, which would be the detriment of highway safety. Talks are currently on going on this issue, and Members will be updated on this matter once the Local Highways Authority has concluded its negotiations.



***The Impact Upon the Trees***

19. Contrary to the previous two applications that were refused, this application includes a scheme to widen the bridge over the brook to the front of the site. This would seek to increase the width by approximately 0.9m to the south, to allow the 5m width of the access to allow vehicles to safely pass each other. This would bring the bridge very close to the existing tree, which is considered to significantly contribute to the street scene and is protected in its own right due to its location in the Conservation Area.
20. The applicant submitted a Tree Survey, Arboricultural Implication Assessment and Method Statement, completed by an Arboricultural Consultant dated 17<sup>th</sup> March 2010. The tree to the south is referred to as T001 in this report. The report concludes that limited excavation would take place within the Root Protection Area of T001, and therefore a bespoke construction detail has been designed to reduce the impact to a minimum. The works could therefore be undertaken without due detriment to the health and safety of this tree. I note the comments from the Council's Trees Officer supporting this view. With the use of an appropriate condition, I do not consider any serious harm would result to the tree, and consequently, there would be no serious harm to nesting birds.

***The Impact on the Amenity of the Occupiers of the Adjacent Dwellings***

21. The proposal does include an existing garden, which would have the potential to be used as a play area on warm days. It has shared boundaries to the rear gardens of both Blandings and Teal Cottage. The size of the garden would restrict the number of children who could play at one time, but is unlikely to accommodate the proposed number of children at the site in one go. The respective boundaries would provide some screening. The Environmental Health Officer has previously stated that given noise levels of play associated with nurseries are relatively low, there are no serious concerns about the use (please note that no comments have been received regarding this application). However, a condition regarding a noise management scheme could ensure this to be the case. The scheme could include details such as times of outdoor play, a maximum number of children to play at one time, and some strengthening of the shared boundaries. Members should be aware the previous Planning Inspector did not dismiss the previous appeal on grounds of impact upon the amenity of the occupiers of these neighbouring properties.

***Impact upon the Conservation Area, the adjacent listed building and the Protected Village Amenity Area***

22. The change of use requires no alterations to the external appearance of the building. I note concerns that any internal changes may place a demand upon the need for further openings. A condition can ensure that no further windows are added without planning permission, to allow for only suitable openings to be added, which may have previously been permitted development. The applicant has shown the requirement for some new low fencing to separate the rear parking area from the grassed area. There is no concern regarding the principle of such a fence, which again could be erected as permitted development at the proposed height of 0.9m, but a condition could ensure the fence is constructed using appropriate materials. It should be noted that when determining application S/0446/09/F, the Planning Inspector did not object to the proposal on grounds of impact upon the Conservation Area.
23. The public house to the south is grade II\* listed. The existing access to the rear of the site is used in relation to the existing office use on the site. Given the lack of exterior

changes, the impact upon the setting is considered neutral. I note the concerns by the Conservation Officer, but no specific detail has been provided as to the exact reasoning. It should again be noted the previous Planning Inspector did not object on these grounds. Any comments received from English Heritage will be reported verbally to Members, but it has not previously responded to consultations on the proposal.

24. The brook area to the front of the site is a Protected Village Amenity Area. This application is the first of the recent three to include details of the widening of the footpath. This would be by approximately 0.9m. Given this small increase, I do not consider that the purposes behind the designation of the Protected Village Amenity Area would be seriously harmed.

### ***Flooding***

25. The site lies within flood zones 1, 2 and 3 of the Environment Agency matrix. The Environment Agency had previously confirmed that the FRA provided was acceptable, and requested a condition regarding the submission of a Flood Contingency Plan to be approved by the Emergency Planner. Members will be updated on any comments received from the Environment Agency in relation to this application.

### ***Other Matters***

26. A variety of other matters have been raised during the consultation process. The Parish Council and occupier of a neighbouring property raise concerns regarding the impact upon the existing Pre-School in the village. Competition for such uses within the village is not a material planning consideration. I note the application does not include a business plan. As the site is already in employment use, a business plan demonstrating the need is not considered necessary for the determination of this application. However, the applicant has submitted marketing information, showing details since September 2008 and the lack of demand for office space in this location. The potential for other more suitable sites is again not a material planning consideration in this instance.
27. I note concerns regarding safety of children given the proximity of the brook across the front of the site. There is a good vegetation screen to the east side of the brook, which should prevent any serious incidents taking place. The access bridge across the brook does not have any railings, but the proposed bridge would have a railing. Given the ages of the children attending the building, they would require parental accompaniment to cross the bridge to the building. Given the need for parental support, I do not consider the brook would create any safety issues to users of the building. The applicant is likely to require completion of a risk assessment on this matter.
28. An informative can be added following comments by the Environmental Health Officer relating to application S/0446/09/F in respect of Food Hygiene and Health & Safety/Welfare requirements. A further informative echoing previous correspondence from Teal Cottage regarding the potential for the existing poplar trees at the rear of the site to shed branches can also be added.

### ***Recommendation***

29. Delegated approval/refusal subject to negotiations with the Local Highways Authority with regard to the access.

If the application is supported, conditions would include submission of a Flood Contingency Plan, notice that the use shall only commence once the bridge widening is complete, the provision of appropriate cycle parking prior to the use commencing, the design of the proposed fencing to the rear, the number of pupils to be a maximum of 30, the cessation of the use if the parking to the rear is not available for this use, the submission of a noise management scheme, a scheme to show staff parking to the rear and visitor parking to the frontage, the method of bridge construction to be as noted within the Tree Survey, Arboricultural Implication Assessment and Method Statement dated 17 March 2010, and the removal of permitted development rights for additional windows.

## **Informatives**

In addition to the granting of planning permission, the applicant will need to comply with Food Hygiene and Health & Safety/Welfare requirements. The applicant/agent should contact the Food and Health & Safety Team (Health & Environmental Services, South Cambridgeshire District Council on 01954 713375) for advice concerning the proposed premises design/layout, Food and Occupational Safety and Welfare Regulations/requirements, Toilet Standards and Food Premises Registration.

The applicant should be aware of local concern regarding the Poplar trees along the rear boundary of the site, and their potential for shedding branches.

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

- South Cambridgeshire Local Development Framework Development Control Policies adopted 2007
- Local Development Framework Listed Buildings: Works to or Affecting the Setting of Supplementary Planning Document adopted July 2009
- Circular 11/95 – The Use of Conditions in Planning Permissions
- Planning Files Ref: S/1608/09/F, S/1265/09/F, S/0446/09/F, S/0039/90/F and S/1710/89/F.

**Contact Officer:** Paul Derry – Senior Planning Officer  
Telephone: (01954) 713159

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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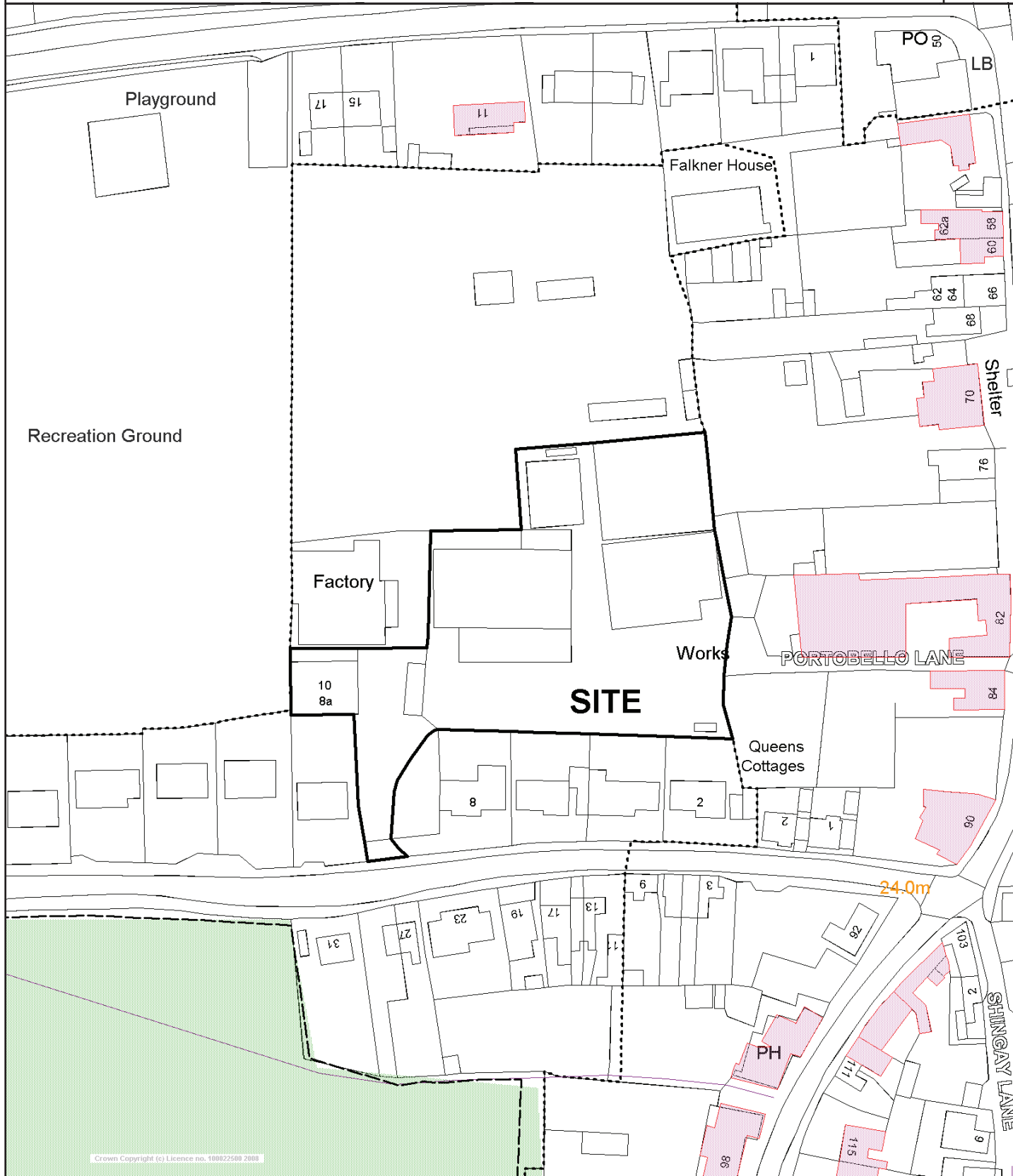
**S/1480/09/F – SAWSTON****Erection of Industrial Building (for Processing of Skins and Hides) Following  
Demolition of Existing at A Henry & Co, Portobello Lane for A Henry & Co****Recommendation: Approval****Date for Determination: 8 December 2009****Members of Committee will visit the site on Wednesday 7 July 2010.****Background**

1. Members may recall that the application was to be refused under officers' delegated powers at 2 December 2009 meeting subject to independent highways advice. The reason for refusal was to be based on concerns about traffic safety. Members requested that the application should be presented to the Committee should the independent highways advice not be supportive of a refusal on highways grounds.
2. Attached as Appendix 1 is the report to Planning Committee of 2 December 2009.

**Update including the independent highways advice, comments from Planning Policy Manager and representations from neighbours.*****Independent highways advice***

3. Atkins Transport Planning has confirmed that the proposed replacement industrial building would not create an unsuitable safety situation. It is based on the following findings:
  - a. Common Lane is a cul-de-sac subject to a 30MPH speed limit. Access to Common Lane is from High Street and High Street at this point is subject to a 20MPH speed limit. Access to the application site is on the north side of Common Lane. Between the site entrance and High Street is residential development with approximately 1m wide footways on either side of the carriageway between 5m and 6m wide. At the site access, and immediately to the west, Common Lane is locally widened to about 8m, which is used for parking. The access into the site is approximately 6m wide. Accident records show an average of just under 5 accidents per year in the surrounding area, which are not considered to represent a significant accident problem. No accidents have occurred at the site access, or within proximity to the Common Lane/ High Street junction, none of the accidents have involved heavy vehicles. Based on the site characteristics and the accident records, it is considered that the site does not create an accident risk and the proposed development will not result in an increase risk of accidents;
  - b. Regarding the traffic flow around the Common Lane/ High Street junction, it is noted that visibility is slightly restricted northwards but there is good visibility

S/1480/09/F - Sawston



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looking southwards from the junction. Large vehicles may need to manoeuvre carefully to avoid any over running, but the layout and operation of this junction does not present an increased safety risk and this is also supported by the accident data;

- c. The proposal would lead to a small reduction in floor area of 70m<sup>2</sup>. Staff levels, operation times and deliveries are not expected to change as a result of the proposal, therefore, there is not expected to be an intensification of use of the existing access or surrounding highway network;
  - d. The site access geometry has been reviewed, there is no concern for road safety or to adversely affect other road users. It is noted that visibility to the west of the access is sub-standard; however, this is not currently causing concern or resulting in accidents. The current access arrangement does not result in any road safety implications;
  - e. There are some minor improvements that could be made to the existing access if considered necessary: 1) to maintain vegetation adjacent to the access that it does not restrict visibility: this could be maintained on the east side but it may not be possible on the west side due to the ownership issue; or 2) to pull forward the give way line into the carriageway with hatched areas or build outs to deflect traffic moving past the site;
  - f. Having considered the typical construction vehicles that may be required to access the site to deliver materials and equipment, the level of construction vehicles is likely to be limited, both in number and duration and therefore the construction traffic will not have a detrimental impact upon highway safety; and
  - g. It might be considered appropriate to condition the application to provide details of on-site parking for construction vehicles to minimise any potential on-street parking in Common Lane. Where any unusual loads or deliveries are anticipated the contractor should put in place appropriate measures, such as temporary traffic management and banks men, and notify Cambridgeshire Constabulary if necessary.
4. Attached, as Appendix 2 is a draft report from Atkins Transport Planning dated May 2010. The draft report is considered sufficient to demonstrate that the proposal would not cause harm on traffic safety. A final report will be issued to address officer's comments on few typing mistakes and to include the suggested conditions in the conclusion. The final report is not expected to change the consultant's recommendations.

***Planning Policy Manager gives background information why the site is not included in the South Cambridgeshire Local Development Framework Site Specific DPD - adopted in January 2010***

5. The site was first identified as an allocation in the Consultation Draft Local Plan 2 in 1997. During the local plan examination in 2000 the Council's evidence suggested that they considered it would be redeveloped by 2006. It was therefore included in the adopted Local Plan 2004 as an allocation.
6. When preparing the LDF, the allocations were reviewed to identify whether they were 'available, suitable and achievable', and could contribute to housing targets. As a result, it was reported to the Council on 15<sup>th</sup> November 2005 that the site has shown little sign of coming forward for housing development since its allocation in the Local

Plan 2004. The multiple land ownership, problematic access, and location of listed buildings have proved difficult to overcome. Research in preparation of the Housing Trajectory for the submission DPD has confirmed the difficulties. It should not be relied upon to provide housing towards the 9600 dwellings total required in rural areas up to 2016. Due to the designation of Sawston as a Rural Centre, there is still the possibility of it coming forward as a windfall development over the plan period, as it is situated within the village framework. The site was therefore not included in the submission draft Site Specific Policies DPD.

***Representations from neighbours***

7. Subsequent to the 2 December 2009 Committee, letters have been received from the land owner, the A M Challis Trust Ltd (the Trust), of the adjoining lands to the north and west of the application site. The Trust objects on the grounds that the Trust has not been consulted by the applicant prior to the submission of the application and therefore information on section 8 of the application form is incorrect; and that the proposed building would encroach onto the Trust's land.
8. The Trust also raises the concern about the installation of air-conditioning units on the north wall of A Henry & Co's existing building.
9. The applicant's agent responded to the Trust's comments that the applicant had two meetings with members of the Trust regarding a proposed redevelopment closer to the boundary than the present building and they also discussed the issues of trees on the boundary. The agent also confirmed that the site boundary as submitted is correct and the proposed building would not encroach on the neighbouring land.

**Planning comments**

***Highway safety***

10. In view of the independent highways advice, the concern about highway safety interest is not supportive. Therefore, there is no strong reason to refuse the application on the ground of traffic safety that the proposal would lead to material harm to the traffic flow around the Common Lane/High Street junction and the residential properties at Common Lane.
11. The suggestions made by the highways consultant regarding minor improvements of visibility have been considered. Given that the proposal has not been proved to cause harm on highways safety and that the existing access arrangement does not result in road safety implications, it is therefore considered that planning conditions to control visibility and road markings on the carriageway to advance the give way point are unnecessary.
12. A condition will be added to secure temporary facilities for parking, turning, loading and unloading of all vehicles visiting the site during the period of demolition and construction. The applicant is also advised to have temporary traffic management and notify Cambridgeshire Constabulary if necessary where any unusual loads or deliveries are anticipated during this period.

***Update on development plan***

13. The application site was within the housing allocation site of a superseded policy: Policy Sawston 1 of the South Cambridgeshire Local Plan 2004. This policy has been replaced by Policy SP/6 Housing Allocations in Rural Areas of the South



Cambridgeshire Local Development Framework Site Specific DPD, adopted in January 2010. The proposed replacement building does not result in affecting long-term housing land supply for the district. This application is therefore no longer a departure and the proposal accords with the updated development plan.

***Boundary issue***

14. The information submitted by the neighbours and the applicant's agent does not appear to demonstrate that the proposed replacement building would be outside the application site boundary. As part of the application, it is the duty of applicant to give the necessary notices and to provide the appropriate certificates in order to ensure that the owners of land, and agricultural tenants, are given notice of applications relating to their land. In this application, the applicant's agent signed Certificate A and certified that, 'on the day 21 days before the date of the accompanying application nobody, except the applicant, was the owner of any part of the land to which the application relates.' Given that there was no information submitted by the applicant indicating that he does not own part of the application site, the application would be assessed based on the information received. The matter of ownership of the land edged red shown on submitted plans do not invalidate the existing application or any permission. The boundary issue is a civil matter between the applicant and the owners of the adjoining land and it is not a material planning consideration. The two parties have to establish the boundary line.

***Other issue***

15. The neighbours' concerns about the air-conditioning units have been dealt with by the Council's Enforcement Officer.

**Recommendation**

In view of the resolution at the Committee on 2<sup>nd</sup> December 2009 and the independent highways advice, the application is recommended for approval subject to the following planning conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: drawings numbers 0821:05 date stamped 2 December 2009 (location plan and site survey), 0821:03 (floor plan and section plan) and 0821:04 (elevations). (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
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 or re-enacting that order with or without modification) – for a period of ten years from the date of first occupation of the building hereby permitted, it shall only be used and occupied as B2 (General Industrial) to a maximum planning unit size of 1,850 square metres of floorspace. (Reason – To comply with Policy ET/1 of the adopted Local Development Framework 2007 which limits employment

development in the Cambridge area to uses that need to be located close to Cambridge.)

4. No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. No development approved by this permission shall be commenced until:
  - a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
  - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
  - c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
  - d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.

(Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).
6. Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions. (Reason - To protect the occupiers of adjoining buildings (dwellings) from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
7. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and 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 for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

8. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
9. No development shall take place until details of measures to prevent all vehicles other than private cars from using Portobello Lane to access and egress the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. No vehicular access visiting the site during the period of demolition and construction shall be made to Portobello Lane. (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. Before development commences, a plan specifying the area and siting of land to be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of demolition and construction, shall be submitted to and approved in writing by the Local Planning Authority; such space shall be maintained for that purpose during the period of construction. (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. The building hereby permitted, shall not be occupied until parking, loading and unloading space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. (Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. The existing building should be fully recorded prior to demolition and the level of recording to be agreed with the Council's Conservation Officer prior to any works taking place. (Reason – To secure the recording of the industrial building in accordance with section 4 of Planning Policy Guidance 16.)
14. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority. (Reason – To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
15. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority. (Reason – To ensure a satisfactory method of surface water drainage and to reduce the risk of pollution

to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

## **Informatives**

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. 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.
3. The applicant's attention is drawn to Local Highway Authority (LHA) that a practical way to address Condition 6 of the planning consent would be to install physical measures/ features within the site and not on the public highway to prevent anything other than domestic vehicles from using Portobello Lane for deliveries. LHA would also request the erection of flag type directional signs which would direct traffic to the main entrance from High Street and details to be agreed.
4. The applicant's attention is drawn to the Council's Conservation Officer that the level of recording relating to Condition 7 should take reference of English Heritage's guidance – 'Understanding Historic Buildings; A Guide to Good Recording Practice 2006'.
5. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
6. Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRA Report 156), and to the satisfaction of the Local Planning Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
7. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
8. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
9. The ability to agree a different trigger point for the works is to avoid the problem of unwitting non-compliance with the required stage. This can result (i) in the development being wholly unauthorised, and (ii) then being exempt from enforcement after four years, with the result that any safeguarding conditions do not apply.
10. The proposed condition regarding contamination includes information that has already been supplied. This is in order to give it formal status. This will allow the authority to require further, or revised information should that become necessary after permission has been granted. Without this, any inadequacies in the information that subsequently came to light could not be remedied. If the

information already supplied is, and remains, satisfactory, the condition will be met and no further work will be required.

11. The applicant is advised to have temporary traffic management and notify Cambridgeshire Constabulary if necessary where any unusual loads or deliveries are anticipated during the period of demolition and construction.

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

- Planning Policy Guidance 15 Planning and Historic Environment
- Planning Policy Guidance 16 Archaeology and Planning
- South Cambridgeshire Local Development Framework (LDF) 2007
- South Cambridgeshire Local Development Framework Development Affecting Conservation Areas Supplementary Planning Document 2009
- South Cambridgeshire Local Development Framework Site Specific DPD – adopted in January 2010)
- Planning application references and S/0148/02/F, S/0646/09/F and S/1480/09F

**Contact Officer:** Emily Ip – Planning Officer  
Telephone: (01954) 713250

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0627/10/F - SAWSTON****Variation of Condition 2 of Planning Permission S/1598/08/F to Permit Occupation by Large Firms for a Temporary Period at Former Marley Building Materials Ltd, Dales Manor, Babraham Road, for Salmon Harvester Properties Ltd and Endurance Estates Ltd****Recommendation: Approval****Date for Determination: 16 July 2010  
(Major application)****Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendation of Sawston Parish Council does not accord with the officer recommendation.**

**Departure Application****Site and Proposal**

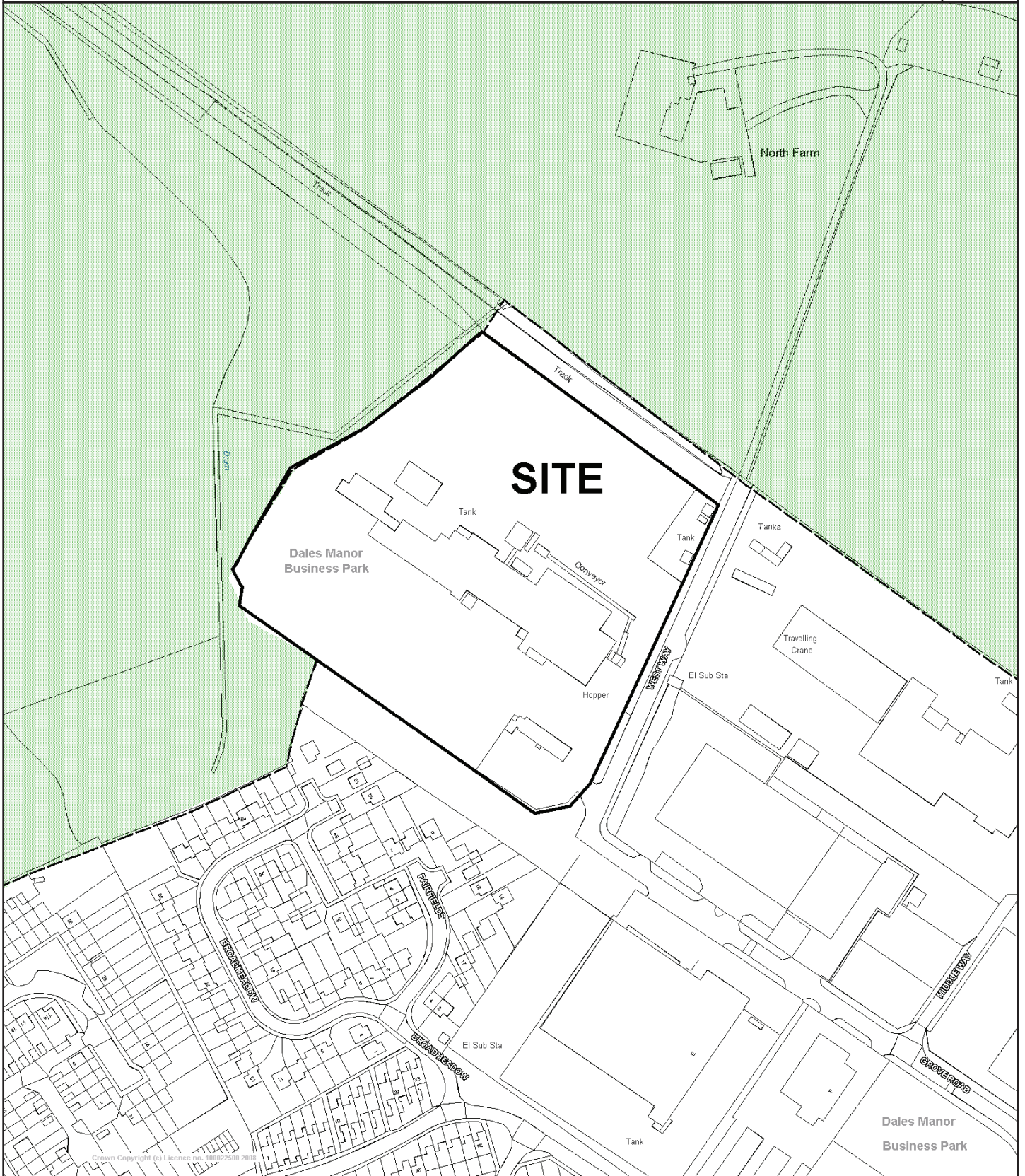
1. The application relates to 2.92 ha of industrial land located at the northern fringe of the village adjacent to the Green Belt. The site was formerly associated with Marley Building Materials Ltd, but is currently cleared of buildings and is vacant. To the north east, the site is adjoined by a disused railway track with mature landscaped tree belts, to the north west by an area of mature woodland. To the south east, the site adjoins industrial buildings on the business park, and to the south west, the site adjoins dwellings in Fairfields and Broadmeadow. A dwelling at North Farm is located in the Green Belt 120 m to the north of the site.
2. Planning permission for the erection of 27 industrial units, to be used flexibly between the uses B1(c) (light industrial), B2 (general industrial) and B8 (storage and warehousing), was granted 8 December 2008, subject to conditions (S/1598/08/F). Condition 2 requires that, for a period of ten years from the date of the first each unit, it shall only be used and occupied to a maximum industrial unit size of 1,850 square metres of floorspace, or in the sole case of Block H Unit 27 to 1932 square metres of floorspace. The full application, dated 15 April 2010, proposes a revision to this condition to add at the end: *'unless the buildings are firstly occupied within three years from the commencement of development'*.

**Planning History**

3. **S/1598/08/F**

Planning permission was granted on 8 December 2008 for the removal of existing buildings on the site and the erection of 27 industrial units to be used flexibly between

S/0627/10/F - Sawston



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the uses B1(c) (light industrial), B2 (general industrial) and B8 (storage and warehousing). The permission also includes the erection of a 14 m high wind turbine, which has a helical blade design set on a vertical axis, as part of the renewable energy provision for the site. A 3m-high acoustic fence is proposed along the open side of the group formed by Blocks E, F and G in order to safeguard the amenity of residents of Broadmeadow from the noise of manoeuvring vehicles.

4. The unit sizes vary from 619 m<sup>2</sup> (Block A) to 1932 m<sup>2</sup> (Block H), measured internally, overall, the proposal shows 13153 m<sup>2</sup> total floorspace, measured externally, to replace the previous provision of nearly 4000 m<sup>2</sup> in respect of the Marley operation. A total of 266 car parking spaces are proposed, including 32 spaces for disabled parking. 158 cycle parking stands are also to be provided.
5. The heights of buildings vary from 10.6 m in Block H, adjacent to dwellings in Fairfields, down to 8.2 m in Blocks F and G. The design of the buildings is of a metal clad enclosure, topped with a curved metal clad roof. The buildings will be provided with contrasting colours of flat profile metal cladding. The frontage of the buildings is shown to include canopies over the entrance doors, supported from a series of inclined arising from ground level to eaves. An existing 8m-high conifer screen hedge on the south western boundary is to be retained.
6. There are a number of consents relating to the former buildings and uses on the site, the most significant of which are:

**SC/63/472** - Building contractors yard, approved 28.10.1963

**SC/65/193** - Erection of building to house tile manufacturing plant, approved 10.5.1965

**S/1784/87/F** - An appeal for redevelopment of the site including expansion into the Green Belt was dismissed 22.7.1988 because of the harm that would have been caused to the Green Belt.

The most recent consent was **S/0775/04/F** for the erection of a cement silo, approved 2.9.2004.

### **Planning Policy**

7. **East of England Plan (2008)**  
**SS1** (Achieving Sustainable Development)  
**SS2** (Overall Spatial Strategy)  
**E1** (Job Growth)  
**CSR2** (Employment-Generating Development)
8. **Cambridgeshire and Peterborough Structure Plan 2003**  
**P2/5** (Distribution, Warehousing and Manufacturing)
9. **South Cambridgeshire Local Development Framework (LDF) Core Strategy 2007**  
**ST/4** (Rural Centres)  
**ST/8** (Employment Provision)
10. **South Cambridgeshire Development Control Policies Development Plan Document 2007**

**ET/1** (Limitations on the Occupancy of New Premises in South Cambridgeshire)

**ET/4** (New Employment Development in Villages)

**ET/5** (Development for the Expansion of Firms)

**TR/1** (Planning for More Sustainable Travel)

**TR/2** (Car and Cycle Parking Standards)

**TR/3** (Mitigating Travel Impact)

11. **Circular 11/95 - The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development of permitted, enforceable, precise and reasonable in all other respects.

### **Consultation**

12. **Sawston Parish Council** – Recommendation of refusal, commenting: ‘Do not support. Concerns over weight of traffic passing through. The Parish Council would like to reinforce previous objections’.
13. In response to planning application S/1598/08/F, Sawston Parish Council commented (October 2008) - ‘Recommend refusal: against 24-hour operational hours and increased traffic on Babraham Road. Parish Council do not support until more information provided; noise levels, maintenance and visual impact in highly residential area considered.’
14. **Local Highway Authority** - Comments awaited.

### **Representations**

15. None received.

### **Agent’s comments**

16. Since the grant of planning permission, Savills and Carter Jonas have been actively marketing the approved units for sale and let. The development is being marketed as ‘Cambridge South’ as a modern, high specification, warehouse and business unit development. Although there has been interest in the smaller units at this site, the most serious interest has been in the potential for unit sizes larger than approved under the planning permission. The agent believes that, whilst the difficulties that have been experienced in marketing the scheme have resulted from the economic downturn, an additional reason is that of the extent of supply of smaller units in the Cambridge Sub-Region. As a result, a shortage of larger units in the Cambridge area is now be experienced, particularly given the cumulative effect of employment policies over a number of years.
17. The scheme has been promoted on the basis of a number of pre-letting/pre-sales being necessary to trigger some speculative construction. This has been necessary during difficult economic conditions in order to provide the developers with certainty that some units would be occupied and let to justify the financial commitment to commenced building of a scheme. In November 2009, a revised strategy has been followed which seeks to market the site to the spoke requirements of local occupiers, notwithstanding the specific scheme. In the twelve months to December 2009 a total of 66 requirements had been received. Most requirements had been for the largest buildings, and fewest enquiries for the smallest units. In most cases, these prospective occupiers have been unwilling to commit to pre-sale/pre-letting agreements and not in the numbers that are necessary for the applicant to

commence implementation of the consented scheme. Demand levels are some 50% down as compared with the same time last year, which were already 20% down on pre-credit crunch levels.

18. There remains a shortage of larger space buildings in excess of 20,000 ft.<sup>2</sup> in the Greater Cambridge Area, especially good quality modern space with goods yard area. Given that commercial employment land in the area is generally in short supply, it is difficult to see how existing is based within Cambridge can grow without relocating outside of the area.
19. The applicants recognise that these existing circumstances are not likely to continue for an indefinite period. As the economy recovers, which is expected to be long and slow as the district accommodates future growth requirements, this could see demand for smaller employment units returning. Consequently, the variation proposed to Condition 2 provides for a window during which the relaxation of the floorspace condition would apply.
20. The agent has drawn attention to the previous building accommodated at the site which, which totalled in excess of 3000 m<sup>2</sup> of floorspace in addition to the remainder of the site area which was used for the storage of building materials. Dales Manor Business Park is a location at which large scale occupiers have traditionally been accommodated; therefore this proposal represents a continuation of the status quo in this location. An added consideration is that the nature of demand has meant that no redevelopment of the site has taken place since Marley Eternit's cessation of operations in Sawston in 2008, and that since then that employment use and the jobs provided by it have not been replaced.
21. Policies ET/1 and CSR2 have resulted in provision for only small-scale industries at the local level in South Cambridgeshire. Supporting businesses to high technology and research can include larger occupiers, and the agent considers that the application site presents an appropriate and suitable opportunity to provide accommodation for a larger unit occupier.
22. In response to the concerns of Sawston Parish Council, the agent has indicated that the proposal will result in no additional floorspace and no additional vehicular movements. The existing planning permission allows for any mix of B1c, B2 or B8 uses, and this will not change. It is more likely that traffic generation will go down for a development of larger uses unit sizes when compared to a development of a greater number of smaller unit sizes of the same floorspace. This is because better economies of scale can be achieved in terms of the goods carried by vehicles for a development of larger units. Also a certain number of movements are needed on a per unit basis, for example a cleaning service vehicle, and for fewer units fewer such vehicle trips would be necessary.

### **Planning Comments**

23. Policy ET/1 requires that a limitation of 1,850 square metres (19,900 square feet) be placed on the size of occupier of new buildings for the first ten years from the date of first occupation, in use classes B1(c), B2 and B8. The supporting text to the policy explains that this is necessary to discourage the occupation of new industrial buildings by large-scale manufacturing, distribution and warehousing, and office firms that could equally well locate in other areas of the country. This approach is necessary to manage the intensive development pressure in and around Cambridge. Given the need to protect the environment, employment land in the district is a scarce resource. New employment growth must be managed to ensure the very qualities

that attract firms in the first place remain, and to ensure employment land is reserved for firms that need it most (DCP DPD paragraphs 5.1 and 5.3).

24. The applicant has indicated that for a period of eighteen months, of marketing insufficient commitment to presales and pre-lets of the buildings has been forthcoming from industrial and commercial users in South Cambridgeshire. As a result, jobs and enterprise in the Sawston area has been diminished. The applicant proposes a temporary measure to address this weakness of demand, and has drawn attention to the size of the former building upon the site. It is considered that an exception to the normal restrictions is acceptable for a period of three years for the commencement of construction, on the grounds of current difficulties in the local economy and the large-scale size of the former occupier of the site.
25. It is not considered that additional traffic will arise from occupation by a larger scale-user. The comments of the Local Highway Authority will be reported to Members, if received.
26. The application is not required to be sent to the Secretary of State for consultation on call-in.

### **Recommendation**

27. Approval of the application dated 15 April 2010, subject to the following conditions:

### **Conditions**

1. **The development hereby permitted shall be begun on or before 8<sup>th</sup> December 2011.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. **Occupation of units**  
**Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) - for a period of ten years from the date of first occupation of each of the hereby permitted buildings, they shall only be used and occupied as light industry, general industry or storage and distribution to a maximum industrial unit size of 1,850 square metres of floorspace, or in the sole case of Block H Unit 27 1932 square metres of floorspace, unless the buildings are first occupied within three years of the commencement of development.**  
(Reason - To comply with Policy ET/1 of the adopted Local Development Framework 2007, which limits employment development in the Cambridge area to uses that need to be located close to Cambridge.)

Remaining conditions as S/1598/08/F.

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

1. East of England Plan 2008
2. Cambridgeshire and Peterborough Structure Plan 2003
3. South Cambridgeshire Local Development Framework Core Strategy 2007
4. South Cambridgeshire Development Control Policies Development Plan Document 2007

5. Planning files refs S/0627/10/F; S/1598/08/F

**Contact Officer:** Ray McMurray – Principal Planning Officer  
Telephone: (01954) 713259

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0594/10/F – GREAT ABINGTON**  
**Change of Use From Part B1 (Office) Use and Part C3 (Residential) Use to C3**  
**(Dwelling) at 48 North Road for Park Tonks Ltd.****Recommendation: Refusal****Date for Determination: 23 June 2010****Notes:**

**This application has been reported to the Planning Committee for determination at the request of the Local Member.**

**Site and Proposal**

1. The site is situated outside the Great Abington village framework and within the countryside. It lies on the former Land Settlement Association Estate that originally consisted of a number of small holdings. No. 48 North Road is detached, one and a half storey, render and plain tile building that has an in/out gravel access to the front off North Road, a parking area for at least eight cars to the west side, a garden and paddock to the rear, and some outbuildings and stables to the east side. The building currently has a mixed use that comprises three offices at ground floor level, and two offices and a caretakers flat at first floor level. There are presently five staff employed on the site.
2. North Road is a single track road with passing bays that has access on to Pampisford Road and the old A11. It is also a public footpath. A group of greenhouses are situated to the west. The garden to the dwelling at No. 47 North Road lies to the east, with a group of greenhouses beyond. A dwelling lies on the opposite side of the road to the north. Open countryside lies to the south.
3. This full planning application, received 15 April 2010, proposes to use the existing mixed use office space and caretakers flat as one dwelling for residential purposes. No external alterations are proposed.

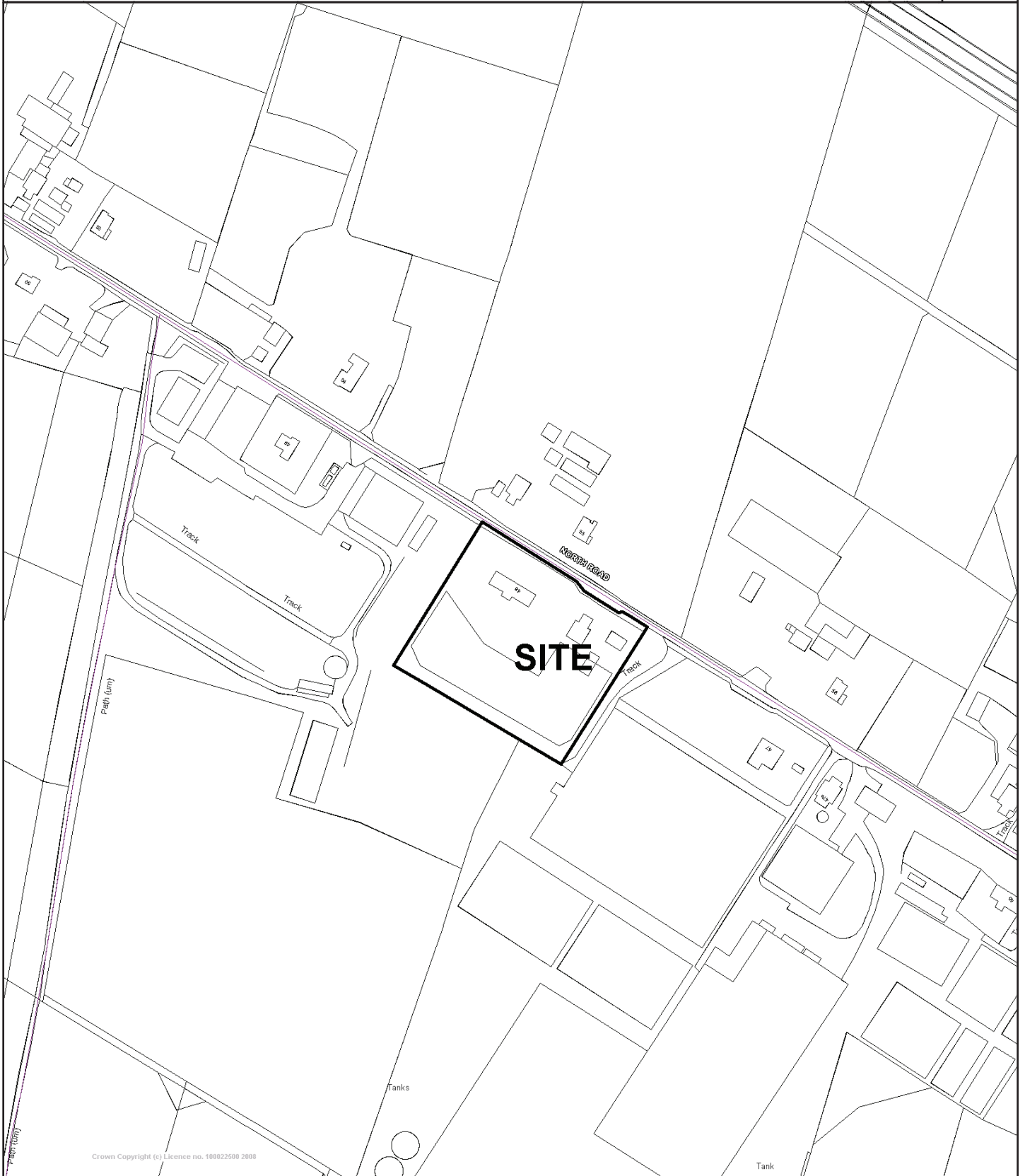
**Planning History**

4. Planning permission was granted for extensions, caretakers flat, and part change of use to offices under reference **S/1793/86/F**. This consent had a personal and agricultural use condition attached in relation to offices.

**Planning Policy**

5. ***Local Development Plan Policies***

S/0594/10/F - Great Abington



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**South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**

**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/4** Infrastructure and New Developments  
**DP/7** Development Frameworks  
**HG/8** Conversion of Buildings in the Countryside for Residential Use  
**SF/10** Outdoor Playspace, Informal Open Space, and New Developments 62  
**SF/11** Open Space Standards  
**TR/1** Planning for More Sustainable Travel  
**TR/2** Car and Cycle Parking Standards

6. ***Supplementary Planning Documents***

South Cambridgeshire Local Development Framework 'Open Space in New Developments' 2009.

7. ***National Planning Guidance***

Planning Policy Statement 4 (Economic Growth)  
Planning Policy Statement Note 7 (Sustainable Development in Rural Areas).

8. ***Circulars***

Circular 05/2005 Planning Obligations  
Circular 11/95 The Use of Conditions in Planning Permissions.

**Consultation**

9. **Great Abington Parish Council** – Recommends approval.

**Representations**

***Local Member***

10. " 48 North Road was one of the 60 or so properties on the former LSA estate to the immediate south of Great Abington village. I was living in Little Abington when the houses on the LSA estate were sold off. The estate was originally built to provide agricultural employment for people living in the north where, at the time, employment opportunities were very limited. When the properties on the estate were sold off, number 48 was typical of many of the properties - a small two bedroomed dwelling on a small-holding.
11. A minority of the new owners continued to use the properties for agriculture-related activities but many of the properties simply became residences set in large grounds. Many of the properties were extended, some on a very considerable scale.
12. I understand that planning permission was granted in 1986 for 48 North Road for extensions, a caretaker's flat and part change of use to offices - the offices being for an agriculture-related business. The extensions resulted in a large property that externally is similar in size and scale to many, if not most, of the other properties on the former LSA estate. I understand that the planning permission was personal to Park Tonks, in other words, that the property should revert to residential use should the company vacate the property.

13. I completely agree with the view that this application needs to be assessed in relation to Policy HG/8: 'Conversion of Buildings in the Countryside for Residential Use'. However, I completely disagree with what appears to be your interpretation of this policy in this particular application.
14. This planning application is not creating a new house outside the village framework for the Abingtons, it is simply re-instating the original use of a building that was originally a house, and that for over 20 years from 1986 had part-residential use and a personal condition relating to office use for part of the building. I cannot see how it could possibly be appropriate for the district council to suddenly lift the personal condition of the 1986 approval 24 years later.
15. I can understand why officers in granting approval to some applications might be concerned about setting a precedent. However, I would have thought that the particular circumstances in this case were relatively uncommon. Granting planning approval in this case would not, in my view, result in many other similar cases coming forward. I fully realise that each case has to be considered on its own merits but, in my view, this application is far more appropriate than the conversion of a former pumping station into a residential property, as happened a few houses down North Road.”

***Applicant's Agent***

16. “I believe the rigid application of Policy HG/8 is inappropriate in this case and I am disappointed that the particular circumstances of this application seem to be being ignored.
17. Policy HG/8 is clearly intended to restrict the conversion of buildings in the countryside to residential use on the grounds of sustainability. However, unlike the type of rural buildings that the policy was designed to control (e.g. barns, outbuildings etc), 48 North Road was designed, built and originally used as a *house*. The permission that was granted for partial office use in 1986 was made personal to the owner of the property because the Council would not permit the provision of office accommodation on the site unrelated to an agricultural activity. Part of the property (20%) still remains in residential use – the caretakers flat.
18. The officer's report on the previous application (for partial office use) states: “The applicant is prepared to accept a personal occupancy condition on the understanding that the property would revert back to residential should the company vacate in the future”.
19. In sustainability terms, it seems to us to be far more sustainable for a single family to live in the property than for a business with up to 15 staff, all of whom would almost certainly drive to and from the property each working day. Although the site is in a “countryside” location, it is within a former LSA Estate where low density residential development was encouraged. Policy HG/8 was clearly not primarily intended to be used in such circumstances.
20. In addition, the office market has stagnated and there is currently no demand for a B1 use in this location when there are many other vacant offices on the market in better locations. It must also be borne in mind that the current planning permission is personal to the current owners, therefore the property could not even be marketed for office use without a successful application to remove this condition. To allow an unrestricted office use in this location would be contrary to the Council's own economic objectives as set out in the Development Control Policies DPD (ET/d – “to

reduce commuting distances and the need to travel, particularly by car, by bringing home and workplace closer together, and *by encouraging employment opportunities in accessible locations..*”).

21. We would respectfully suggest that the background and circumstances of this application should be given very careful assessment, as material planning considerations, and not be simply judged against a policy that was clearly designed to achieve other objectives. Granting planning permission for the change of use back to residential would not set a precedent, because of the particular circumstances of the case.”

***Prospective Purchaser***

22. “We first viewed the property through Cheffins and immediately fell in love with it for our family home. We were calling to put in an offer when Cheffins informed us that in fact any potential buyer that wanted to reside in the house would have to go through change of use from commercial to residential. They informed us that we should contact South Cambridgeshire Planning directly to clarify this.
23. We were obviously devastated by this news and wanting to exhaust all lines of enquiry before giving up on the property and therefore contacted the council immediately. I spoke to the Duty Officer and it transpires that when the application for part change of use to offices with an extension for caretakers flat was made in 1987 there was a clause in the consent that requires an application for change of use back to residential if anyone wants to use the property as a permanent residence. Apparently the current agreement for use also states that the property can only be used for commercial use by Park Tonks or if it is being used for agricultural purposes in connection with land or outbuildings on the property. We were however lead to believe by the planning officer on duty at the time that as the property was originally a residential dwelling, is still to all intents and purposes a house and currently has part residential status, it would simply be a formality in terms of the planning. We therefore proceeded with the purchase believing that there would not be any complications. However I have been informed today that the standard policy of commercial to residential is potentially being used in this instance which would require that the property is marketed for commercial use for a year to identify the fact that there was no demand before residential use was granted. This does seem ludicrous as this is not a standard commercial property and has previously been a residential dwelling. In addition I would anticipate that there would still have to be yet another planning application made to lift the restrictive clauses/s currently in place for commercial use before the property could be sold to any other business, therefore creating a stalemate situation?
24. To give you an insight into our circumstances, we have sold our house and we are now in a chain of buyers that includes a first time buyer and the buyer for our house, so I have to stress that this by no means an ordinary planning application and there are multiple families that have not only invested money but a great deal of emotion on the outcome of the decision of this application. As a family we have spent many hours exploring the area and getting to know our prospective neighbours and everyone we have met is thrilled about gaining a neighbour that can become involved in the Great Abington community as opposed to a new business that potentially adds very little to the environment or local community other than creating more traffic and pollution along a private and extremely narrow road. “

**Planning Comments – Key Issues**

25. The main issue to be considered during the determination of this application relates to the principle of the conversion of the existing mixed employment and residential use of the building back to a full residential use.
26. Whilst it is acknowledged that the proposal complies with the majority of the criteria set out under Policy HG/8 i.e. the existing building is structurally sound and not of a makeshift nature, it is capable of re-use without materially changing its existing character or impact upon the surrounding countryside, the form, bulk and general design of the building is in keeping with its surroundings, and its location performs well against sustainability criteria; it has not been demonstrated that the building is, firstly, inappropriate for any suitable employment use and, secondly, inappropriate for employment with residential conversion as a subordinate part of a scheme for business re-use having regard to market demand or planning considerations. The proposal would therefore result in a loss of local employment and the creation of a new dwelling in the countryside. This would be contrary to Policy DP/7 that outlines the presumption against residential development outside village frameworks.
27. The existing use of the building is for employment and residential purposes, and it is believed that planning considerations would not rule out this mixed use continuing in the future, or the implementation of a new sole employment use. The personal and agricultural use condition attached to the original planning consent is not considered a determining factor that would restrict the use of the building to solely residential purposes, as Policy has moved towards support for the rural economy since the time of that application. This would warrant a material change in circumstances. Therefore, if planning consent were to be applied for today to lift that condition, it would be likely to be granted planning permission. The site could then be marketed for such purposes for a period of 12 months. If after that time, it could be demonstrated that an employment use or live/work unit would not be appropriate, a residential use may be considered appropriate. To date, a marketing exercise has not been carried out that provides evidence to back up the case that a sole employment use or mixed employment and residential use would not be acceptable.
28. The existing use of the site for employment and residential purposes is considered in scale with its rural location and sustainable, as the site is accessible by a variety of modes of transport other than the private car. The scale of a sole employment use could also be controlled to ensure that it was sustainable. A dwelling is not considered to be any more sustainable.
29. Planning permission is required to change the existing mixed use of the building back to a sole residential use. The personal and agricultural condition on the original consent was not for a temporary time period that would automatically allow it to revert back to residential use.
30. The personal circumstances put forward by the potential purchaser of the property are not material planning considerations that can be taken into account in the determination of this application.

**Recommendation**

31. Refusal.

The proposal would result in the loss of local employment and the creation of a new dwelling outside the Great Abington village framework and within the countryside. This would be contrary to Policy HG/8 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states planning permission for conversion of rural buildings for residential use will not generally be permitted, and that planning permission will only be exceptionally granted, having regard to market demand or planning considerations, firstly, it is inappropriate for any suitable employment use, and secondly, it is inappropriate for employment with residential conversion as a subordinate part of a scheme for business re-use.

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

- South Cambridgeshire Local Development Framework Development Control Policies Document 2007
- Planning Policy Guidance Note 4 (Economic Growth)
- Planning Policy Guidance Note 7 (Sustainable Development in Rural Areas)
- Planning File References: S/0594/10/F and S/1793/86/F

**Contact Officer:** Karen Pell-Coggins - Senior Planning Officer  
Telephone: (01954) 713230

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0640/10/F – GREAT SHELFORD**  
**Extension at 36 - 38 Woollards Lane for Westridge Property Consultants****Recommendation: Approval****Date for Determination: 16<sup>th</sup> June 2010****Notes:**

**This application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to that of the Parish Council in this instance.**

**Conservation Area****Site and Proposal**

1. 36-38 Woollards Lane is a large commercial building with a glazed shopfront of traditional design fronting Woollards Lane and running back into the site at a two storey height for approximately 30m. This rear element is largely blank brickwork with a gabled roof and concrete pantile. Immediately behind this rear range is a small area of dedicated parking for the staff of this building. There are approximately 4 car parking spaces in this area.
2. The building has a lawful planning use for retail (Class A1) but at present is empty.
3. The proposed extension comprises a relatively small addition to the two-storey rear range of the principal structure. The proposed extension continues the form and scale of the existing rear range and projects for approximately 5.5m to the rear of the existing structure.

**Planning History**

**C/0715/69/O** – Internal Alterations and Extension to the Rear of Existing shop – Approved

**S/0481/74/F** – Extension to Shop – Approved

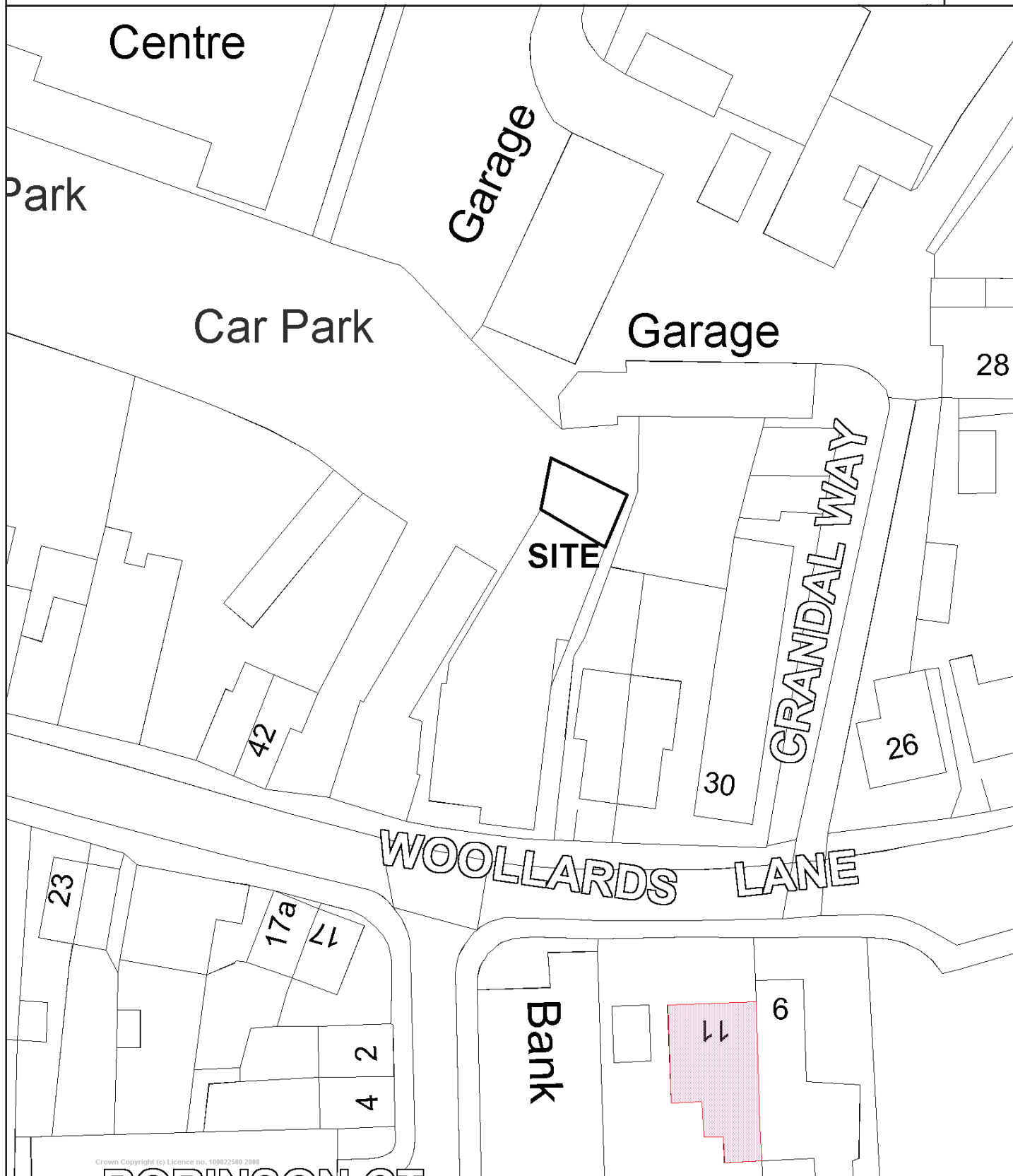
**S/1708/79/F** – Extension to form Retail Area, Office Area and Storage Area – Approved

**S/0130/81/F** – Replacement Display Window – Approved

**S/1039/84/F** – Side Display Window – Approved

**S/1269/85/F** – Erection of an Extension – Approved

S/0640/10/F - Great Shelford



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July 2010 Planning Committee



**S/1579/85/F** – Retail Use and New Shop Front – Approved

**S/0085/86/F** – Extensions and Alterations to Retail Premises – Approved

4. Application reference S/0085/86/F was approved subject to the conditional requirement that the permanent space to be reserved on the site for car parking shall be provided before the alterations and extensions are commenced and thereafter maintained.

#### **Planning Policy**

5. **East of England Plan 2008:**

**SS1** - Achieving Sustainable Development

**ENV6** - The Historic Environment

6. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**

**DP/1** Sustainable Development

**DP/2** Design of New Development

**DP/3** Development Criteria

**CH/5** Conservation Areas

**TR/1** Planning for More Sustainable Travel

**TR/2** Car and Cycle Parking Standards

7. **South Cambridgeshire District Council District Design Guide Supplementary Planning Document (SPD) – Adopted March 2010**

8. **Development Affecting Conservation Areas SPD - Adopted July 2009**

9. **Great Shelford Village Design Statement**

#### **Consultation**

10. **Conservation Officer** – The proposed extension is on the rear elevation of the building, is very small in relation to the existing and will result in a minor improvement insofar as the external fire steps will be incorporated into the interior. Moreover there is no historic environment in the immediate vicinity which needs protection. Accordingly it is recommended that planning permission be granted.
11. **Local Highway Authority** – Recommend that the Local Planning Authority advise the applicant to keep the existing 4 car parking spaces as the current parking is below the Planning Authority maximum standards. The Highway Authority believes that if the applicant removes the existing parking spaces that this will displace the parking onto the publicly maintainable highway where there is already competition for the limited parking spaces available.
12. **Gt Shelford Parish Council** – Recommend refusal. As previous extensions to this property have required the provision of on site parking and the small adjoining Cambridge Building Society has three car parking spaces we cannot accept that such a large building should have no dedicated parking spaces. The adjoining public car park is already heavily used and customers would be displaced by staff employed at

36-38 Woollards Lane. The existing building is large and rather stark and the proposed extension would adversely impact on views in this central part of the Conservation Area.

### **Representations**

13. No representations were received.

### **Planning Comments – Key Issues**

#### ***Visual Amenity***

14. One of the key planning issues to consider in this instance is the impact upon the visual amenity of the area as a result of the proposed extension. This is particularly pertinent in this instance as the site falls within the Gt Shelford Conservation Area.
15. The proposed extension comprises a relatively small addition to the two storey rear range of the principal structure. The scale, form and materials of the proposed extension are all in keeping with that of the existing rear range and are considered to enhance the structure through the rationalisation of the rear elevation. The Conservation Officer has been consulted upon the proposals and considered that the character and appearance of the Conservation Area is enhanced in this instance. As such the proposal is not considered to harm the visual amenity of the area.

#### ***Car Parking***

16. The car parking standards contained within Annex 1 of the Local Development Framework, Development Control Policies DPD, 2007 seek a maximum of 1 space per 20m<sup>2</sup> of gross floor area for a building of use class A1. Presently approximately four dedicated car parking spaces serve the approximately 420m<sup>2</sup> of internal floor area. A conditional requirement of application ref: S/1579/85/F was that these parking spaces be provided prior to commencement of the retail use granted and thereafter maintained.
17. The proposed extension has a gross internal floor area of approximately 64m<sup>2</sup>. In accordance with the parking standards a maximum of three additional spaces should be provided to serve the extended unit. In this instance no extra spaces are proposed and the extension seeks to build over the existing four staff parking spaces that serve the site. To this end the key issue for consideration is the impact of the loss of these four staff parking spaces on the amenity of the area.
18. It should be noted that the Councils car parking standards are maximum car parking standards and therefore a lower provision is not automatically harmful. Where sites are located in a sustainable location a below standard car parking provision is encouraged in order to promote alternate forms of more efficient and sustainable transport.
19. In this instance 36-38 Woollards Lane is sited centrally within the settlement of Great Shelford. There are thus good links to the site via public transport, on foot and cycle. Furthermore there is a good sized public car park immediately adjacent to the site, the car park is accessed from Woollards Lane and provides approximately 40 car parking spaces (at the time of site visit, midday on Thursday 13<sup>th</sup> May 2010 this car park was approximately half full). In addition to this there is limited parking on Woollards Lane and other small car parks accessed from this thoroughfare.

20. Thus, taking the above into consideration the site is considered to be in a sustainable location with good access by alternate modes of transport and with public parking provision of an adequate level within the vicinity. Woollards Lane is also at the heart of the commercial centre of the village. It is likely that visitors would be making joint trips to both this and other retail units nearby. As such parking demand is already being met elsewhere. The loss of parking in this instance is for staff only and it is considered that the area can accommodate the loss of the approximately four parking spaces proposed.
21. Having regard to the above and having taken all applicable national and local planning policies into account Officer opinion is that the application should be approved.

**Recommendation**

22. Approve

**Conditions**

1. Standard Condition - (Reason 1).

**Informatives**

1. See attached Environment Agency advice regarding soakaways

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire District Council District Design Guide Supplementary Planning Document (SPD) – Adopted March 2010
- Development Affecting Conservation Areas SPD - Adopted July 2009
- Great Shelford Village Design Statement

**Contact Officer:** Matt Hare – Planning Officer  
Telephone: (01954) 713180

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 7 July 2010  
**AUTHOR/S:** Executive Director (Operational Services)/  
 Corporate Manager (Planning and New Communities)

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**S/0330/10/F – GREAT SHELFORD**  
**Erection of three dwellings (revised design) at 66 Cambridge Road**  
**for David Reed Homes Limited**

**Recommendation: Approval**

**Date for Determination: 21 May 2010**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendation of approval is opposed by Great Shelford Parish Council. Members deferred consideration of this item from the meeting of 2 June 2010.**

**Members will visit the site on 7 July 2010.**

**Site and Proposal**

1. The application relates to Plot numbers 3, 4 and 5 in a development of 9 houses which is currently under construction. These three plots are located to the rear of an existing house at 68 Cambridge Road. To the north west, the estate adjoins the development of detached houses at Marfleet Close. To the south east, the estate adjoins a development of detached houses at The Hectare. Access to the site has been formed by demolishing the dwelling at 66 Cambridge Road and providing a 5.5 m driveway between numbers 64 and 68 Cambridge Road.
2. Planning permission for the erection of three houses on this land has already been granted under reference S/0569/07/F.
3. The full application, validated 26 March 2010, proposes the following:  
Plot 3: a corner plot with a detached 4-bedroomed house with a floor area of 281 sqm, with a ridge height of 8.4m;  
Plots 4 and 5: a semi-detached pair of 3-bedroomed dwellings each with a floor area of 102 sqm, with ridge heights of 8.3m.
4. Compared with the previously approved scheme:
  - a) the plots of the detached house and the semi-detached pair have swapped;
  - b) the floor area of the detached house has increased by 59%;
  - c) the distance of proposed bedroom windows to the rear boundary with 68 Cambridge Road on Plots 4 and 5 (directly to the rear) has been reduced from 12.2m to 10.2m. The number of first floor rear bedroom windows has increased from 1 to 4. The distance to nearest window in Plot 3 (obliquely to the rear) has increased from 8.5m to 10.5m.
  - d) ridge heights are similar to those previously approved.

S/0330/10/F - Great Shelford



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Scale 1/1250 Date 21/6/2010

Centre = 545724 E 253126 N

July 2010 Planning Committee

### Planning History

- S/1743/09/F** Plots 3, 4 and 5: Amended design Withdrawn 19.2.10
- S/1034/09/F** Plot 6: Amended design Approved 14.9.09
- S/1033/09/F** Plot 9: Amended design Approved 14.9.09
- S/1414/08/F** Dwelling (Plot 9) Approved 10.10.08
- S/1799/07/F** 8 houses following demolition of existing house (Plots 5 – 8 amended designs) - Approved 15.11.07
- S/0596/07/F** 8 houses following demolition of existing house - Approved 20.8.07.
- S/2411/06/F** 8 houses following demolition of existing house Withdrawn

### Policies

5. **East of England Plan 2008**  
**SS1:** Achieving Sustainable Development  
**ENV7:** Quality in the Built Environment
6. **South Cambridgeshire Core Strategy 2007**  
ST/4 Rural Centres
7. **South Cambridgeshire Development Control Policies 2007**  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/4** Infrastructure and New Developments  
**DP/5** Cumulative Development  
**DP/7** Development Frameworks  
**NE/6** Biodiversity  
**TR/2** Car and Cycle Parking Standards
8. District Design Guide SPD 2010  
**Great Shelford Village Design Statement (2004)**
9. **Circular 11/95** (The Use of Conditions in Planning Permissions)

### Consultations

10. **Great Shelford Parish Council:** Recommendation of refusal. The increase in floor area of the house originally on Plot 5, from around 89sq m to 155 sq m represents an unacceptable scaling up of the development on the site. The proposal to replace a single house on Plot 5 with 2 houses will be more intrusive for the occupiers of No.68 who in addition will be overlooked by 4 windows immediately to the rear of them and 4 from Plot 3. The bulk and scale of the dwelling on Plot 3 will be intrusive to the street scene. The original layout as approved on August 20th 2007 should be adhered to.

### **Representations**

11. Objection has been received from the occupiers of 68 Cambridge Road, on the following grounds:
  - a) There are now two houses to the rear instead of one, resulting in four windows directly overlooking the rear garden, which will be located only 10 metres from the boundary fence;
  - b) There will also be overlooking from windows in the rear elevations of houses on Plots 3 and 9;
  - c) This will be extremely overbearing and imposing and a huge intrusion on the occupiers' privacy;
  - d) The semi-detached houses will look out of place squeezed between two very large detached houses. The previously approved layout looked much better.
  - e) There will be more noise and intrusion from two families instead of one using their rear gardens;
  - f) The whole site has become over-developed, overcrowded and overbearing.

### **Planning Comments**

12. Members considered this application on 2<sup>nd</sup> June and resolved for a deferral and site visit. The current proposal represents the fifth change to the original scheme approved under S/0596/07/F. The main concerns relating to this proposal are neighbour amenity and street scene impact.

#### ***Neighbour amenity***

13. The concerns raised refer to the amenity of the occupiers of 68 Cambridge Road. The proposal will introduce additional bedroom windows at first level located 10.2m from the rear screen fence. This will introduce a greater degree of overlooking over the rear garden of the property than previously approved in S/0596/07/F. Members will note that the rear garden of No.68 has a depth of approximately 19m and that the minimum window-to-window distance between properties will be 29m. These are reasonable distances and, on balance, it is not considered that the additional harm to privacy represented by the current proposal is not so serious as to justify a refusal of planning permission. Any additional noise and disturbance arising from two gardens is also likely to be mitigated by the distance between properties. If approved, it is recommended that permitted development rights for future extensions and windows on the rear elevations be removed.
14. The proposal will improve the amenity to the rear garden of the dwelling approved on Plot 9 by giving it a more open aspect and access to sunlight compared to the previously approved layout.

#### ***Street Scene***

15. The side and rear elevations of the detached house on Plot 3 show a variety of roof form, articulation and materials which will contribute to the character of the development when viewed from Cambridge Road and the estate road. The forward projecting wing on the front elevation of Plot 3 will partially obscure the view of the group of houses when approaching around the corner of the access road, but not to



the extent that the visual interest of the development would be seriously affected. The ridge heights of dwellings are similar to those previously approved.

### **Recommendation**

16. In accordance with the application dated 1 March 2010, approve subject to conditions:

### **Conditions**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos 10002-01, 10002-02, 10002-04.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A (the enlargement, improvement or other alteration of dwellinghouse) or B (the enlargement of a dwellinghouse consisting of an addition or alteration to its roof) of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

7. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the rear elevations of the dwellings, hereby approved, at and above first floor level, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

### **Informatives**

1. Conditions applied to planning permissions S/1799/07/F and S/0596/07/F apply to the wider development area and must be read in conjunction with this planning permission.

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

East of England Plan 2008

South Cambridgeshire Core Strategy 2007

South Cambridgeshire Development Control Policies 2007

Planning file refs: S/0330/10/F, S/1743/09/F, S/1034/09/F, S/1033/09/F, S/1414/08/F, S/1799/07/F, S/0596/07/F, S/2411/06/F.

**Contact Officer:** Ray McMurray – Principal Planning Officer  
Telephone: (01954) 713259

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**S/0495/10/F - HORNINGSEA**  
**Erection of Boathouse (amended design) at Church End House, Church End**  
**for Mr Michael Harrison****Recommendation: Refusal****Date for Determination: 25 May 2010****Notes:**

**This application has been reported to the Planning Committee for determination because the Local Member, Cllr Turner, has requested that the application be considered before the Planning committee.**

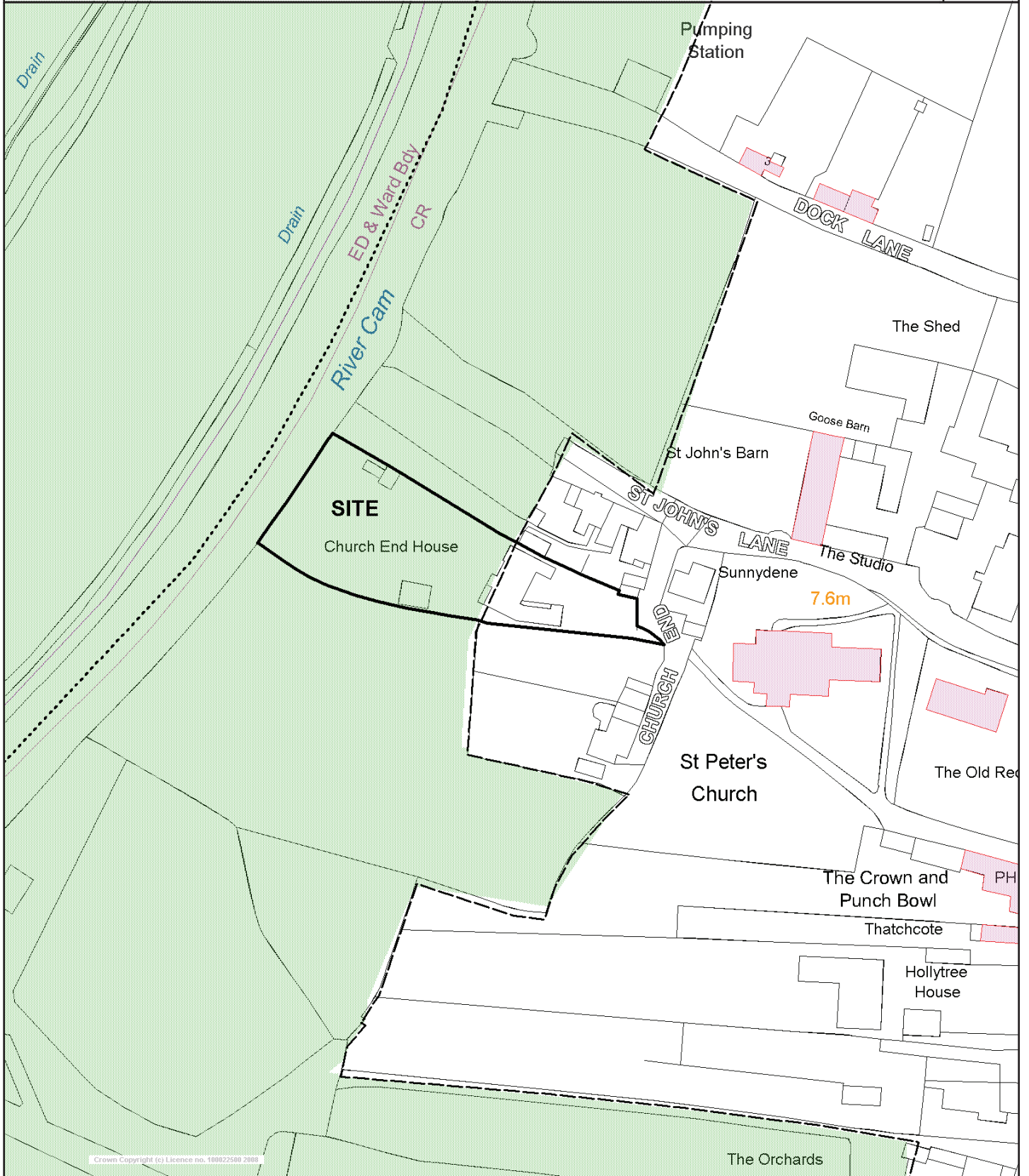
**Conservation Area****Site and Proposal**

1. The application relates to a large detached replacement dwelling recently built (S/2393/05/F) in a sizable plot within the Horningsea Conservation Area and adjacent to the Grade 1 Listed Church of St Peter. The dwelling is built from buff brick with a peg tile roof and has a large 'cart entrance' leading through the dwelling giving access to the rear garden. More specifically the application relates to a wet dock recently granted permission (S/1775/07/F) on the River Cam within the Cambridge Green Belt, outside of the Built Framework and within Flood Zones 2 and 3.
2. The dwelling is set back within the plot, a large driveway leading from Church End Road provides access. The land slopes down through the site towards the river, there are various ancillary structures within the rear curtilage. The site has the character of a landscaped residential garden, there are many young trees within the site and soft landscaping forms the north and south boundaries.
3. Proposals seek the erection of a timber boat house on the location of the existing wet dock granted permission under ref: S/1775/07/F. The proposed boathouse is an amended design of a boathouse recently approved in this location in accordance with application ref: S/1139/09/F. The proposed boathouse differs from that previously approved by way of its roof form, which was previously of standard dual pitched form whereas the amended design is of a 'mansard' or 'gambrel' form. A green profiled sheet roof is proposed and the roof space will serve as a storage area with small balconies at the front and rear to facilitate the loading and unloading of boats. The upper levels are to be accessed by stepladder.

**Planning History**

4. **S/1139/09/F – Boathouse – Approved**

S/0495/10/F - Horningsea



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July 2010 Planning Committee

**S/0216/09/F** – Boathouse – Withdrawn

**S/1230/08/F** – Boathouse – Refused

**S/1775/07/F** – New Slipway and wet dock and repair of riverbank – Approved

**S/2393/05/F** – Erection of Dwelling following Demolition of Existing –Approved

### **Planning Policy**

5. **East of England Plan 2008:**

**SS1** Achieving Sustainable Development, **ENV6** The Historic Environment and **CRS3** Green Belts.

6. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**

**DP/1** Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **DP/7** Development Frameworks, **GB/1** Development in the Green Belt, **GB/2** Mitigating the Impact of Development within the Green Belt, **CH/5** Conservation Areas and **NE/11** Flood Risk.

7. **South Cambridgeshire District Council District Design Guide Supplementary Planning Document (SPD) – Adopted March 2010**

8. **Development Affecting Conservation Areas SPD - Adopted July 2009**

9. **Horningsea Conservation Area Appraisal – Adopted March 2006**

### **Consultation**

10. **Environment Agency** – No comments received. However there have been no objections to previous proposals for a boathouse in this location from the Environment Agency.

11. **Conservation Officer** – Recommends refusal of the application:

- (a) This part of the Conservation Area along the River Cam is rural with unobstructed open views characteristic of the Fens. The Horningsea Conservation Area Appraisal describes the importance of the views and the evidence of the historic development of the area.
- (b) The proposal follows approval S/1139/09/F for a boathouse in this position. This position is very prominent in the open vistas across the river valley and from the towpath, and in conjunction with the Church. This application amends the roof design to a horizontal form of a gambrel roof. This is significantly more complex and bulky than the approved scheme and appears top-heavy above the open ground floor. The proposed gambrel roof is not a traditional gambrel roof form as its span is too wide. It is also difficult to roof over a gambrel structure satisfactorily in corrugated sheeting, particularly at the change of angle of the roof.
- (c) The submission now includes some photomontages, including showing the roof in conjunction with the Church across the towpath. This shows that the

roof would appear overly heavy above the river and would obscure a significant amount of the Church in these important views.

### **Representations**

12. One letter of representation received from the occupants of no. 4 Church End Horningsea raising concerns regarding the incongruous design of the proposed boathouse.

### **Planning Comments – Key Issues**

13. The application seeks approval of an amended design to that of the boathouse previously approved in this location in accordance with application ref S/1139/09/F. Application S/1139/09/F was not considered to have a significantly harmful impact upon the surrounding area. Therefore the key issues to consider in this instance are the impact of the amended design of the proposed boathouse upon the character and appearance of the Conservation Area, the setting of the listed Church and the character and openness of the Green Belt.

### **Conservation Area**

14. The site falls within the Horningsea Conservation Area which extends to the centre of the river and follows the course of this feature. The riverbank at the foot of the site is of a soft green character and following the erection of Church End House has been transformed from a semi-rural character to one of a manicured residential garden. The garden is enclosed on either side by a landscaped boundary. Wider views along the River Cam are rural with unobstructed open views, characteristic of the Fens. The Horningsea Conservation Area Appraisal describes the importance of the views and the evidence of the historic development of the area.
15. Significant views into the garden of Church End House and the Conservation Area are afforded from the towpath on the opposite riverbank. The tower of St Peters Church is visible in these views above the roof of the dwellinghouse.
16. The proposed amended boathouse will be prominently visible in these views. Whereas the light, simple and traditional form of the boathouse previously approved was considered appropriate for the Conservation Area setting, the heavy, complex and untraditional form of the proposed amended design is considered inappropriate in this sensitive location.
17. The proposed gambrel roof is not a traditional gambrel roof form as its span is too wide. Further to this, the amended design appears overtly top heavy above the open lower level - whereas the previous design was more elegant and exhibited greater balance. It is by virtue of these considerations that the Conservation Officer considers the amended design to harm the character and appearance of the Conservation Area.

### **Setting of the Listed Building**

18. Significant views into the garden of Church End House and the Conservation Area are afforded from the towpath on the opposite riverbank. The tower of St Peters Church is visible in these views above the roof of the dwellinghouse. St Peters Church is a Grade 1 Listed Building. The Conservation Officer raises concerns that the bulk, form, intrusion and design of the proposed amended boathouse would be harmful to the setting of the church. It is suggested that the slimmer, less bulky roof

form of the scheme previously approved did not have such a significant impact upon views of the church.

**Green Belt**

19. The dimensions of the proposed boathouse remain the same as that approved in accordance with application ref. S/1139/09/F in terms of height, width and length. There is considered to be an additional massing impact arising from the proposed amended roof form that is over and above that of the approved scheme. However, the additional massing proposed is not considered to have a significantly greater material impact upon the character and openness of the Green Belt than that of the previous approved scheme.

**Conclusion**

20. Having regard to the above and having taken all applicable national and local planning policies into account Officer opinion is that the application should be refused.

**Recommendation**

21. Refuse.

Reason for refusal

The Horningsea Conservation Area at this point is characterised by the rural open views along the riverbank, such views are afforded from the adjacent towpath. The proposed boathouse, by virtue of its complex, untraditional, bulky and top heavy form is considered to represent a significant visual intrusion along the riverside and have a significantly harmful impact upon the character and appearance of the Horningsea Conservation Area. Further to this the proposed boathouse is found to be harmful to the setting of the Grade 1 listed St Peters Church by virtue of the interruption of views of this structure afforded from the towpath. To this end the proposal is considered to be contrary to Policies CH/4 and CH/5 of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies Development Plan Document 2007, which seek to ensure that all new development preserve or enhance the character and appearance of the Conservation Area and that the setting of listed buildings is preserved or enhanced.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning File Ref. S/1139/09/F
- South Cambridgeshire District Council District Design Guide Supplementary Planning Document (SPD) – Adopted March 2010
- Development Affecting Conservation Areas SPD - Adopted July 2009
- Horningsea Conservation Area Appraisal – Adopted March 2006

Contact Officer: Matt Hare – Planning Officer  
Telephone: (01954) 713180

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services) / Corporate Manager (Planning and New Communities)

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**Tree Preservation Order – Linton****Recommendation: To confirm the Tree Preservation Order****Purpose**

1. To seek the Committee's authority to confirm a Tree Preservation Order in respect of land at **St Mary's Church, Church Lane, Linton.**

**Recommendations**

2. It is recommended that the Committee confirm the Tree Preservation Order on land at St Mary's Church, Church Lane, Linton following a site visit on 17 June 2010.

**Background**

3. Local planning authorities may make Tree Preservation Orders if it appears to them to be, "expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area." (Town and Country Planning Act 1990, section 198(1)).
4. The Act does not define the word "amenity", nor does it set out the circumstances in which it is the interests of amenity to make a Tree Preservation Order. However, the Secretary of State takes the view that TPOs should be used to protect selected trees and woodlands if their removal would be likely to have a significant impact on the local environment and on the general public's enjoyment of that environment. Local authorities should be able to demonstrate a degree of public benefit before they make a Tree Preservation Order. For example, the tree should be visible from the Highway or some other public place.
5. Local planning authorities should be prepared to explain to landowners why their trees or woodlands have been made the subject of a Tree Preservation Order. Factors, which the LPA might take into account, include:
  - (a) visibility from a public place
  - (b) individual impact of the tree – its size, form, future potential, rarity and so on
  - (c) wider impact of the tree, given its suitability in its particular location and the presence of other trees in the vicinity
6. Even if a Tree Preservation Order is desirable on amenity grounds, it may still not be expedient to make it if, for example, the tree or woodland, is under good arboricultural management. However, it may be expedient to make an Order if, say, it is likely that the tree would be cut down, or otherwise pruned in such a way as to have a significant impact on the amenity of the area.

**Options**

7. The Planning Committee must determine whether or not to confirm the Tree Preservation Order in this instance.

**Implications**

- **Legal**

8. The landowner is Ely Diocese. The District Council served an Order and Notice on Linton Parish Council and send copies to other “interested parties”, including neighbours and utilities.
9. If made, the Order would take effect, provisionally, upon due service of it, and remain in force as such for six months or until confirmed, whichever is the sooner, Following service, those affected would have a period of not fewer than four weeks during which they could object to the Order. Such objections must be in writing and can be made for any reason, including:
  - (a) to challenge the Local Planning Authority’s view that it is expedient in the interests of amenity to make the Order
  - (b) to claim that a tree included in the Order is either dead, dying or dangerous
  - (c) to claim that a tree is causing damage to property
  - (d) to point out errors in, or uncertainties with, the Order
  - (e) to claim procedural irregularities
10. If an objection is received within the stated period, the Council must carry out a site visit. Members must take into account all objections and other representations before deciding whether or not to confirm the Order. The Council can either:
  - (a) confirm the Order, having not received any objections
  - (b) confirm the Order, without modification, having considered objections but rejected them
  - (c) confirm the Order, subject to such modifications it deems expedient
  - (d) decide not to confirm the Order
11. There is no right of appeal to the Secretary of State against the making or confirmation of a Tree Preservation Order. Once the Order has been confirmed though, an aggrieved, interested party may, within six weeks of the date of confirmation, apply to the High Court to have the decision reviewed.

12. Financial	The Council has made budget provision for Tree Preservation Orders
Staffing	None.

Risk Management	Tree Preservation Orders are the principal means of protecting trees that are valued locally and might be lost as a result of future development. In making an Order, the main risk is one of administration in that any objections to it, which are not withdrawn, trigger a site visit, the consideration of amendment, and additional staff time. A further risk is that, where there is a suspicion that the proper legal process has not been followed, the Authority could be judicially reviewed.  The risk from not making a Tree Preservation Order in a particular case is that the tree, group, area or woodland could be damaged to the detriment of the local environment.
Equal Opportunities	N/A
Climate Change	Trees help to mitigate the adverse effects of climate change.

### Consultations

13. To detail who has been consulted on serving the TPO.  
 (a) Chair & Vice Chair of Planning Committee, Cllr Corney, Cllr Turner, Local Members, Cllr Batchelor, Cllr Bear, Gas Board, EDF energy, Clerk Linton Parish Council, Land Charges South Cambridgeshire District Council, posted on site
14. To detail who has been consulted for the site visit.  
 (a) Chair & Vice Chair of Planning Committee, Cllr Corney, Cllr Turner, Local Members, Cllr Batchelor, Cllr Bear.

### Effect on Strategic Aims

15. Listening to the differing views of the Parish Council and local people, the Council is confident that the provision of a first class trees and landscaping service will help make South Cambridgeshire a place in which residents can feel proud to live.

### Conclusions / Summary

16. The loss of the Lime pollards would have a visually detrimental impact on the built and natural aspect of this location within the village of Linton that is enclosed by three listed buildings within the Conservation Area, it is therefore advised that the TPO is confirmed to prevent the removal of these trees.

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

Tree Preservation Orders – A Guide to the Law and Good Practice, Department of the Environment, Transport and the Regions 2000  
 Documentation relating to this proposed Tree Preservation Order on a file maintained by the Trees and Landscape Section

**Contact Officer:** Roz Richardson - Trees and Landscape Officer  
 Telephone: (01954) 712794

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## APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

## TOWN AND COUNTRY PLANNING ACT 1990

This item is intended to update Members on appeals against planning decisions and enforcement action. Information is provided on appeals lodged, proposed hearing and inquiry dates, appeal decisions and when appropriate, details of recent cases in interest.

## 1. Decisions Notified By The Secretary of State

Ref No.	Details	Decision and Date
S/1787/09/F	Mr & Mrs Jenkinson 4 Meadow Lane <b>Over</b> First floor extension	Dismissed 05/05/10
S/1455/09/F	Mr C Taylor 36 High Street <b>Barrington</b> Erection of ecological dwelling with carport and store, including new access driveway and turning area	Dismissed 06/05/10
S/1607/09/F	Mr B Pycock 49 Cambridge Road <b>Girton</b> First floor extension	Allowed 20/05/10
PLAENF.3270&3271	Mr B Moore Land south of east of Fen Road Chesterton <b>Milton</b> Change of Use of land from agriculture to the storage of building materials	The appeal succeeds in part 21/05/10
S/1473/09/F	Mr R Grant 69 The Granary Lordship Barns, High Street <b>Hinxton</b> Summer House (retrospective application)	Allowed 21/05/10
S/0607/09/F	Mr R Smith West Side Farm Cuckoo Lane <b>Rampton</b> Retention of a mobile home for occupation by one gypsy family	Allowed 24/05/10
S/1703/09/F	Dr J C Parsley 1a Anvil Avenue <b>Litlington</b> Two storey side extension and roof extension to form a second storey.	Allowed 24/05/10

Ref No.	Details	Decision and Date
S/1314/09/F	Mr J Hammond 53 Cambridge Road <b>Milton</b> Demolition of existing bungalow and the erection of a two storey house.	Dismissed 24/05/10
S/0360/09/F	Miss P Jolley Heath Cottage Thriplow Heath <b>Thriplow</b> Change of Use of the existing swimming pool from residential domestic to residential business use.	Allowed 25/05/10
S/0424/09/F	Mr J Rayment 43 Hawthorne Road <b>Stapleford</b> First floor side extension	Allowed 25/05/10
S/0018/09/LB	Mrs A Waters Gildencroft 82 High Street <b>Great Abington</b> Conversion of cupboard in the main bedroom into an en-suite bathroom.	Dismissed 26/05/10
S/0534/09/F	Annington Developments Land opposite 71-74 Magdalane Close <b>Longstanton</b> 8 New dwellings with associated access and parking	Dismissed 08/06/10
S/0136/10/F	Dr K Davies Bramley Cottage 9 Fowlmere Road <b>Heydon</b> Alteration and extension of existing garage/workshop outbuilding.	Dismissed 04/06/10

## 2. Appeals received

Ref No.	Details	Decision and Date
S/1278/09/LB	Mr & Mrs M Greenstein The Cottage, 53 High Street <b>Guilden Morden</b> Enlarge window for access to proposed conservatory	05/05/10 Delegated Refusal
S/1277/09/F	Mr & Mrs M Greenstein The Cottage, 53 High Street <b>Guilden Morden</b> Conservatory & resiting & replacement of oil tank	05/05/10 Delegated Refusal

Ref No.	Details	Decision and Date
PLAENF.3929	Mr M Walker Park Farm, Station Road <b>Stow-cum-Quy</b> The installation of gates	06/05/10
S/0093/10/F	Mr A R Cope 5 Greenacre <b>Duxford</b> Dwelling	11/05/10 Delegated Refusal
S/1400/09/CAC	Mr Christian The Old Bakery Church Street <b>Litlington</b> Total demolition of workshop/office/store (building B)	12/05/10 Delegated Refusal
S/1399/09/F	Mr Christian The Old Bakery Church Street <b>Litlington</b> Erection of dwelling, garage and alterations to outbuilding following demolition of building B	12/05/10 Delegated Refusal
S/0292/10/LB	Mr D Simpson Minstrel Court, North Road Farm Ermine Street <b>Whaddon</b> Alteration to unauthorized conservatory retention of flue & opening in rear wall from kitchen	19/05/10 Delegated Refusal
S/0127/10/F	Mr & Mrs Frost 87 Broadway <b>Grantchester</b> Extension	19/05/10 Delegated Refusal
S/0291/10/F	Mr D Simpson North Road Farm Ermine Street <b>Whaddon</b> Conservatory (retrospective application)	19/05/10 Delegated Refusal
S/1546/09/F	Mr & Mrs Binks Land rear of 25 Hollytrees <b>Bar Hill</b> Bungalow	18/05/10 Delegated Refusal
S/0011/10/F	Mr & Mrs A Potter Madeline House High Street <b>Babraham</b> Porch (retrospective)	28/05/10 Delegated Refusal

Ref No.	Details	Decision and Date
S/0325/10/F	Mr S Bradley 5 Pippin Walk <b>Hardwick</b> Extension	08/06/10 Delegated Refusal
S/0250/10/F	Mr & Mrs G Jones 5 Church End <b>Arrington</b> Extension and Gates	08/06/10 Delegated Refusal
S/0088/10/LB	Mr & Mrs G Jones 5 Church End <b>Arrington</b> Extension and Gates	08/06/10 Delegated Refusal
S/1383/09/LB	Mrs S Fuller 30 Ledo Road <b>Whittlesford</b> Extension for Conservatory	09/06/10 Delegated Refusal
S/0308/10/F	Mr & Mrs D Stagg Ashcot Camps End <b>Castle Camps</b> Extension	09/06/10 Delegated Refusal
S/1711/09/F	Mr D Braggins 90 High Street <b>Meldreth</b> Appealing conditions 8, 10 and 13	11/06/10 Delegated Approval
S/1913/09/F	Mr M Flack West of Alvescote Newmarket Road <b>Stow-cum-Quy</b> Residential Annexe	14/06/10 Delegated Refusal
S/1430/09/CAC	Mr & Mrs Shelford 64 Barton Road <b>Comberton</b> Total demolition of house and garage	17/06/10 Delegation Refusal
S/1429/09/F	Mr & Mrs Shelford 64 Barton Road <b>Comberton</b> Erection of house and detached garage following demolition of existing dwelling	17/06/10 Delegation Refusal

**3. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7 July 2010**

None.

**4. Appeals withdrawn or postponed:**

None



**5. Advance notification of future Local Inquiry and Informal Hearing Dates  
(subject to postponement or cancellation)**

S/1497/09/LB	Dr Tew	48 West Green Barrington	Hearing Offered 10/08/10
S/1332/09/F	AMA Development Ltd	Plot 7, The Willows Caldecote	Hearing Confirmed 11/08/10
PLAENF. 3861	Mr N O'Connor	2 Grange Park Chesterton Fen Rd	Inquiry Confirmed 25/08/10
S/0232/09/F	Enertrag UK Ltd	Little Linton Farm Linton	Inquiry Offered to resume on 06/09/10
PLAENF 3864 S/0292/10/LB S/0291/10/F	Mr D Simpson	Minstrel Court Ermine Way Arrington	Hearing Offered 28/09/10
PLAENF 3837	Mr F Cooke	Hill Trees Shelford Bottom Stapleford	Inquiry Confirmed 12/10/10

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

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**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION:  
SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION**

**Purpose**

1. To inform members of current and outstanding appeals and to highlight recent appeal decisions of interest.

**Summaries of recent decisions**

**Mr Robert Smith – Retention of mobile home for occupation by one gypsy family – West Side Farm, Cuckoo Lane, Rampton – Appeal allowed (temporary - 3 years)**

2. This application was to occupy a plot of land to the south west of Rampton. Planning permission was refused on the grounds that the site was not in a sustainable location. The inspector weighed this against the general need for accommodation to meet the needs of gypsies and the personal circumstances of the appellant.
3. The appellant was agreed to be a gypsy and has until recently been living at Moor Drove, Histon following a successful appeal in 2008. the site was previously occupied by a mobile home granted on a temporary basis in order for an agricultural need to be assessed.
4. The inspector noted the development plan does not contain policies directly aimed at meeting provision for gypsies. The emerging Gypsy and Traveller SPD could only be given little weight because of the stage it has reached and was therefore of limited significance. He saw that Rampton is a small village with few services but that the Minor Rural centres of Cottenham and Willingham were nearby. Together they provide a full range of facilities. While only three buses a day serve Rampton, the inspector considered that cycling and even walking were feasible options to get to surrounding settlements. While this location would increase the use of the private car, government advice is that a realistic approach has to be taken about the likely alternatives to the car in accessing local services.
5. Sustainability is not just about accessibility and it was accepted that in other respects, the proposal complied with other sustainability criteria. As such, the extent of the harm in sustainability terms is limited.
6. As has previously been demonstrated on appeal, the Council will not achieve the required RSS provision of new sites by 2011. There is therefore a shortage of pitches at both regional and district level and this was a material consideration that supports the appeal.
7. The inspector acknowledged that the appellant already has an approved pitch, which is still available to him. The appellant's personal and business needs centre on the

keeping and breeding of horses. While the site at Moor Drove was previously considered suitable for domestic needs, the inspector was persuaded that the site at Rampton with its stables and good quality paddocks was a more appropriate alternative. The inspector accepted that Council's argument that the site at Rampton may be desirable, but this did not make it essential. However, the superior facilities were a consideration weighing in favour of the proposal.

8. The appeal was therefore allowed and planning permission granted for the stationing of up to two caravans for a period of three years to be occupied only by gypsies and travellers and specifically by the appellant and his family.

**Annington Developments Ltd. – Erection of 8 no. dwellings – Land opposite 71-74 Magdalene Close, Longstanton – Appeal dismissed**

9. The Planning Committee refused this application on the grounds that the proposal would result in an unacceptable loss of an informal open space and kick about area, without a clear indication of suitable alternative provision.
10. Although the appellant argued that the site is nothing more than an overspill car park, the inspector was satisfied that a significant proportion of it is grassland, which is well maintained, available, readily accessible and used by the local community as part of an area of informal open space. While the use of the land for car parking limits its value as an area of informal open space, the inspector was also satisfied that there is unlikely to be a surplus of open space in the village. In deciding the outcome of the appeal, it was necessary to judge the proposal against the criteria in Policy SF/9, which seeks to protect existing areas in recreational use. This was irrespective of the fact that the appellant had completed a unilateral undertaking providing for new play equipment and maintenance of two adjoining areas of open space.
11. In assessing the criteria in Policy SF/9, the inspector found that an equivalent or larger area would not replace the area of land. Neither would the new recreation provision outweigh the loss of the existing provision. There was not an excess of provision in either quantitative or qualitative terms and thus there was conflict with Policy SF/9.
12. The inspector therefore concluded that the proposal would result in a significant loss of the amount of informal playspace that is presently available. This would result in significant harm to the amenities of the area.

**INDEX OF CURRENT ENFORCEMENT CASES**  
7 July 2010

Ref No	Location	See Page No for full update	Remarks
18/98	Setchell Drove COTTENHAM	1 – 3	Plots 7, 7A and Four Winds being monitored.
34/98	Camside Farm Chesterton Fen Road MILTON	4 – 9	Defendants appeared before Cambridge Magistrates Court on 15 <sup>th</sup> May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12 <sup>th</sup> August 2008. Letter received from defendants Solicitors regarding current circumstances – File submitted to Legal for opinion. Defendant's circumstances remain unchanged. Legal Officer informed.
10/03	Plot 12 Victoria View, Smithy Fen COTTENHAM	10 – 12	<p>Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18<sup>th</sup> June 2007. Further assessment of the current occupants medical needs to be carried out in order that the Planning Sub-Committee can be informed of the current position at plot 12 Victoria View.</p> <p>Further planning application submitted reference no S/1178/09/F - Refused at Planning Committee 3<sup>rd</sup> March 2010. Report to be submitted to Planning Sub Committee.</p>
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	13 - 15	<p>Application for injunction refused by the High Court, 5<sup>th</sup> June 2008. Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale.</p> <p>Further information has been requested by the planning officer in order that the schemes relating to conditions can be discharged.</p>

Ref No	Location	See Page No for full update	Remarks
9/04	Land adjacent to Cow Fen Drove SWAVESEY	15 - 18	<p>Defendant appeared at Cambridge Magistrates Court on 10<sup>th</sup> January 2008. Each fined £700 with £200 costs.</p> <p>Refusal of planning permission S/1823/07/F and S/1834/07/F appealed. Hearing date listed for 6<sup>th</sup> January 2009</p> <p>S/1823/07/F "Appeal B" dismissed - Legal Officer to issue an Injunction in the High Court.</p> <p>S/1834/07/F "Appeal A" allowed subject to conditions.</p> <p>Defendants currently in discussions/ negotiations with housing and legal departments to comply with cessation of residential use.</p> <p>Negotiations have failed to provide an acceptable solution. Legal Officer to pursue Injunctive action.</p> <p>Injunction Order granted 4<sup>th</sup> November 2009 by His Honour Justice Seymour, requiring the Owners to cease residential occupancy by the 2<sup>nd</sup> December 2009.</p> <p>Site inspection carried out on the 3<sup>rd</sup> December 2009 revealed that the Order had not been complied with. Legal Officer informed.</p> <p>Formal warning letter issued to the defendants to vacate the premises.</p> <p>Further inspections confirmed that although the touring caravan had been removed from the site the defendants were still residing at the premises contrary to the Injunction Order.</p> <p>Committal Order instigated.</p> <p>Defendants found guilty of contempt and were ordered to be committed to prison for a period of three months, suspended provided that the residential use of the land ceased and residential paraphernalia removed by the 4<sup>th</sup> June 2010. In addition the defendants were ordered to pay costs totalling £9556.</p> <p>Further inspection carried out confirmed compliance with the Order. Monitoring to continue.</p>
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	19 - 20	<p>Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.</p>

Ref No	Location	See Page No for full update	Remarks
4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	21 - 22	Appeal dismissed on 29 <sup>th</sup> January 2007. File submitted for an application for an injunction. Report to be considered by Planning Sub Committee.
8/06	1 London Way Clunchpits MELBOURN	22 - 24	Appeal allowed in part and dismissed in part. Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly. No Change – Matter to be referred back to Planning Officer.
12/06	Unit J Broad Lane COTTENHAM	24 - 26	<p>Planning application S/0334/08/F refused and Appeal lodged. At Cambridge Magistrates Court on 29<sup>th</sup> May 2008 the defendant was fined £1,000 for breach of Enforcement Notice and £500 for Breach of Condition with costs of £300. Planning application S/1017/08/F refused at Planning Committee 3<sup>rd</sup> September 2008. Appeal Inquiry date 2<sup>nd</sup> &amp; 3<sup>rd</sup> December 2008.</p> <p>Appeal allowed - Conditions to be monitored.</p> <p>Monitoring on-going –Environmental Protection Team results to be published shortly. Environmental Protection Team Manager confirmed that the readings taken were acceptable – Conditions complied with. Remove from Active list.</p>
7/07	The Drift Cambridge Road BARTON	26 - 27	Appeal dismissed on the 1 <sup>st</sup> April 2008. Compliance date 1 <sup>st</sup> October 2008 Partial compliance. Discussions continue.

Ref No	Location	See Page No for full update	Remarks
12/07	The Firs 117 Duxford Road WHITTLESFORD	27 - 28	<p>Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25<sup>th</sup> April 2008. Monitoring planning conditions. Further planning application S/1701/08/F submitted. Refused at Chairman's Delegation 10<sup>th</sup> December 2008 – Enforcement Notice effective in three months unless a planning application is submitted that significantly lowers the height of the wall/fence, brick pillars and gates. Discussions relating to the submission of a further application currently taking place. Further Appeal submitted - Appeal dismissed. Original approved planning permission S/0360/08/F expired. Fresh application submitted under planning reference S/0054/10/F. Waiting decision. Application successful, subject to completion within timescale of three months i.e. 16<sup>th</sup> June 2010.</p>
16/07	38 Silver Street WILLINGHAM	28 - 29	<p>Enforcement Notice issued 28<sup>th</sup> September 2007 for unauthorised work on Listed building. At Cambridge Magistrates Court on 10<sup>th</sup> January 2008 the owner was fined £10,000 for unauthorised works. A Listed building application S/0192/08/LB, approved 19<sup>th</sup> March 2008 complies with first part of the Enforcement Notice. Site is being monitored for compliance. Owner interviewed regarding failure to instigate remedial works. Timetable agreed.</p> <p>Works commenced</p>



Ref No	Location	See Page No for full update	Remarks
5/08	27/28 Newfields Fen Road Chesterton MILTON	29 – 30	Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6 <sup>th</sup> May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24 <sup>th</sup> November 2009, Conditions to be monitored. Further planning application submitted – Ref: S/0246/10/F. Pending Decision.
6/08	6 Sunningdale Fen Road Chesterton MILTON	30-31	Enforcement Notice appealed. Inquiry date 10 <sup>th</sup> February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18 <sup>th</sup> August 2009. Planning application received and registered. Application S/1154/09 approved 5 <sup>th</sup> October 2009 – Conditions to be monitored.
11/08	5 Home Farm 89 High Street HARSTON	31	Listed Building Enforcement Notice issued – Appealed. Appeal dismissed Satellite dish not removed – Prosecution file to be submitted to Legal Officer. Enforcement Notice complied with. Remove from active list.
12/08	Plot 4 Moor Drove HISTON	32	Prosecution file submitted to Legal regarding failure to comply with a “Temporary Stop Notice” Enforcement Notice Issued. Retrospective planning application submitted. Approved at Committee 10 <sup>th</sup> June 2009 Conditions to be monitored

Ref No	Location	See Page No for full update	Remarks
13/08	49 High Street MELBOURN	32 - 33	<p>Enforcement Notice issued. Prosecution file submitted to Legal for failing to comply with the Enforcement Notice. Defendants found guilty at Cambridge Magistrates Court. Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9<sup>th</sup> July 2009. Male Defendant ejected from court, case adjourned until 23<sup>rd</sup> July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520</p> <p>Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17<sup>th</sup> December 2009</p> <p>Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge. Enforcement Notice still not complied with. File submitted to Legal to instigate formal action.</p>
01/09	82 High Street GREAT ABINGTON	33-34	<p>Listed Building Enforcement Notice no 3342 issued 6<sup>th</sup> January 2009 for unauthorised works on a Listed building. Compliance period 3 months. Appeal submitted out of time – Prosecution file to be submitted to Legal. Discussions continue to resolve. Listed Building Enforcement Notice complied with in part – Negotiations continue. Planning Appeal dismissed 26<sup>th</sup> May 2010.</p>
06/09	16a Norman Way Industrial Units OVER	34	<p>Enforcement Notice issued for change of use of premises without consent. Appealed. Appeal allowed on ground (g) and enforcement notice varied by the deletion of three months and substitution of six months as the period for compliance. Subject to this variation the enforcement notice is upheld.</p> <p>Further planning application submitted, validated 27<sup>th</sup> January 2010. Planning reference S/0114/10/F.</p> <p>Planning application unsuccessful, formal notice to cease unauthorised use issued.</p>

Ref No	Location	See Page No for full update	Remarks
07/09	163 High Street SAWSTON	35	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation Appealed – Hearing date 5<sup>th</sup> January 2010.</p> <p>Appeal withdrawn.</p> <p>Formal discussions with Conservation Team as to next steps.</p>
09/09	White Horse Public House 12 Greenside WATERBEACH	35	<p>Enforcement Notice issued in respect of an unauthorised smoking shelter Appealed. Appeal not allowed – Out of time, Discussions continue. Prosecution file submitted to Legal Officer.</p> <p>Enforcement Notice complied with. Remove from active list.</p>
12/09	6 Cottenham Road HISTON	36	<p>Enforcement Notice issued in respect of breaches of control – Compliance period six months i.e. by 30<sup>th</sup> March 2010. Appealed – Hearing date 9<sup>th</sup> March 2010.</p> <p>Appeal 1 – Appeal dismissed and Enforcement Notice upheld. Appeal 2 – Appeal allowed only in part and planning permission granted subject to condition. i.e. The use of the extension permitted shall be confined to domestic purposes incidental to the enjoyment of the dwelling house only and no business or trade shall be carried on from the extension.</p>
16/09	The Barn, Chesterton Fen Road MILTON	36	<p>Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 6<sup>th</sup> February 2010. Appealed – Inquiry 13<sup>th</sup> &amp; 14<sup>th</sup> April 2010 Inquiry date moved to 18<sup>th</sup> &amp; 19<sup>th</sup> May 2010.</p> <p>Appeal dismissed – Compliance period 9 months i.e. February 2011.</p>

Ref No	Location	See Page No for full update	Remarks
17/09	80 High Street, MELBOURN	37	<p>Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 5<sup>th</sup> April 2010.  Appealed – Planning Appeal Dismissed 10<sup>th</sup> November 2009. Enforcement Notice Appeal withdrawn.  Compliance inspection to be carried out.</p> <p>Enforcement Notice complied with.  Remove from active list.</p>
01/10	Land at Moor Drove HISTON	37	Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15 <sup>th</sup> April 2010
02/10	Hill Trees Babraham Road STAPLEFORD	37	<p>Enforcement Notice issued - Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15<sup>th</sup> April 2010</p> <p>Appeal submitted.</p>
03/10	2 Grange Park Chesterton Fen Road MILTON	38	Enforcement Notice issued - Compliance period to demolish and remove materials from the land three months i.e. by 15 <sup>th</sup> June 2010. Enforcement Notice Appealed.
05/10	9 Toft Lane GREAT WILBRAHAM	38	<p>Enforcement Notice issued - Compliance period to remove the mobile home six months i.e. by 15<sup>th</sup> September 2010 and one month for the two sheds and storage container i.e. by 15<sup>th</sup> April 2010.</p> <p>Part compliance – Steel storage container, and mobile home removed.  Rear wooden structure dispute, waiting for further evidence.</p>
06/10	Land at Pampisford Road GREAT ABINGTON	38	<p>Enforcement Notice issued - Compliance period to remove unauthorised portable building three months i.e. 15<sup>th</sup> June 2010  Enforcement Notice Appealed.</p> <p>Enforcement Notice withdrawn on Legal advice and reissued.  See case 20/10.</p>

Ref No	Location	See Page No for full update	Remarks
08/10	Land at 19A High Green GREAT SHELFORD	38	<p>Enforcement Notice issued – Compliance period to remove all of the development work such that the property complies with planning permission S/2392/07/F, six months i.e. 22<sup>nd</sup> September 2010            Planning decision appealed – Hearing date 7<sup>th</sup> April 2010.</p> <p>Appeal allowed. Remove from active list.</p>
09/10	1 Home Farm, 89 High Street HARSTON	39	<p>Listed Building Enforcement Notice issued – Compliance period two calendar months i.e. by 22<sup>nd</sup> May 2010.</p> <p>Listed Building Enforcement Notice complied with. Remove from active list.</p>
10/10	157 Ermine Way, ARRINGTON Royston Herts	39	<p>Enforcement Notice issued – Compliance date to remove the wall and all resulting debris from the site one month, i.e. by 22<sup>nd</sup> April 2010.</p> <p>Enforcement Notice complied with – Remove from active list.</p>
13/10	North Road Farm Ermine Way WHADDON	39	<p>Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22<sup>nd</sup> April 2010</p> <p>Appeal submitted 4<sup>th</sup> March 2010.</p> <p>Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged.</p>
17/10	The Car Wash facility St. Neots Road CROXTON	39	<p>Enforcement Notice issued – Compliance period to cease using any part of the land for residential use, two months i.e. by 12<sup>th</sup> June 2010.</p> <p>Enforcement Notice Complied with – Site to be monitored for 3 months.</p>
18/10	4 Home Farm 89 High Street HARSTON	40	<p>Enforcement Notice issued – Compliance period to remove the unauthorised satellite dish two months i.e. by 8 July 2010.</p>

Ref No	Location	See Page No for full update	Remarks
19/10	Park Farmhouse Station Road STOW-CUM-QUY	40	Enforcement Notice issued – Compliance period to remove the unauthorised satellite dish two months i.e. by 8 <sup>th</sup> August 2010.  Notice Appealed.  Enforcement Notice withdrawn.
20/10	Land at Pampisford Road GREAT ABINGTON	40	Enforcement Notice issued – Compliance period to remove unauthorised building, three months i.e. 15 <sup>th</sup> September 2010 Enforcement Notice Appealed.
21/10	22 Pipers Close FOWLMERE	40	Enforcement Notice issued – Compliance period to cease the use of the land for the purpose of motor vehicle sales and associated motor vehicle valeting, three months i.e. 8 <sup>th</sup> November 2010.
22/10	41 Cambridge Road LITTLE ABINGTON	41	Enforcement Notice issued – Compliance period to remove the unauthorised development from the land, one month i.e. 1 <sup>st</sup> August 2010
23/10	Field Gate Nurseries 32 Station Road MELDRETH	41	Enforcement Notice issued – Compliance period to dismantle or demolish the structure of the extension and remove all resulting materials, rubble and /or spoil from the site, one month i.e. 12 <sup>th</sup> August 2010.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services) / Corporate Manager – Planning and New Communities

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**CAMBOURNE - DRAINAGE****Background**

1. This matter is being reported to the Planning Committee at the request of the Planning Portfolio Holder, following assurances given to Full Council on 22 April 2010 that it would be kept under regular review by Members
2. Update reports will be presented to future meetings of the Planning Committee until a permanent solution to the drainage issues at Cambourne has been identified and implemented.

**Update as at 28 June 2010**

3. Prior to the Full Council meeting on 22 April 2010, nine questions on this issue were raised of the Planning Portfolio Holder and four of the Environment Services Portfolio Holder. Officers have been advised that no further questions have been raised direct of the said Portfolio holders but one question has been forwarded by RAFT(Residents Against Flooding and Tankers) to the Senior Planning Lawyer in Planning and New Communities. This has been answered and no follow up queries have been received in such regard. The Senior Planning Lawyer has also asked Martin Withers , Chairman of RAFT to check that no one is expecting any additional information back from the District Council following the public meeting on 11 May.
4. Officers have continued to liaise with representatives of The Cambourne Consortium, its Resident Engineer and Anglian Water and this has included attendance at a meeting on 10 June and a separate meeting on 22 June. The Consortium's Resident Engineer has reported that all the Primary Foul Sewer network throughout Lower and Great Cambourne has been inspected visually and surveyed internally by CCTV cameras. This has identified a number of defects and repairs required and these are ongoing. In addition it has been reported that individual developers have undertaken similar investigations to their own Secondary Foul Sewer network (ie within Estate Roads).The Engineer has reported that the investigative work for this Primary and Secondary Foul Sewer network is substantially complete and this is allowing the various teams to continue to progress with outstanding repairs. The repair works are said to be anticipated for completion by the end of July (2010) when a programme of final checking will begin . At the meeting on 22 June, Anglian Water produced two charts for the period since 3 March 2010 showing (a) the total hours of run for the pumps at the terminal pump station at Cambourne and (b) the fluctuations in the wet well levels at the said pump station. Anglian Water said they felt that both these charts showed an improving position.

5. It has also been confirmed that, if there were to be any further flooding, a revised tankering strategy is now in place . Although tankers would still need to visit the terminal pump station in School Lane arrangements have been organised such that other tankers would be deployed to other satellite pump stations in Cambourne. This would help reduce the impact on residents living in the School Lane area.
6. A meeting took place at South Cambridgeshire District Council's offices on 25 June called by Mr Andrew Lansley M.P. to update him on progress since the public meeting in terms of the ongoing investigative works and repairs. The meeting was attended by 18 people with all main parties represented including the Portfolio Holders for Planning and Health and Environmental Services as well as the likes of the Managing Director of Anglian Water and the Chairman of RAFT. It is felt that those attending the meeting were able to agree that the activity previously promised (ie at the Public meeting on 11 May ) was being undertaken and it appears positive progress is being made with main repair works to the Primary and Secondary Foul Sewer networks due for completion by the end of July 2010 so that final checking could then be taken forward. It was acknowledged both by MCA Developments and Anglian Water , however, that ultimate success of the works will only be tested once there has been a prolonged period of rainfall.
7. A further update will be presented to the August meeting of the Planning Committee.

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

- None

**Contact Officer:** Stephen Reid – Planning Lawyer  
Telephone: (01954) 713195