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22 December 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, David McCraith, Charles Nightingale, Deborah Roberts,
Hazel Smith, John F Williams and Nick Wright, and to Councillor Nick Wright
(Planning Portfolio Holder)

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, 12 JANUARY 2011 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
JEAN HUNTER
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

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** 1 - 2
- 3. Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meetings held on 1 and 6 December 2010 as correct records. These minutes are

attached to the electronic version of the agenda, which can be accessed by following the links from www.scambs.gov.uk/meetings

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

Agenda items 4, 5, 6 and 7 relate to the same application site. The appendices attached to Item 4 of the electronic version of this agenda apply equally to items 5, 6 and 7.

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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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Toilets

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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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Since 1 July 2008, the Council has operated a new Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

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Visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings or are switched off altogether.

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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 – 12 January 2011 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

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Personal / Personal and Prejudicial [delete as appropriate]

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Reason:

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

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/1687/10 – GREAT SHELFORD**Fascia sign to principle elevation & rectangular signs to side elevations –
36-38, Woollards Lane, for Tesco Stores Ltd****Recommendation: Refusal****Date for Determination: 29th November 2010****Notes:**

This Application has been reported to the Planning Committee on the request of the local member Cllr Nightingale.

Members will visit the site on the morning of the 12th January 2010.

Site and Proposal

1. The application site comprises a two-storey detached retail unit (A1 Use Class) located within the centre of Woollards Lane. Woollards Lane is identified within the villages Conservation Appraisal as being a relatively calm street, even though this is the main shopping street and the centre for commercial and community life in the village, with a library, bank, newsagents, dental surgery and opticians, restaurants and delicatessens, convenience stores, a small department store (application site), pharmacy, estate agents, travel agents, bicycle shop and greengrocer. The mix of commercial and residential properties are predominantly late 19th century in character, comprising the mainly unplanned conversion of former yellow brick and slate dwellings to shops. In most cases, this has led to the use of back lands as car parks.
2. The site is situated within the village development framework, Conservation Area, Character Area (as designated by the Village Design Statement) and is in within an area of special advertisement control. The application site is not specifically identified within the villages Conservation Appraisal. There are a variety of advertisements within Woollards Lane including ATM units and shop frontages with an array of shop fascia's. There are parking restrictions within Woollards Lane, with the road being narrow at points with on street parking providing congestion at peak times. The village Design Statement designates Woollards Lane as the principal shopping centre and locus for village activity. This document refers to the conflict between pedestrians and vehicles within this concentrated area. Furthermore, this document goes on to reference that the design of shop fronts within Woollards Lane makes a strong and varied impact upon the appearance of the street in the village and in combination with signage and advertisements are a matter for attention in the raising of the standards of high visual quality.

3. The proposal comprises the erection of 0.60m high acrylic lettering attached upon metal framework to the principal elevation. This signage would be attached to the canopy porch roof above the site's main entrance and would be illuminated by a trough up-lighter (brightness: 285cd/m). The lettering would be in red and white colouring with a blue underline providing the words 'Tesco Express'.
4. The proposal would also comprise the erection of two rectangular acrylic signs to the flank first floor elevations of the east and west projecting gable elevations. These signs would measure approximately 0.90m high by 1.16 wide and would not be illuminated.
5. The application is supported by a Heritage Statement, Design and Access Statement but has not been party to any pre-application advice.
6. There was an administration error during the consultation period whereby the correct application forms were not made visible via the website. However, this matter has since been rectified and the application in full has now been made publicly visible for a period in excess of 21 days.
7. The proposed development does not require a parallel application for Conservation Area Consent.

Planning History

8. Planning Application S/0481/74/F for a single storey rear extension was approved.
9. Planning Application S/1708/79/F for single storey rear extension was approved.
10. Planning Application C/0715/69/O for internal alterations and extension to the rear was approved.
11. Planning Application S/0130/81/F for a replacement display window was approved.
12. Planning Application S/1039/84/F for a replacement display window was approved.
13. Planning Application S/1269/85/F for a first floor shop extension was approved.
14. Planning Application S/1579/85/F for the use of no.38 as retail space and a new shop front was approved.
15. Planning Application S/0085/86/F for a two-storey rear extension was approved.
16. Planning Application S/0640/10 for a two-storey rear extension was approved.

Planning Policy

17. Planning Circular 03/2007 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

18. Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
19. Planning Policy Guidance Note 19 (PPG19): Outdoor Advertisement Control
20. **South Cambridgeshire Local Development Framework, Development Control Policies, DPD, 2007:**
CH/4 Conservation Areas
CH/8 Advertisements
21. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Development affecting Conservation Areas SPD – Adopted January 2009
Great Shelford Conservation Area Appraisal – Adopted September 2007
Great Shelford Village Design Statement – Adopted February 2004
22. **Consultation**
23. **Great Shelford Parish Council** – Recommends refusal making the following comments:
 - The externally illuminated ‘house style’ Tesco frontage sign by virtue of its size, materials and lettering is out of character with and does not enhance the character and appearance of the Conservation Area;
 - The shop is likely to be open for longer hours than the 9-5.30 of Eden Lilley, therefore the illumination will be intrusive to the occupiers of nearby residential properties;
 - In order to emulate good design and to be in keeping with the existing building the signs on the side elevations should be painted rather than acrylic lettering.
 - It is noted that Tesco Express Signs in other Conservation Areas are of a simpler and more restrained design without illumination.
24. **Conservation** – Recommends part approval of the two rectangular signs (subject to a conditions requiring details of the materials and elevation details and sections of the proposed sign and frame) and part refusal of the fascia lettering sign.
25. In principle the addition of signs on each side elevation is supported. However these should be simpler and more traditional than proposed. There should be a simple colour scheme on a timber or metal board (so less shiny and less prone to buckling than the acrylic proposed) and with either an oak or painted timber simple frame. As submitted it would neither preserve nor enhance the character of the conservation area so is contrary to CH/5 and PPS5 policies HE7 and HE9, but it may be possible to approve subject to the conditions stated above.
26. The fascia sign would create a precedent and its position, size, top-heavy proportions, design and materials would neither preserve nor enhance this part of the conservation area. Historically during the C19 there were occasionally signs that projected above roofs, but were lightweight, well detailed and generally wrought iron signs and were generally upon prominent buildings and on the most prominent elevation. If a historic study established that this was a building with such a sign a redesigned version would be considered, but currently this is not a type of sign characteristic of the area

and the frontage sign would therefore be better incorporated within the shop front fascia. This sign would therefore be contrary to CH/5 and PPS5 HE7 and HE9.

27. **Environmental Health** – No significant environmental impacts from an Environmental Health standpoint would occur.
28. **Local Highways Authority** – No significant adverse impact upon the public adopted highway should result from this proposal, should it gain benefit of planning permission.

Representations

29. **528** letters of objection have been received in total in addition to a petition of **395** signatures. The objections are summarised below with relevance to the comments raised with regard to this particular application:
 - The signs should be no larger than those that exist for the current premises;
 - The signs comprising of brightly coloured acrylic would be inappropriate within the Conservation Area;
 - The existing signage within Woollards Lane are mostly unlit at night, therefore the illumination proposed would spoil the character of the area;
 - Light from the signage would potentially disturb neighbouring properties through light pollution;
 - The signage is excessive in number, illumination, size and lettering;
 - The signage would highlight this building within the street scene, which would be out of character as the dominant signage would be inappropriate;
 - The village and nearby villages are well provided for by shops selling the same merchandise as those offered by Tesco;
 - The presence of Tesco would threaten the local stores;
 - The applications will contravene Planning Policy SF/1 as they will threaten the loss of traditional village shops;
 - The development would contravene Planning Policy SF/4 as Tesco would not be of the size or the attraction appropriate to the scale of the village;
 - The use of the premises as a Tesco store would result in increased antisocial behaviour and is not wanted;
 - Shelford is defined as a Rural Centre, which serves its local catchment area and not the wider community that Tesco wishes to reach;
 - A new Tesco store would not be in scale with the retail hierarchy of the village as the village is adequately served by sufficient retail provision;
 - Woollards Lane is unsuitable for multiple daily deliveries by Tesco. The volume of traffic using this road has increased over the years and upon rubbish collection day there are noticeable tailbacks and jams;
 - Tesco will apply for an alcohol license, which will lead to increased anti-social behaviour;
 - The original store did not require an illuminated sign, surely local people will be aware of the store and its location;
 - The applicant should reduce the scale of the lettering signage and ensure that the illumination is proportionally reduced;
 - Signage within the conservation area should be more discreet with unlit plain signs;
 - The illuminated front signage is more than enough to advertise the premises, the flank signage should be removed from the proposal to minimise the clutter of the street scene;

- The signage proposed would be contrary to the principles of the Village Design Statement, Policy CH/8 and the Great Shelford Conservation Area Appraisal;
- There are examples of Tesco Express signs within other Conservation Areas that are of a simpler more restrained design without illumination;
- If the store is to be open late at night then the car park will be used to a late hour, which would adversely affect neighbouring residential properties through undue noise and disturbance;
- All the application forms upon the website relate to S/1687/10 and not the relevant applications, furthermore, there is no Conservation Area Consent for these applications;
- The proposed large lettering sign is a commercial 'house style' more akin to an urban environment and would be unsympathetic in this rural location;
- The heritage statement submitted has several material deficiencies, such as the fact that the statement addresses all four planning applications and is not therefore specific to each proposal. In addition there is no evidence of the examination of historic records or the expertise of the author. The statement also fails to correctly address and assess the significance of local heritage assets. The archaeological potential of the site has also not been considered.

In addition to the above the Stop Tesco Action Group (STAG) have submitted a joint submission to all four applications, which is included within the annexe to this report.

30. 10 Letters of support have been received, which raise the following comments:

- a) The positives of the store would outweigh the negative, such as the stores increased accessibility for older customers;
- a) The store would provide a wide range of affordable food items for all;
- b) The store would provide local jobs when unemployment is high;
- c) Local retail competition will be healthy for the village;
- d) No change in land use would occur;
- e) The store will create little additional traffic and the existing co-op store already has parking and access problems with the use of large delivery lorries;
- f) There is sufficient local parking to accommodate the store;
- g) Not everyone in the village is against this store;
- h) The store would be more accessible to the elderly;
- i) There is ample car parking within the village to serve the store;
- j) The existing food retailers within the village such as the CO OP block pavements and access when delivering goods and this has never been a problem locally;
- k) There are already chillers in similar retail premises and there have been no objections to these;
- l) The Parish Council has rarely if ever supported any form of retail or restaurant use within the village citing their view of justification or demand. However, the village has benefited from the opening of new premises recently and it is for Tesco to decide, whether their investment will bring a return;
- m) Were the application made by an alternative retailer to Tesco there would be substantially less objections;
- n) Tesco will not stop residents shopping locally at other stores, but it will bring about more choice and competitive prices;
- o) Many other stores within the village sell alcohol;

Comments – Key Issues

31. The key issues to consider in this instance are the impact that proposals would have upon the public safety and visual amenity.
32. Representations have been received which raise general objections and support of the proposal that relate to the occupation of the premises by Tesco and the resultant impact upon local retail competition and the village as a whole. These comments are not considered to relate to material planning considerations and have not been given weight in the in the determination of this planning application.

Visual Amenity:

33. Policy CH/8 'Advertisements' states that advertisements will be restricted to the number, size, format, materials and design appropriate to the building or locality to which it is proposed they be attached in order not to detract from the character and appearance of the district. In Conservation Areas advertisements will be kept to a minimum in order to maintain the character and appearance of Conservation Areas. When considering applications for the display of advertisements or signage in Conservation Areas consideration will be given to the size, design (including projection), materials, illumination (internal and external) and the application of lettering and / or logos.
34. The presumption is that on traditional buildings within Conservation Areas signage will be applied in a traditional manner, i.e. using traditional sign writing techniques on timber boards, or direct onto masonry or render. Permission is likely to be refused for modern, plastic signage and / or applied lettering where such materials will be out of keeping with the context of a Conservation Area. Permission is also unlikely to be granted for internally illuminated signs within Conservation Areas. Where signs are to be illuminated this is to be achieved with modest and appropriately styled lamps directed onto the sign. Strict controls will be applied over the extent of any illuminated signs in Conservation Areas, to avoid harming their character and / or appearance, and also to avoid unnecessary light pollution.
35. PPG19 states that designers should be prepared to compromise on matters of "corporate" design where it is unsuitable in a particularly sensitive area; but "corporate" designs should not be refused elsewhere simply because a planning authority dislike the design.
36. In light of the above, the proposed 'Tesco Express' projecting lettering sign is considered to be incongruous within the setting of this part of the Conservation Area. The premises does not benefit from a traditional shop fascia such as a timber board upon which to provide store signage. The sign is considered to be overtly large in scale with top-heavy proportions and would result in a design and use of materials that is not characteristic to this part of the Conservation Area. Projecting lettered signs are more common upon more prominent building elevations, and were traditionally lightweight, detailed and comprised of cast wrought iron. As a consequence the lettering proposed would result in a prominent and alien form of a non-traditional form of signage and would not be appropriate to the building that it would be attached to. This element of the proposal is therefore considered to fail to preserve or enhance the character and appearance of the Conservation Area.

37. Notwithstanding the above, the proposed rectangular signage would replace existing signage of a similar scale and appearance upon the flank elevations of the forward projecting gable to the principal elevation. Signage of this scale is considered to be appropriate within this location in terms of the visual amenity of the area and would preserve the character and appearance of the Conservation Area. However, it is noted that the signage proposed would represent the corporate identity or house style of the applicant and would not be a traditional form of signage. Therefore it is considered that to ensure that the character and appearance of the Conservation Area is preserved, further detail of the signage proposed is required. This detail can be secured by way of a condition and would require traditional timber or a metal painted board upon a similar frame. Sectional drawings at a heightened scale will also be required to ensure that the scale and position of the signs are appropriate.

Public Safety & Environmental Pollution

38. The signage proposed is not considered to impede any public right of way, CCTV or site lines that would result in a detrimental impact upon either highway or public safety.
39. The proposed trough up lighter would not shine towards residential properties, as it would illuminate a specific single object. Therefore spilling of light beyond the boundary is unlikely. Nevertheless, the impact of lighting could be reviewed after installation as a statutory nuisance under Section 80 of the Environmental Protection Act 1990. In light of the above the trough up light is not considered to result in a significant adverse impact by virtue of light pollution due to the illumination levels of 285cd/m. Nevertheless, it is recommended that this element of the proposal is refused on design grounds as discussed above.

Conclusion:

40. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that advertisement consent should be part granted and part refused in this instance.

Recommendation

41. Part Approve and Part Refuse

Refusal

1. The proposed fascia sign by virtue of its modern projecting lettering and use of non-traditional acrylic materials would be unduly prominent and unsympathetic in appearance within the special historic centre of Great Shelford, which is designated as a Conservation Area. They are, as such, contrary to the requirements of Policies CH/4 and CH/8 of the South Cambridgeshire Development Control Policies DPD, 2007, the South Cambridgeshire Development Affecting Conservation Areas SPD, 2009, The Great Shelford Village Design Statement and PPS5: Planning for the Historic Environment, all of which require advertisements to either preserve or enhance the character and appearance of Conservation Areas and to

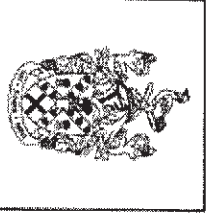
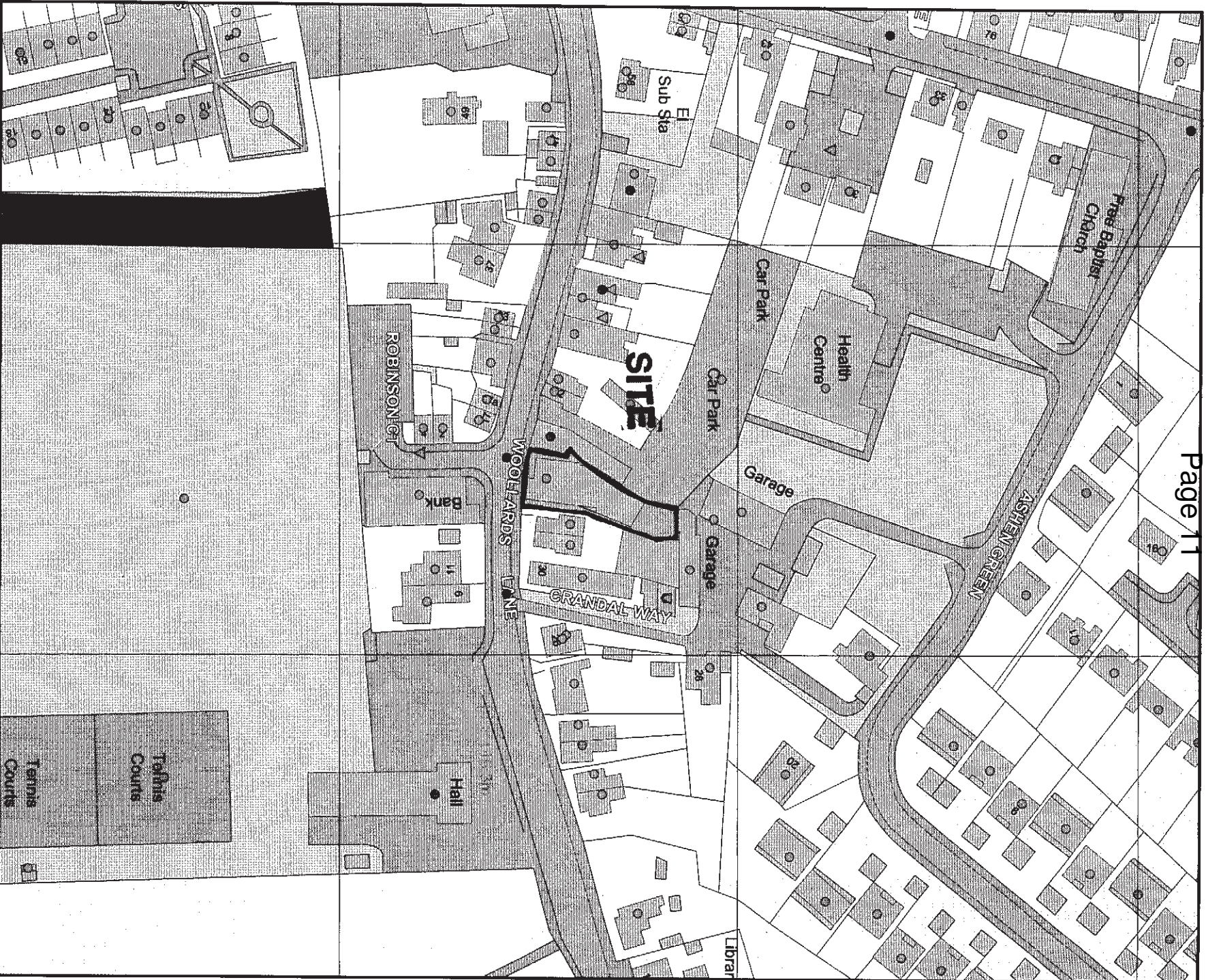
contribute positively to the appearance of an attractive and cared-for environment.

Approval

1. Notwithstanding the details shown on drawing nos.1828/12B & 1828/06K, no development shall commence until details of the colours, materials and elevation drawings at a scale of 1:20 with section drawings at a scale of 1:5 (or larger) showing the signs and frames have been submitted to and approved in writing by the Local Planning Authority; the development shall be implemented and maintained in accordance with the approved details.

(Reason - Insufficient information was submitted with the application to assure the Local Planning Authority that the proposed signage would comply with Policies CH/5 and CH/8 of the adopted Local Development Framework 2007.)

Contact Officer: Mike Jones - Senior Planning Assistant
01954 713253



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Cambridgeshire
District Council

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

**S/1688/10 – GREAT SHELFORD
Installation of ATM Unit – 36-38 Woollards Lane,
for Tesco Stores Ltd****Recommendation: Delegated Refusal****Date for Determination: 29th November 2010****Notes:****This Application has been reported to the Planning Committee at the request of the local Member Cllr Nightingale.****Members will visit the site on 12th January 2011.****Site and Proposal**

1. The application site comprises a two-storey detached retail unit (A1 Use Class) located within the centre of Woollards Lane. Woollards Lane is identified within the village's Conservation Appraisal as being a relatively calm street, even though this is the main shopping street and the centre for commercial and community life in the village. This section of the village contains a library, bank, newsagents, dental surgery and opticians, restaurants and delicatessens, convenience stores, a small department store (application site), pharmacy, estate agents, travel agents, bicycle shop and a greengrocer. The mix of commercial and residential properties are predominantly late 19th century in character, comprising the mainly unplanned conversion of former yellow brick and slate dwellings to shops. In most cases, this has led to the use of back lands as car parks.
2. The site is situated within the village development framework, Conservation Area, Character Area (as designated by the Village Design Statement) and is in within an area of special advertisement control. There are a variety of advertisements within Woollards Lane including ATM units and shop frontages with an array of shop fascia's. There are parking restrictions within Woollards Lane with the road being narrow at points with on street parking providing congestion at peak times. The application site is not specifically identified within the village's Conservation Appraisal. The Village Design Statement designates Woollards Lane as the principal shopping centre and focus for village activity. This document refers to the conflict between pedestrians and vehicles within this concentrated area. Furthermore, this document goes on to reference that the design of shop fronts within Woollards Lane makes a strong and varied impact upon the appearance of the street in the village and in combination with signage and advertisements are a matter for attention in the raising of the standards of high visual quality.

3. The proposal comprises the installation of an ATM unit that would be situated within the glass fascia of the principal elevation fronting Woollards Lane. The ATM would be approximately 0.5m from ground level allowing disabled access and would be set behind cast iron bollards.
4. The application is supported by a Heritage Statement, Design and Access Statement but has not been party to any pre-application advice.
5. There was an administration error during the consultation period whereby the correct application forms were not made visible via the website. However, this matter has been rectified and the application in full has now been made publicly visible for a period in excess of 21 days.
6. The proposed development does not require a parallel application for Conservation Area Consent.

Planning History

7. Planning Application S/0481/74/F for a single storey rear extension was approved.
8. Planning Application S/1708/79/F for single storey rear extension was approved.
9. Planning Application C/0715/69/O for internal alterations and extension to the rear was approved.
10. Planning Application S/0130/81/F for a replacement display window was approved.
11. Planning Application S/1039/84/F for a replacement display window was approved.
12. Planning Application S/1269/85/F for a first floor shop extension was approved.
13. Planning Application S/1579/85/F for the use of no.38 as retail space and the provision of a new shop front was approved.
14. Planning Application S/0085/86/F for a two-storey rear extension was approved.
15. Planning Application S/0640/10 for a two-storey rear extension was approved.

Planning Policy

16. **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
 - CH/5 Conservation Areas
 - CH/9 Shop Fronts

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Development affecting Conservation Areas SPD – Adopted January 2009
Great Shelford Conservation Area Appraisal – Adopted September 2007
Great Shelford Village Design Statement – Adopted February 2004

Consultation

18. **Great Shelford Parish Council** – Recommends refusal making the following comments:
- The installation of an ATM with associated signage and lighting creates an unacceptable intrusion into the simple shop frontage;
 - A recent appeal decision against the refusal of planning permission for a take-away at 54 Woollards Lane was dismissed; the inspector stating that noise and disturbance caused by stopping, starting and manoeuvring traffic would be to the detriment of residential amenity; Out of hour use of the ATM will create a similar scenario;
 - The ATM could be installed within the building;
 - The premises has no restriction on opening hours and therefore residents will have to endure noise from associated vehicular and pedestrian traffic to all hours;
 - The area where the proposed ATM is to be sited use to be used by customers for the parking of their buggies and cycles; therefore this would seem to be a good position for cycle storage;
 - The previous extension to the building was approved on the grounds that the site was in a sustainable location, therefore the proposal should not include bollards to protect the ATM but instead provide cycle parking.
19. **Conservation** – The proposed position and design of the ATM would be an unsympathetic feature within the glazed shop front. The unit would contrast with the transparent nature of this part of the building's frontage making it more prominent and noticeable. As a consequence the proposal would fail to preserve or enhance the character and appearance of the Conservation Area. Should an ATM be required then it should be located within a solid surface in a less prominent location, subject to the significance of any materials that are lost to accommodate it.
20. **Environmental Health** – No significant environmental impacts from an Environmental Health standpoint would occur.
21. **Local Highways Authority** – Recommend refusal of this application on the grounds of highway safety. This is due to the double yellow lines, which have been installed outside the existing retail unit. The Highway Authority believes that the ATM machine will encourage short-term parking in contravention of the existing waiting restrictions to the detriment of Highway Safety. Furthermore, the proposed bollards cannot be sited within the adopted public highway, as they would obstruct the free flow of traffic (including cyclists and pedestrians).

Representations

22. **528** letters of objection have been received in total in addition to a petition of **395** signatures. The objections are summarised below with relevance to this application:

- The proposal would result in noise and disturbance to neighbouring residential properties;
- There is no need for an ATM in this location as there is one opposite the road within the bank;
- The adjacent ATM is accessible to the disabled and served by a car park;
- There are multiple ATM units within the village;
- The ATM would result in significant traffic and pedestrian safety issues; as it would invite illegal parking to the front of the store;
- The disabled parking within Woollards Lane would be affected by users stopping to use the ATM illegally;
- The village and nearby villages are well provided for by shops selling the same merchandise as those offered by Tesco;
- The presence of Tesco would threaten the local stores;
- The applications will contravene Planning Policy SF/1 as they will threaten the loss of traditional village shops;
- The development would contravene Planning Policy SF/4 as Tesco would not be of the size, or the attraction appropriate to the scale of the village;
- The use of the premises as a Tesco store would result in increased antisocial behaviour and is not wanted;
- Shelford is defined as a Rural Centre, which serves its local catchment area and not the wider community that Tesco wishes to reach;
- A new Tesco store would not be in scale with the retail hierarchy of the village as the village is adequately served by sufficient retail provision;
- Woollards Lane is unsuitable for multiple daily deliveries by Tesco. The volume of traffic using this road has increased over the years and upon rubbish collection day there are noticeable tailbacks and jams;
- Tesco will apply for an alcohol license, which will lead to increased anti-social behaviour;
- The provision of an ATM unit would have a detrimental impact upon the Conservation Area;
- The proposed ATM unit would urbanise the village contrary to the requirements of the Village Design Statement;
- The ATM would disrupt what is a simple shop frontage, as the site has no restrictions on opening hours the ATM could lead to noise and disturbance to nearby residential properties;
- The ATM could be provided within the building;
- If the store is to be open late at night then the car park will be used to a late hour, which would adversely affect neighbouring residential properties through undue noise and disturbance;
- All the application forms upon the website relate to S/1687/10 and not the relevant applications, furthermore, there is no Conservation Area Consent for these applications;
- The heritage statement submitted has several material deficiencies, such as the fact that the statement addresses all four planning applications and is not therefore specific to each proposal. In addition there is no evidence of the examination of historic records or the expertise of the author. The statement also fails to correctly address and assess the significance of local heritage assets. The archaeological potential of the site has also not been considered.

23. **In addition to the above the Stop Tesco Action Group (STAG) have submitted a joint submission to all four applications, which is included within the annexe to this report.**

24. **10** Letters of support have been received, which raise the following comments:
- The positives of the store would outweigh the negative, such as the stores increased accessibility for older customers;
 - The store would provide a wide range of affordable food items for all;
 - The store would provide local jobs when unemployment is high;
 - Local retail competition will be healthy for the village;
 - No change in land use would occur;
 - The store will create little additional traffic and the existing co-op store already has parking and access problems with the use of large delivery lorries;
 - There is sufficient local parking to accommodate the store;
 - Not everyone in the village is against this store;
 - The store would be more accessible to the elderly;
 - There is ample car parking within the village to serve the store;
 - The existing food retailers within the village such as the CO OP block pavements and access when delivering goods and this has never been a problem locally;
 - There are already chillers in similar retail premises and there have been no objections to these;
 - The Parish Council has rarely if ever supported any form of retail or restaurant use within the village citing their view of justification or demand. However, the village has benefited from the opening of new premises recently and it is for Tesco to decide, whether their investment will bring a return;
 - Were the application made by an alternative retailer to Tesco there would be substantially less objections;
 - Tesco will not stop residents shopping locally at other stores, but it will bring about more choice and competitive prices;
 - Many other stores within the village sell alcohol;

Planning Comments – Key Issues

25. The key issues to consider in this instance are the impact that proposals would have upon the character and appearance of the Conservation Area, public realm, residential amenity and highway safety.
26. Representations have been received which raise both objections and support of the proposal that relate to the occupation of the premises by Tesco and the resultant impact upon local retail competition and the village as a whole. These comments are not considered to relate to material planning considerations and have not been given weight in the in the determination of this planning application.

Visual Amenity

27. The proposal would be sited in a prominent location within the glazed fascia of the principal elevation of the premises. The proposed alterations to the shop front under planning application S/1690/10 aim to provide a traditional and simple shop façade that would be in keeping with the character and appearance of the Conservation Area. However, the installation of an ATM within the frontage departs from this methodology, as it would contrast with the simple transparent glazed frontage and timber frame. The provision of a modern ATM unit is therefore considered to disrupt the symmetry of simple

timber framed glazing and would result in a prominent addition that would neither preserve nor enhance the character and appearance of the Conservation Area.

28. It is acknowledged that there are examples of ATM units within the street scene. However, these are sited in less prominent locations set back from the road side upon more modern buildings such as Barclays Bank opposite the application site. In light of the above the proposal is considered to not be visually congruent with the original building that it would be installed within to the detriment of the public realm. The proposal would therefore be contrary to criterion 2i) of Policy DP/3 'Development Criteria', criterion 1a) of Policy DP/2 'Design of new development' which seek that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact upon village character. In addition the proposal would be contrary to the conclusions of the Great Shelford Village Design Statement, which requires refurbishments to be visually congruent with the original.

Highway Safety

29. The Local Highways Authority (LHA) has raised an objection in respect of the highway safety implications of the development. The ATM is to be sited adjacent to the public highway where there are current parking restrictions in place. The installation of an ATM unit in this location is likely to engender a significant increase in the amount of short stay parking to the front of the retail unit. The section of Woollards lane immediately adjacent to the premises has a no waiting at any time restriction in place. The Local Highway Authority has confirmed that such a restriction is only used within a rural setting in response to a risk to highway safety. Woollards Lane carries significant levels of traffic, both motorised and non-motorised. The obstruction of a parked vehicle in the area in question would provide a hazard to all vehicular traffic, and in particular cyclists. As a result of the above the chances of an accident involving a vulnerable road user would be significantly increase. Furthermore, the Local Highway Authority has confirmed that it would object to any installation of an ATM within this restricted location.
30. In light of the above, the proposal would fail to adhere to criterion 2k) of Policy DP/3 'Development Criteria', which states that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact from traffic generated. In addition it is noted that the provision of bollards, which it is assumed will safeguard the ATM unit from vandalism and crime are to be sited within the public highway. The Local highway Authority has confirmed that they would not allow the provision of such an obstruction to highway users upon land that they control.

Residential Amenity

31. The proposed ATM unit would remain in use outside of the usual operating hours of the premises and those within Woollards Lane. As a consequence it is a concern of residents that such a use would result in adverse noise and disturbance upon the amenity of nearby residential properties. However, there is no evidence to suggest that the ATM unit would produce any adverse noise other than that of users of the unit at unneighbourly hours. It is acknowledged that the location of the ATM would be within close proximity to a residential flat and that its siting would encourage people to congregate at this location, however, its use is considered to be infrequent at unneighbourly times and is

not therefore considered to result in a significant adverse impact upon residential amenity.

Other Matters

32. Representations from residents raise the issue that the location of the proposed ATM machine is currently used to park cycles, push chairs and shopping trolley's and that the loss of this space will hinder shoppers resulting in congestion upon the public footpath. Whilst this space may have served as a desirable location for such storage it is considered that its loss would be unlikely to result in shopping paraphernalia being left upon the footpath whilst shoppers use the retail premises. As noted above in paragraph 6.3.2 the provision of bollards would not be permitted within the adopted public highway and would be a matter for the Local Highway Authority to enforce.

Conclusion:

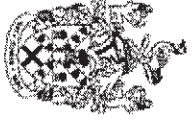
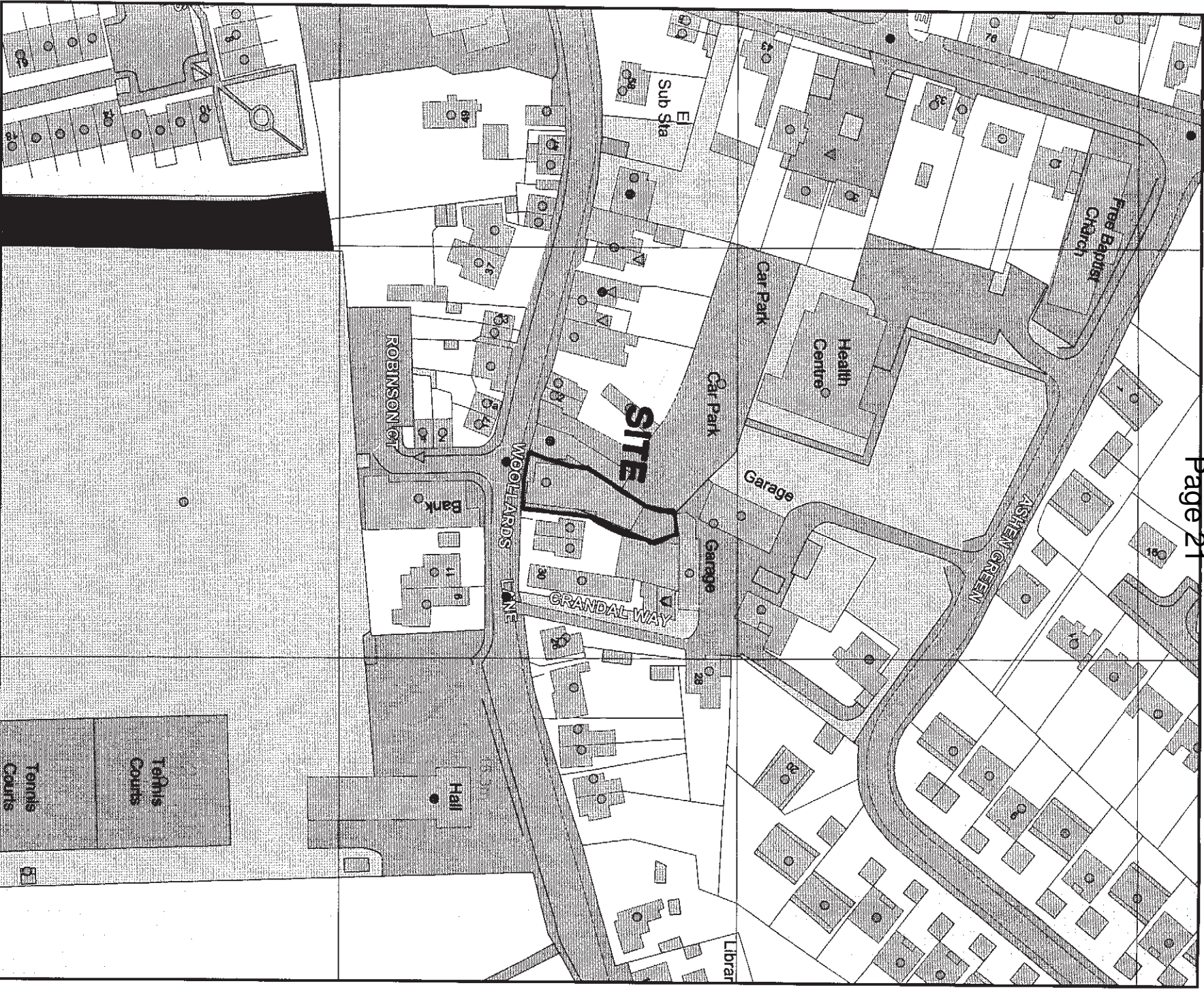
33. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be refused in this instance.

Recommendation

34. **Refuse**, for the following reasons:
 1. **The area of adopted public highway adjacent to the shop front is designated as a 'restricted no waiting at any time zone'. The installation of the proposed ATM unit would result in the short-term parking of vehicles directly outside of the retail premises within this zone. This section of Woollards Lane is particularly narrow and has high levels of vehicular traffic including cyclists. The restricted zoning has been put in place by the Local Highway Authority to preserve highway safety due to the nature of vehicle movements within Woollards Lane and the impact that parking upon this section of carriageway would have upon the visibility and free flow of traffic along the adopted highway. As a consequence of the above, the proposal is considered to result in an adverse impact upon highway safety contrary to criterion 2k) of Policy DP/3 of the South Cambridgeshire Development Control Policies DPD, 2007, which states that Planning permission will not be granted where the proposed development would have an unacceptable adverse impact from traffic generated.**
 2. **The proposed ATM machine would result in a prominent and unsympathetic feature that would be out of context with the simple glazed façade to the detriment of the symmetry of this principal elevation. To this end the proposal would be out of character with the shop front and building that it would be installed within. As a consequence of the above the proposal is considered to result in an adverse visual impact that would neither preserve nor enhance the character and appearance of the Conservation Area contrary to Policies CH/4, CH/9, DP/2 and DP/3 of the South Cambridgeshire Development Control Policies DPD, 2007 and the Great Shelford Village Design Statement, which seek that all new development must be of high quality design and, as appropriate to the scale and nature of the**

development by preserving or enhancing the character of the area.

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01954 713253



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District Council

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/1689/10 – GREAT SHELFORD
Installation of plant and associated fencing – 36-38 Woollards Lane,
for Tesco Stores Ltd**Recommendation: Approve Conditionally****Date for Determination: 29th November 2010****Notes:**

This Application has been reported to the Planning Committee on the request of the local member Cllr Nightingale.

Members will visit the site on the morning of the 12th January 2010.

Site and Proposal

1. The application site comprises a two-storey detached retail unit (A1 Use Class) located within the centre of Woollards Lane. Woollards Lane is identified within the villages Conservation Appraisal as being a relatively calm street, even though this is the main shopping street and the centre for commercial and community life in the village. This section of the village contains a library, bank, newsagents, dental surgery and opticians, restaurants and delicatessens, convenience stores, a small department store (application site), pharmacy, estate agents, travel agents, bicycle shop and a greengrocer. The mix of commercial and residential properties are predominantly late 19th century in character, comprising the mainly unplanned conversion of former yellow brick and slate dwellings to shops. In most cases, this has led to the use of back lands as car parks.
2. The site is situated within the village development framework, Conservation Area, Character Area (as designated by the Village Design Statement) and is in within an area of special advertisement control. The application site is not specifically identified within the village's Conservation Appraisal. There are a variety of advertisements within Woollards Lane including ATM units, plant and machinery and shop frontages with an array of shop fascias. There are parking restrictions within Woollards Lane with the road being narrow at points with on street parking causing congestion at peak times. The village Design Statement designates Woollards Lane as the principal shopping centre and focus for village activity. This document refers to the conflict between pedestrians and vehicles within this concentrated area. Furthermore, this document goes on to reference that the design of shop fronts within Woollards Lane makes a strong and varied impact upon the appearance of the street in the village and in combination with signage and advertisements are a matter for attention in the raising of the standards of high visual quality.

3. The proposal comprises the installation of one Refrigeration Condenser to the rear of the store upon the approved two-storey rear extension. This plant will be enclosed by a timber-fence. In addition it is proposed that three air conditioning units will be installed upon the western elevation, two of which would serve the sales floor, whilst the third would serve the cash office.
4. The application is supported by a Heritage Statement, Design and Access Statement, Noise Impact Assessment but has not been party to any pre-application advice.
5. There was an administration error during the consultation period whereby the correct application forms were not made visible via the website. However, this matter has been rectified and the application in full has been made public for a period in excess of 21 days.
6. The proposed development does not require a parallel application for Conservation Area Consent.

Planning History

7. Planning Application S/0481/74/F for a single storey rear extension was approved.
8. Planning Application S/1708/79/F for single storey rear extension was approved.
9. Planning Application C/0715/69/O for internal alterations and extension to the rear was approved.
10. Planning Application S/0130/81/F for a replacement display window was approved.
11. Planning Application S/1039/84/F for a replacement display window was approved.
12. Planning Application S/1269/85/F for a first floor shop extension was approved.
13. Planning Application S/1579/85/F for the use of no.38 as retail space was approved.
14. Planning Application S/0085/86/F for a two-storey rear extension was approved.
15. Planning Application S/0640/10 for a two-storey rear extension was approved.

Planning Policy

16. **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
 - CH/5 Conservation Areas

NE/15 Noise Pollution

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Development affecting Conservation Areas SPD – Adopted January 2009
Great Shelford Conservation Area Appraisal – Adopted September 2007
Great Shelford Village Design Statement – Adopted February 2004

Consultation

18. **Great Shelford Parish Council** – Recommends refusal making the following comments:
- The technical nature of the noise impact assessment makes it difficult for the Parish to comment on the likely impact of the plant; the background noise levels recorded at the other side of the car park may not reflect those experienced by the occupiers of the flats at no.40;
 - There are five existing air conditioning units upon the elevation of the building society adjacent to the application site. An additional three units may result in noise nuisance to the occupiers of the flats above the building society;
 - The environmental health officer should look at the cumulative impact of eight units and the condenser to the rear of the building.
 - The installation of plant and machinery would result in the store be able to store and sell a wider range of products that would as a consequence result in an increase in traffic movements to and from the store to the detriment of highway safety.
19. **Conservation** – Raises no objections commenting that the proposed units would be well hidden from major views of the building. Nevertheless, the units should be coloured off-white to match the tone of the existing brickwork.
20. **Environmental Health** – Raises no objections based on the Noise Impact Assessment providing that the equipment as installed does not differ from that proposed within the assessment. However, the following condition has been recommended to ensure that the equipment is maintained to the specifications within the noise impact assessment: 'The plant/equipment and associated fencing, hereby approved, shall be installed, operated, maintained and serviced in accordance with the submitted details and report entitled 'Noise Impact Assessment, BS4142:1997 and PPG Assessment Refrigeration and Air Conditioning Equipment' undertaken by KR Associates (UK) Ltd (Dated 13/07/2010/ Report reference KR01698).
21. **Local Highways Authority** – Raise a holding objection to the planning application on the grounds that insufficient information has been provided by the applicant to demonstrate the impact that the proposed plant would have upon the level of traffic movements associated with the occupation of the premises.

Representations

22. **528** letters of objection have been received in total in addition to a petition of **395** signatures. The objections are summarised below with relevance to this application:

- The proposal would result in noise and disturbance to neighbouring residential properties and passers-by;
- There are several air conditioning units within the vicinity and the noise assessment submitted is deficient as it simply states that noise levels will be quieter than the surrounding background noise;
- The plant will enable the premise to store a wide range of stock including chilled goods; as a consequence this would result in an increase in vehicle movements that would have no choice but to park within the restricted zone at the front of the premises in order to deliver goods, which will conflict with pedestrians and car users;
- The disabled car parking spaces within Woollards Lane would be compromised from such deliveries;
- If minded to approve then conditions should be imposed to limit deliveries outside of school hours;
- The noise assessment should be scrutinised by an independent expert;
- Deliveries are a material consideration for this application where an A1 Retail Use already exists; as defined by the Sunninghill Tesco (Berkshire) and Mill Road (Cambridge) appeal decisions;
- There are double yellow lines outside the premises along with prohibitive 'No Waiting at any time signs'; the site is also adjacent to a vehicular junction;
- 5-7 deliveries a day would result in more than 3 hours a day of traffic congestion and its knock on effects to pedestrians would be significant;
- Large lorries would obscure views of other traffic users, block the free flow of traffic and the associated deliveries would hinder pedestrian and cycle movements;
- The village and nearby villages are well provided for by shops selling the same merchandise as those offered by Tesco;
- The presence of Tesco would threaten the local stores;
- The applications will contravene Planning Policy SF/1 as they will threaten the loss of traditional village shops;
- The development would contravene Planning Policy SF/4 as Tesco would not be of the size or the attraction appropriate to the scale of the village;
- The use of the premises as a Tesco store would result in increased antisocial behaviour and is not wanted;
- Shelford is defined as a Rural Centre, which serves its local catchment area and not the wider community that Tesco wishes to reach;
- A new Tesco store would not be in scale with the retail hierarchy of the village as the village is adequately served by sufficient retail provision;
- Woollards Lane is unsuitable for multiple daily deliveries by Tesco. The volume of traffic using this road has increased over the years and upon rubbish collection day there are noticeable tailbacks and jams;
- Tesco will apply for an alcohol license, which will lead to increased anti-social behaviour;
- The proposals would make the overall development appear larger and more intrusive and would dominate the area;
- The noise and smell of extractor units would be harmful upon residential amenity;
- There are already 5 AC units located adjacent to the site within the small alley between both properties, further plant may cause an increased cumulative noise disturbance for local residents;
- If the store is to be open late at night then the car park will be used to a late hour, which would adversely affect neighbouring residential properties through undue noise and disturbance;

- The store was designed for rear loading and the proposed plant would obstruct access to the rear;
- All the application forms upon the website relate to S/1687/10 and not the relevant applications, furthermore, there is no Conservation Area Consent for these applications;
- Deliveries to the store will need to be made through the front entrance using vehicles of approximately 10m in length, which would result in an adverse impact and conflict with pedestrians and car users due to the restrictions upon Woollards Lane;
- The cumulative impact of the noise of the plant and the noise of the deliveries as a result of the plant will adversely effect the amenity of residents contrary to the provisions of PPG24;
- There is a clear precedent for known hazards relating to deliveries being regarded a material planning consideration where a planning application relates to plant. Copies of decisions at Mill Road, Cambridge and Sunninghill Berkshire have been provided to illustrate this point;
- The servicing of the chilled and frozen food elements of the proposal by vehicles of any size will render the flow of traffic through the village impossible at times, and will endanger pedestrians. The proposal should therefore be refused, as it would lead to increased congestion and danger to vehicular traffic through the vicinity;
- There is no information relating to the storage or means of access for deliveries including cages, refuse and recycling, this detail would have an adverse impact upon the free flow of the public highway and the character and appearance of the Conservation Area;
- The heritage statement submitted has several material deficiencies, such as the fact that the statement addresses all four planning applications and is not therefore specific to each proposal. In addition there is no evidence of the examination of historic records or the expertise of the author. The statement also fails to correctly address and assess the significance of local heritage assets. The archaeological potential of the site has also not been considered.

In addition to the above the Stop Tesco Action Group (STAG) have submitted a joint submission to all four applications, which is included within the annexe to this report.

23. **10** Letters of support have been received, which raise the following comments:

- The positives of the store would outweigh the negative, such as the stores increased accessibility for older customers;
- The store would provide a wide range of affordable food items for all;
- The store would provide local jobs when unemployment is high;
- Local retail competition will be healthy for the village;
- No change in land use would occur;
- The store will create little additional traffic and the existing co-op store already has parking and access problems with the use of large delivery lorries;
- There is sufficient local parking to accommodate the store;
- Not everyone in the village is against this store;
- The store would be more accessible to the elderly;
- There is ample car parking within the village to serve the store;
- The existing food retailers within the village such as the CO OP block pavements and access when delivering goods and this has never been a problem locally;

- There are already chillers in similar retail premises and there have been no objections to these;
- The Parish Council has rarely if ever supported any form of retail or restaurant use within the village citing their view of justification or demand. However, the village has benefited from the opening of new premises recently and it is for Tesco to decide, whether their investment will bring a return;
- Were the application made by an alternative retailer to Tesco there would be substantially less objections;
- Tesco will not stop residents shopping locally at other stores, but it will bring about more choice and competitive prices;
- Many other stores within the village sell alcohol;

Planning Comments – Key Issues

24. The key issues to consider in this instance are the impact that proposals would have upon the character and appearance of the Conservation Area and the public realm, residential amenity in respect of noise pollution and the potential of increased traffic movements with regard to highway safety.
25. Representations have been received which raise both objections and support of the proposal that relate to the occupation of the premises by Tesco and the resultant impact upon local retail competition and the village as a whole. These comments are not considered to relate to material planning considerations and have not been given weight in the in the determination of this planning application.

Residential Amenity (Noise)

26. It is intended that 3 air conditioning (A/C) units will be installed against the side of the premises. These are stated to be X1 Mitsubishi Heavy SRC 28 CD 5 and X2 Mitsubishi Heavy FDCA 501 HESR units. It is acknowledged that these are to be located in a narrow alleyway with no open-able windows and that there are already 5 air conditioning heat pumps mounted on the facade of the adjacent premises in the alleyway, close to the proposed location for the aforementioned equipment.
27. The proposed A/C units will not be in direct line of site facing straight onto any windows of residential properties. It is acknowledged that the first floor windows of nos.2 & 4 Robinson Court are only just viewable from this location but at a slight angle and 30 metres in distance from source to receiver. There is no record of any complaints being received relating to noise from the existing air conditioning heat pumps.
28. With regard to the Searle refrigeration condenser proposed for the rear of the premises, a 1600 high timber close-boarded fence will be erected as an enclosure. This will significantly reduce emitted noise levels. A sufficiently erected acoustic barrier without any holes or gaps can reduce decibel levels by up to 10dB. The properties to the rear of Ashen Green are bungalows and obscured from a direct line of sight to the refrigeration condenser with another fence to the rear of the car park further assisting noise mitigation. The nearest noise sensitive residential dwelling is located on the flats to the side of the premises. However, the openable window to this will be completely obscured from a direct line of site to the refrigeration unit by the rear wall of the application site. The proposed 3 air conditioning units in the alleyway will

not have an adverse impact on the use and enjoyment of this dwelling either as they will be totally obscured.

29. The concerns raised by residents are acknowledged in relation to cumulative noise, but the findings of the Noise Impact assessment conducted by LR Associates (UK) dated 13th July 2010 are considered to be satisfactory. It is noted that the report also considers +3dB for reverberant noise, typical from noise sources adjacent to reflective surfaces. This factor has been worked into the calculations. In conclusion, the findings of the acoustic report are considered satisfactory and would not result in any adverse environmental impacts, such as noise or disturbance.

Visual Amenity

30. The proposals would be sited to the rear of the building enclosed within a timber fence and to the side down a narrow alleyway. As a result the plant and equipment would not be sited within prominent locations that would be visible from major views of the building or the wider Conservation Area. Furthermore, there are multiple examples of similar plant and equipment upon commercial and residential premises within Woollards Lane, in particular upon the adjacent building to that of the application site. In light of the above it is considered that the proposals would have a neutral visual impact preserving the character and appearance of this part of the Conservation Area and public realm. The comments of the Conservation Officer is noted and a condition will be imposed to ensure that the plant and equipment are of an appropriate colour to help the equipment blend in with the brickwork of the building that they are to be attached.

Highway Safety

31. Representations raised by local residents refer to an appeal decision in Berkshire; whereby an appeal by Tesco was dismissed for the occupation of an existing retail unit. The representations state that in this particular case that highway safety was a material consideration in the determination of the appeal despite the fact that the site's lawful use was one of retail. As a consequence it is the view of local residents and the Parish Council that highway safety should in fact be a material consideration of this application, as the provision of cold refrigeration will allow the applicant to undertake a wider range of stock thereby increasing traffic movements.
32. Notwithstanding the above, it is evident that the appeal case in question involved works such as the creation of additional floor space by way of an extension and the creation of a dedicated service yard and car parking. In light of this, it is considered that highway safety was correctly a material consideration in the determination of this appeal but in contrast the proposal differed greatly from that which is under consideration presently. Despite the differences between this appeal case and the current application it is acknowledged that the proposed occupation of a food retailer within a store of this size may result in significant traffic movements above that of a standard non-food retails use.
33. A second appeal decision at Mill Road, Cambridge City has been raised as an indicator of highway safety being a material planning consideration for the installation of plant and machinery. However, this appeal also involved the creation of floor space by virtue of an extension. Highway safety was

therefore clearly material to the determination of this appeal. The highway safety elements referred to within that decision are based on the servicing of the store and customer car parking as a result of the creation of floor space. There is no direct comparison made between the provision of the plant and machinery and highway safety issues specifically. This is further illustrated by the fact that following this appeal the applicant re-applied for the plant under a separate planning application. This application was subsequently refused by the City Council on a number of issues, highway safety being the primary reason. However, the applicant did not appeal this decision as the plant was subsequently installed internally within the building without the need for consent.

34. A more recent appeal against a planning condition at Sheen Lane, Mortlake, London was allowed (i.e. permission granted) for the provision of plant and machinery to an existing retail use premises. This appeal is considered to be very similar to the current planning application as it related to an existing A1 Use and proposed the provision of a condenser unit and air conditioning units to the rear of the building. Within this appeal the inspector refers to the extant consent for the change of use and extension of the premises to that of retail, whereby the local authority were of the opinion that no adverse highway impacts would result. Similarly the site was within a restricted traffic zone, which was identified as being a busy local distributor road. These circumstances are considered to be more familiar with that of the current application than the appeal decisions referenced above.
35. Within that appeal decision the inspector acknowledged that plant and machinery of this type is not unfamiliar within refurbished retail units that could provide food retail within the permitted A1 Use Class. This view was further re-enforced by the provision of similar plant among local businesses and indeed local food retailers, much like that of the scenario of the current application. In light of this the inspector deemed that the delivery and service arrangements for the unit in question would lie within the range that should be anticipated for a retail use. Furthermore, the inspector considered that there was no reasoned link between the installation of the plant and the frequency of, and the size of vehicles used for, deliveries and servicing. As such, there was no convincing evidence that the development proposed would increase the frequency or size or volume of traffic generated as a result.
36. This decision has strong parallels with the current application as the highway restrictions upon Woollards Lane were in place at the time of the approval for the two-storey extension to the premises under Planning Application S/0640/10, whereby highway safety in relation to an A1 retail use was a material planning consideration. In the determination of that application, SCDC considered that no adverse impact would result. Whilst the authority had no knowledge of the applicant during the determination of this application and a food retail use is recognised as involving more frequent deliveries than other forms of retail, at this time it was not deemed that the use of the premises for food retailing, as a consequence of this extension, would be harmful. Furthermore, whilst information has been submitted to demonstrate the likely impact of the servicing of the premises upon highway safety, no empirical data has been provided, by either local opposition groups or the Local Highway Authority to demonstrate such harm.
37. The inspector concluded the above appeal by stating that it was the plant and machinery that was the consideration of the appeal and not the intended

operator. As such many of the local concerns raised related to the operator of the premises and not the development under consideration. Based on the above it is the opinion of officers that the proposed refrigeration unit may result in some additional vehicle movements to and from the store than would otherwise be associated with the operation of a retail unit without refrigeration. However, the impact of vehicle movements associated with this plant cannot be quantified without detailed information from the applicant with regard to the servicing of the store.

38. The applicant has therefore been requested to provide information about the likely traffic movements associated with the store as a result of their occupation (as a food retailer) in addition to separate data specifically isolating movements associated with the provision of the refrigeration plant. It is acknowledged that the lawful food retail occupation of the premises will have some impact upon the free flow and function of Woollards Lane as indicated by the detailed submission of the Stop Tesco Application Group, but this impact has to be considered against the operation of a foodstore without refrigeration, and compared with the amount of traffic and deliveries in the vicinity. The determination of this application therefore necessitates ascertaining the resultant vehicle movements associated with the plant in question only and not the impact of the delivery and servicing arrangements within the range that should be anticipated with a lawful retail use.

Conclusion:

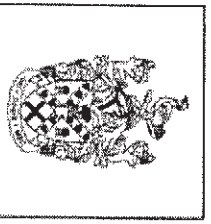
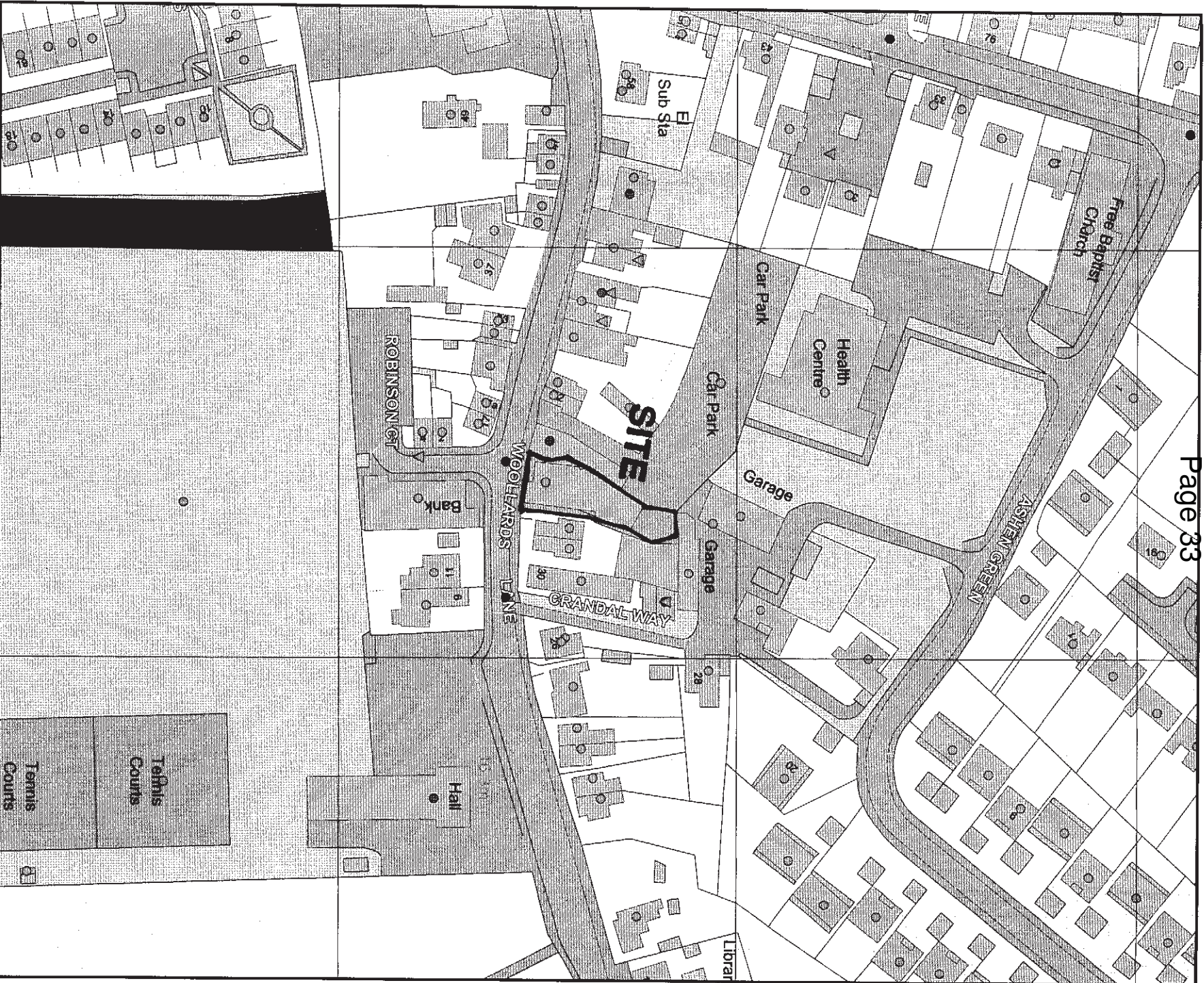
39. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that delegated powers to approve or refuse the application are afforded to officers in which to seek and consider additional information from the applicant with regard to the likely level of vehicle movements associated with the installation of the proposed plant and its impact in the vicinity.

Recommendation

- 4.0 Delegated Approval / Refusal

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/1690/10 – GREAT SHELFORD
Alterations to Shopfront – 36-38, Woollards Lane,
for Tesco Stores Ltd**Recommendation: Approve Conditionally****Date for Determination: 29th November 2010****Notes:**

This Application has been reported to the Planning Committee at the request of the local member Cllr Nightingale.

Members will visit the site on the morning of the 12th January 2010.

Site and Proposal

1. The application site comprises a two-storey detached retail unit (A1 Use Class) located within the centre of Woollards Lane. Woollards Lane is identified within the villages Conservation Appraisal as being a relatively calm street, even though this is the main shopping street and the centre for commercial and community life in the village. This part of the village contains a library, bank, newsagents, dental surgery and opticians, restaurants and delicatessens, convenience stores, a small department store (application site), pharmacy, estate agents, travel agents, bicycle shop and a greengrocer. The mix of commercial and residential properties are predominantly late 19th century in character, comprising the mainly unplanned conversion of former yellow brick and slate dwellings to shops. In most cases, this has led to the use of back lands as car parks.
2. The site is situated within the village development framework, Conservation Area, Character Area (as designated by the Village Design Statement) and is in within an area of special advertisement control. There are a variety of advertisements within Woollards Lane including ATM units and shop frontages with an array of shop fascia's. There are parking restrictions within Woollards Lane with the road being narrow at points with on street parking providing congestion at peak times. The application site is not specifically identified within the villages Conservation Appraisal. The village Design Statement designates Woollards Lane as the principal shopping centre and locus for village activity. This document refers to the conflict between pedestrians and vehicles within this concentrated area. Furthermore, this document goes on to reference that the design of shop fronts within Woollards Lane makes a strong and varied impact upon the appearance of the street in the village and in combination with signage and advertisements are a matter for attention in the raising of the standards of high visual quality.

3. The proposal comprises the alteration of the existing shop front to provide full height glazing within a timber frame, coloured to compliment the appearance of the building. The shop entrance will be re-located to the centre of the principal elevation with the provision of sliding doors. These alterations will also include the provision of an ATM unit, which forms part of a separate planning application.
4. The application is supported by a Heritage Statement, Design and Access Statement but has not been party to any pre-application advice.
5. There was an administration error during the consultation period whereby the correct application forms were not made visible via the website. However, this matter has been rectified and the application in full has been made public for a period in excess of 21 days.
6. The proposed development does not require a parallel application for Conservation Area Consent.

Planning History

7. Planning Application S/0481/74/F for a single storey rear extension was approved.
8. Planning Application S/1708/79/F for single storey rear extension was approved.
- 9.. Planning Application C/0715/69/O for internal alterations and extension to the rear was approved.
10. Planning Application S/0130/81/F for a replacement display window was approved.
11. Planning Application S/1039/84/F for a replacement display window was approved.
12. Planning Application S/1269/85/F for a first floor shop extension was approved.
13. Planning Application S/1579/85/F for the use of no.38 as retail space and new shop front was approved.
14. Planning Application S/0085/86/F for a two-storey rear extension was approved.
15. Planning Application S/0640/10 for a two-storey rear extension was approved.

Planning Policy

16. **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
 - CH/5 Conservation Areas

CH/9 Shop Fronts

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Development affecting Conservation Areas SPD – Adopted January 2009
Great Shelford Conservation Area Appraisal – Adopted September 2007
Great Shelford Village Design Statement – Adopted February 2004

Consultation

18. **Great Shelford Parish Council** – Recommends refusal making the following comments:
- The proposal to insert a double width glazed door in a prominent position on the façade of the building will create a feature out of scale and character with the existing building contrary to the requirements of Policy CH/9 and the Village Design Statement;
 - The Design & Access Statement states that the proposed works (which involve widening a side door, which could be used for deliveries) are necessary to facilitate the successful operation of the store but this would be at the expense of the amenities of the village in terms of noise at unsocial hours, traffic movements and unloading of vehicles close to a busy footway.
19. **Conservation** – Raises no objections to the proposed alterations subject to conditions requiring details of the proposed materials, colour and elevation and cross section drawings at a heightened scale showing the joinery, doors, screens, mouldings and fascia to be submitted for approval subject to development commencing on site.
20. **Environmental Health** – No significant environmental impacts from an Environmental Health standpoint would occur.
21. **Local Highways Authority** – Raise no objections commenting that no significant adverse effect upon the Public Highway should result from this proposal, should it gain the benefit of planning permission.

Representations

22. **528** letters of objection have been received in total in addition to a petition of **395** signatures. The objections are summarised below with relevance to this application:
- The proposal would result in noise and disturbance to neighbour residential properties;
 - Opening doors this close to the road would represent a risk to children and the elderly not to mention users of the footpath;
 - The alterations proposed would damage the character and appearance of the building and that of the Conservation Area; as the design is not in keeping with the policies and guidelines laid out within the village design statement;
 - The proposals should be referred to the Conservation Officer for a recommendation;
 - The proposed alterations to the access will encourage people to park and pop in to shop and will have consequences on the free flow of traffic in this already congested narrow road;
 - It is unclear as to where delivery cages and refuse will be stored;

- If minded to approve conditions should be imposed limiting the movements of lorries and hours of opening to limit the impact upon highway and pedestrian safety;
- The alterations will remove the porch element to the stores frontage that was used to store buggies and cycles clear of the footpath;
- The applications Heritage Statement fails to address the protection of buildings of local character from unsympathetic changes;
- The proposals would break the rhythm and proportions of the elevation;
- The village and nearby villages are well provided for by shops selling the same merchandise as those offered by Tesco;
- The presence of Tesco would threaten the local stores;
- The applications will contravene Planning Policy SF/1 as they will threaten the loss of traditional village shops;
- The development would contravene Planning Policy SF/4 as Tesco would not be of the size or the attraction appropriate to the scale of the village;
- The use of the premises as a Tesco store would result in increased antisocial behaviour and is not wanted;
- Shelford is defined as a Rural Centre (Core Strategy Policy ST/4), which serves its local catchment area and not the wider community that Tesco wishes to reach;
- A new Tesco store would not be in scale with the retail hierarchy of the village as the village is adequately served by sufficient retail provision;
- Woollards Lane is unsuitable for multiple daily deliveries by Tesco. The volume of traffic using this road has increased over the years and upon rubbish collection day there are noticeable tailbacks and jams;
- Tesco will apply for an alcohol license, which will lead to increased anti-social behaviour;
- The proposed shop front alterations do not address the principles of the Great Shelford Design Statement;
- The existing shop front is in harmony with the buildings and wider street scene, the existing set back creates an interesting entrance. Bringing the shop forward with the installation of automatic sliding doors would destroy the scale and harmony of the area;
- The current window style is a significant architectural feature that gives charm to the property;
- The style of frontage proposed is generic to that of the applicant's national style in numerous other locations and is both alien to the building and its surroundings;
- The alterations proposed would be larger and more intrusive with the rest of the Conservation Area;
- The shop front should retain the Edwardian store frontage and not the continuous glass open frontage proposed;
- The proposals would be contrary to Policy CH/9 and the Village Design Statement as the proposal would create a feature that is out of scale and character with the existing building;
- If the store is to be open late at night then the car park will be used to a late hour, which would adversely affect neighbouring residential properties through undue noise and disturbance;
- All the application forms upon the website relate to S/1687/10 and not the relevant applications, furthermore, there is no Conservation Area Consent for these applications;
- The heritage statement submitted has several material deficiencies, such as the fact that the statement addresses all four planning applications and is not

therefore specific to each proposal. In addition there is no evidence of the examination of historic records or the expertise of the author. The statement also fails to correctly address and assess the significance of local heritage assets. The archaeological potential of the site has also not been considered.

23. **10** Letters of support have been received, which raise the following comments:

- The positives of the store would outweigh the negative, such as the stores increased accessibility for older customers;
- The store would provide a wide range of affordable food items for all;
- The store would provide local jobs when unemployment is high;
- Local retail competition will be healthy for the village;
- No change in land use would occur;
- The store will create little additional traffic and the existing co-op store already has parking and access problems with the use of large delivery lorries;
- There is sufficient local parking to accommodate the store;
- Not everyone in the village is against this store;
- The store would be more accessible to the elderly;
- There is ample car parking within the village to serve the store;
- The existing food retailers within the village such as the CO OP block pavements and access when delivering goods and this has never been a problem locally;
- There are already chillers in similar retail premises and there have been no objections to these;
- The Parish Council has rarely if ever supported any form of retail or restaurant use within the village citing their view of justification or demand. However, the village has benefited from the opening of new premises recently and it is for Tesco to decide, whether their investment will bring a return;
- Were the application made by an alternative retailer to Tesco there would be substantially less objections;
- Tesco will not stop residents shopping locally at other stores, but it will bring about more choice and competitive prices;
- Many other stores within the village sell alcohol;

In addition to the above the Stop Tesco Action Group (STAG) have submitted a joint submission to all four applications, which is included within the annexe to this report.

Planning Comments – Key Issues

24. The key issues to consider in this instance are the impact that proposals would have upon the character and appearance of the Conservation Area and the public realm.
25. Representations have been received which raise general objections and support of the proposal that relate to the occupation of the premises by Tesco and the resultant impact upon local retail competition and the village as a whole. These comments are not considered to relate to material planning considerations and have not been given weight in the in the determination of this planning application.

Design

27. The existing shop front comprises of two bay windows either side of a single door porch entrance, which is not centred within the shop frontage. The bays are not symmetrical with one being larger than the other with a bowed glass fascia, the other forming a rectangular box glazed window. The fascia comprises of thin vertical joinery (coloured black) with patent glazing upon a red brick plinth. A lean-to canopy roof finished in dark red plain tiles and lead flashing encompasses the fascia by thick upright supports (also coloured black). This shop frontage was constructed post 1985, following the planning consents to adjoin nos.36 and 38 as a single retail unit. Neither the shop front or retail unit is referenced within the Conservation Area appraisal or indeed the Village Design Statement for Great Shelford.
28. Notwithstanding the above, the Great Shelford Conservation Appraisal states that most of the shop fronts in Great Shelford are modern but some historic shop fronts survive that should be protected. They are identified as being at 66 High Street and the Woollards Lane library (No. 12), located in a 1930s former post office, with an attractive bay window. Furthermore this SPD references the fact that the village also has some examples of poor shop front design (for example the Co-op at No. 76 High Street, which represents an opportunity for improvement, perhaps emulating the good traditional shop front of Parker Brothers Butchers on the opposite side of the road.
29. The Great Shelford Village Design Statement states that the design of shop fronts makes a strong and varied impact on the appearance of the streets in the village and these, coupled with their associated signage, are a matter for attention in relation to raising standards of visual quality. Whereas Policy CH/9 'Shop Fronts' states that shop fronts alterations to existing shop fronts will only be permitted where they create a fascia and shop window, which is in character with the building itself and the street scene and would not result in a needless loss of architectural features or introduce 'house style' using materials which are alien to the building and its surroundings.
30. The proposed shop front alterations would comprise the squaring of the existing rectangular bay window to encompass the existing single door porch. This element of the proposal was also designed to house the proposed ATM unit under consideration of Planning Application S/1988/10, which has been recommended for refusal elsewhere on the agenda today. In addition the proposal seeks to square off the larger curved bay into a flush glazed opening utilising sliding doors that would become the new point of entry to the premises. The alterations proposed would not alter the canopy roof or its supports.
31. In light of the above, it is considered that the proposed alterations would be sympathetic to the existing shop frontage form and would not result in the loss of any architectural features. Furthermore, the development proposes to use appropriate replacement materials, such as timber joinery and glazing. Representations from local residents refer to the proposal resulting in a typical 'House Style' of that of a general Tesco Store. However, the existing shop front is of an unusual design and not typical of a traditional historic frontage, such as those referenced within the Village Design Statement. In light of this it is the opinion of officers that the alterations proposed, in isolation of the associated signage and ATM unit, would not resemble a

'house style' and it would be in character with the existing building preserving its appearance within the public realm.

32. It is the view of the Conservation Officer that the principle of the development is supported, as the shop front is relatively modern. However, the application is considered to provide limited information other than an indicative proposal. In addition the proposed sliding doors are viewed to be uncharacteristic of this part of the Conservation Area. In substitute a single door proportional and aligned with the original fenestration would be preferable. If this provision was to exceed the width of a traditional door it should be subdivided with a moulding, such as that provided for the library in Woollards Lane. Therefore, it is considered necessary to require additional details by way of condition. The further information required would comprise of a cross section drawing of the frontage along with details of the proposed joinery, mouldings and fascias submitted in elevation form at a scale of 1:20 and sections at 1:5 or larger.
33. In consideration of the above comments, it is the view of officers that through the use of the appropriate planning conditions an acceptable finish to the proposed shop front alterations can be achieved. Whilst it is noted that sliding doors or the appearance of double doors is not characteristic of the Conservation Area, this can be mitigated through the provision of careful moulding to give the appearance of patent glazing similar to that of the proportions of the existing shop front. As a result of this, it is considered that the proposed development would preserve the character and appearance of this part of the Conservation Area.

Conclusion:

34. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be approved in this instance.

Recommendation

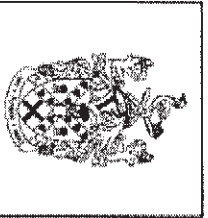
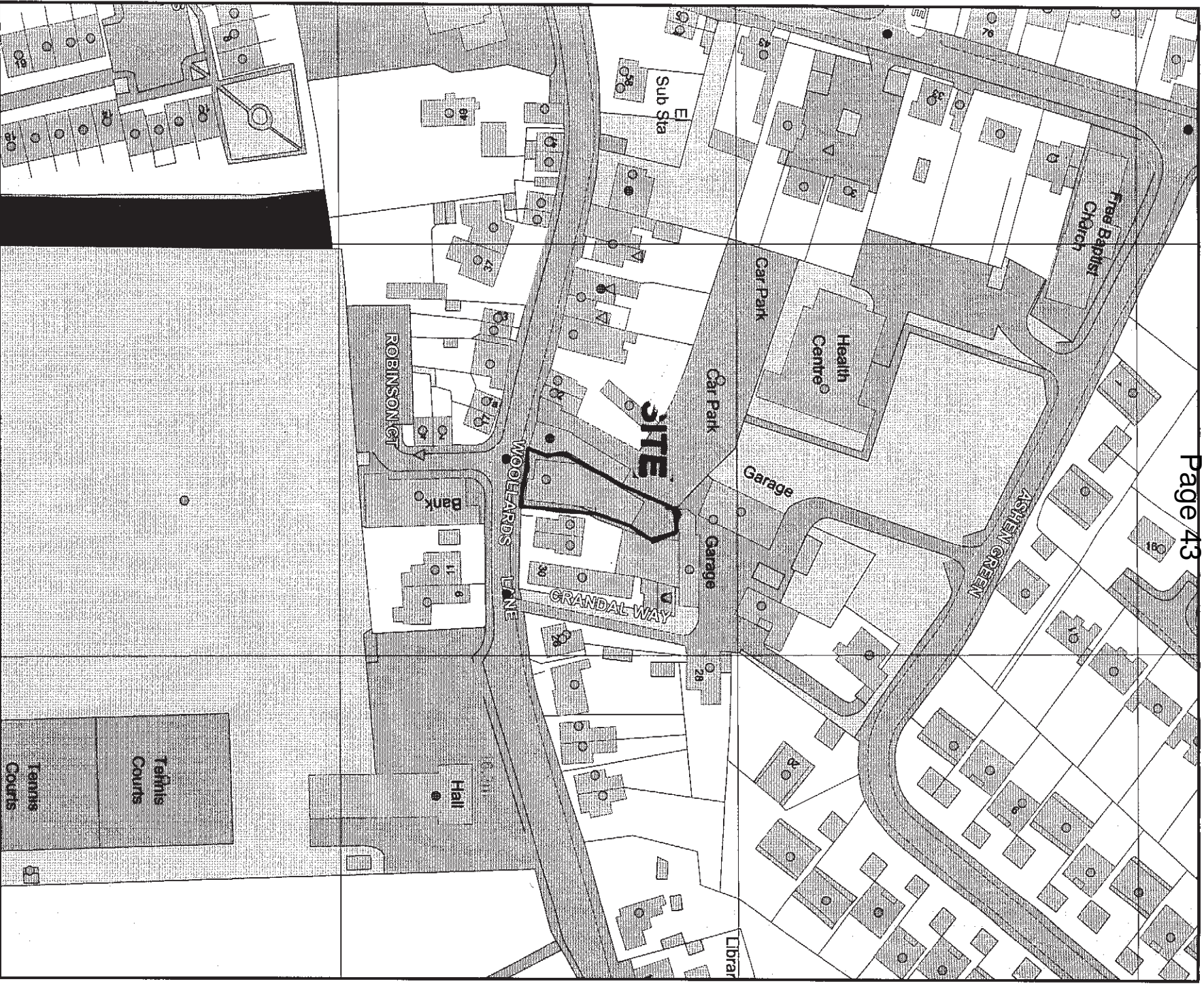
35. Approve, subject to the following conditions:
 1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. **The development hereby permitted shall be carried out in accordance with the following approved plans:1828/06K, 1828/12B & 1828/15.**
(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 (including colour finish) 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 Policies CH/4, CH/9 and DP/2 of the adopted Local Development Framework 2007.)

- 4. No development shall commence until details of the joinery, doors, screens, mouldings and fascia including elevation at a scale at 1:20 and section drawings at a scale at 1:5 (or larger) have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**

(Reason - Insufficient information was submitted with the application to assure the Local Planning Authority that the proposed shop front elevations comply with Policies CH/5, CH/9 and DP/2 of the adopted Local Development Framework 2007.)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee12th January 2011**AUTHOR/S:** Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1642/10 – GREAT SHELFORD
Erection of house, brick wall and gated entrance following demolition of
existing bungalow - 28, Hinton Way for
Mr Paul, Cook

Recommendation: Approval

Date for Determination: 18th November 2010

Notes:

This Application has been reported to the Planning Committee for determination given that Officer recommendation for an approval is contrary to Parish Council's recommendation for a refusal.

Site and Proposal

1. Hinton Way is within the Great Shelford village framework and comprises commercial and residential properties. No. 28 Hinton Way is situated on the south side of Hinton Way amongst other residential properties. The site comprises a single storey building in red bricks under a hipped roof with an attached garage at the side adjacent to No. 1 Glebe Lane. The dwelling is set on a lower ground level than No.30 Hinton Way and the land level drops towards No. 1 Glebe Lane. Properties in this side of Hinton Way predominately have hipped roofs and frontages have low-level enclosures or soft landscaping. No. 1 Glebe Lane is set in line with the dwellings on Hinton Way. It is a single storey dwelling with two rooflights (serving landing and bathroom) facing No. 28. There are two obscured glass windows, a door and a small storeroom window on the ground floor side elevation of No. 1 facing the application site, it has a patio area beyond two bedroom windows in the rear elevation and there is a bedroom dormer window and a balcony facing the garden. No. 30, to the northeast of the site, is a two storey house with secondary dining and bedroom windows in the side elevation and an attached garage adjacent to the boundary with No. 28.
2. The full application proposes the erection of a three-bed house, brick wall and gated entrance to replace the existing bungalow, validated on 23rd September 2010. The proposed two and a half storey house would have a hipped roof facing the road and in the side elevations, set forward by 1.8m from No. 1 and 1.4m from No. 30. The eaves height of the house would be 5.2m high adjacent to No. 1 and 3.3m high adjacent to No. 30. The ridge height would be 9.5m high. The house includes an integral garage adjacent to No. 30. This application is a resubmission following a refusal of a previous application S/0680/10/F. The main changes of this scheme are: replacing the full front gable with a hipped roof, omitting the second floor front windows,

and an additional street elevation submitted showing the level difference at Hinton Way and the proposed dwelling in relation to adjacent properties.

3. The proposed development represents a density of 16.6 dwellings per hectare.

Planning History

4. **S/1552/10** – An application to replace an extant planning permission in order to extend the time limit for implementation of a previous consent S/1628/07/F, approved.

S/0680/10/F – Erection of house following demolition of existing bungalow, refused under officer delegated power for the following reason: “The proposed replacement dwelling, by virtue of its complicated design, height, width and scale, with a full gable end facing Hinton Way would result in a 9.5m high building which would result in a dominant feature and would be visually unattractive in the street scene. As such, the proposal would be contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 which requires a high standard of design which responds to the local character of the built environment for all new development; Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 that resists development that would have an adverse impact upon village character; and South Cambridgeshire District Council District Design Guide Supplementary Planning Documents – Adopted March 2010 which requires a high quality of design in new developments.” The applicant appealed against the refusal and the Planning Inspector’s decision is awaited.

S/1628/07/F – Extension of bungalow to form a house, approved. The approved house would be 4.8m high to the eaves and 7.2-8.3m high to the ridge under a hipped roof. It has not been implemented.

Planning Policy

5. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007: Policy ST/4 – Rural Centres**
6. **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/1** – Housing Density
 - **NE/1** – Energy Efficiency
 - **NE/6** – Biodiversity
 - **NE/15** – Noise Pollution
 - **TR/1** – Planning for More Sustainable Travel
 - **TR/2** – Car and Cycle Parking Standards

7. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**
 - **Biodiversity 2009**
 - **Landscape in New Developments 2009**
 - **Design Guide 2010**
8. **Great Shelford Village Design Statement 2004** – page 15, paragraph 8 under the section of Character Areas identifies the character of Hinton Way that there is a wider age range among the houses. The southern side is more open to the landscape whilst on the northern side there is estate development embodying local authority housing and a landscaped mobile home park.
9. **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.
10. **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

11. **Great Shelford Parish Council** objects to this application and states that 'This application is almost identical to S/0680/10 which was refused and therefore our comments still apply, even though the gable has been replaced by a hipped roof.'
12. **Great Shelford Parish Council's comments on planning reference S/0680/10 were:**

Recommends refusal and states that,
'This design is contrary to Policy DP/2 which states that development should be compatible with its location and appropriate in terms of scale, mass, siting, design, proportion, materials, texture and colour in relation to the surrounding area. We believe this building is of a scale, mass, form and proportion out of keeping with its location and the plot. The building is 1.2m higher than that previously approved. The floor area is 20m² greater, but all of the building is 3 storey whereas the previous had 40m² which was a single storey. The gable end on design is out of keeping with properties in this part of Hinton Way most of which have hipped roofs or with the ridge running parallel to the road and the proposed form is oppressive to the adjoining bungalow.
The long high and largely unbroken SW and NE elevations will dominate adjoining properties and the velux windows and bedroom windows on the SW elevation will overlook those of No. 1 Glebe Lane. The 2.3m high brick wall along the southwest boundary will cut out light to the ground floor windows of that property. This is contrary to Policy DP/3. Recommend Refusal.'
13. **Trees and Landscape Officer** has no objections.
14. **Landscape Design Officer** would like the yew hedge retained and returned around the rear of the visibility splay, instead of the proposed wall. This will retain the soft frontage of Hinton Way. A small tree in the front garden behind the hedge, approximately in the centre of the width would contribute to the

character of the street. The tree must fit beneath the telegraph wires at its ultimate height. She suggests Amelanchier Robin Hill or Prunus Okame or P. Pandora. The front garden should not be all gravel but should include some planting or grass where cars will not be manoeuvring. This will help the house to look settled in its surroundings and avoid the 'garage forecourt' look. She does not need each plant specified but areas of planting beds should be shown to ensure that they are given adequate soil depth (at least 400mm). The planting line for the hedge should take into account the depth of the hedge at maturity so that it does not overhang areas that should be clear e.g. 0.5m back from the finished line allows a 1m deep hedge. She would like landscape conditions applied and this guidance passed on to the applicant. The drawing should show a temporary fence at least 1.5m from the centre of the existing hedge line to give protection during the construction works.

15. **Acting Environmental Health Manager** raises no objection in principle although does express concerns about potential noise disturbance to residents during the demolition and construction period. As such, it is recommended that condition and informatives be attached to any permission.
16. **Local Highway Authority** request that the Local Planning Authority condition works are carried as per drawing number 380/7A and add informatives on highways requirement regarding work to the public highway, and notifying appropriate utility service on any impact on public utility apparatus.

Representations

17. The residents at No. 1 Glebe Lane have concerns about the proximity and the height of the proposal that would affect the light to their property.

Planning Comments – Key Issues

18. The key issues to consider in the determination of this application are:
 - Principle of residential development;
 - Housing density;
 - Residential amenity interests;
 - Design and streetscene;
 - Highway safety;
 - Landscape character and boundary treatment.

Principle of residential development

19. Great Shelford is one of the Rural Centres in the district. Since the Rural Centres comprise the most sustainable villages in South Cambridgeshire there is no strategic constraint on the amount of development or redevelopment of land for housing that can come forward within the village framework, provided that the proposals are in accordance with the policies in the South Cambridgeshire Local Development Framework. The proposal for a replacement dwelling is therefore acceptable in principle.

Housing Density

20. The site area for the proposed replacement dwelling measures approximately 0.06 of a hectare. The erection of one replacement dwelling equates to a

density of 16.6 dwellings per hectare. The proposal does not meet the density requirement of 30-40 dwellings per hectare in sustainable villages. It is acknowledged that the site has the potential to have more than one dwelling subject to detailed design with a shared access and on-site car parking. Comments from LHA in the previous application S/0680/10/F have been taken into account, and given the limitation of the site to provide vehicle to vehicle visibility splays, it is considered that on balance, highway safety would outweigh the requirements to achieve a minimum density in this site. In any case, the density would be in character with its surroundings.

Residential amenity interests

21. The eaves height of the proposed dwelling would be 3.3m high closer to No. 30 and 5.2m high closer to No. 1. The ridge height would be 9.5m. The proposal includes an integral garage adjacent to the garage at No. 30 and a single store rear element set slightly beyond the conservatory at No. 30. The non-habitable room rooflights in the northeast side elevation facing No. 30 would be high-level velux and would not cause undue overlooking to neighbours at No. 30. The roof design closer to No. 30 has low eaves and a sloping roof set off from the common boundary, it is therefore considered that the proposal would not be unduly overbearing and adversely affect the residential amenity interests to the occupiers at No. 30.
22. The proposed house would set approximately 1.3m beyond the rear elevation of No.1 and the southwest side elevation would set 1.6m from the common boundary. Given that the ground floor windows and rooflights at No. 1 serve non-habitable rooms, it is considered that the proposed house would not be overbearing to No. 1. The proposal includes a section of 2.3m high wall at a length of 16m along the shared boundary with No. 1. Impacts on daylight and sunlight to a ground floor bedroom window at No.1 have been assessed. Given that the site lies to the north of No. 1, and given the height of the wall and the length of the section that would be beyond the rear elevation of No. 1, and a 2m high wall that could be built within permitted development, it is considered that on balance, the proposed wall would not cause serious harm to the outlook, daylight and sunlight to No. 1.
23. The first floor and second floor windows and rooflights in the southwest side elevation are either secondary bedroom windows or non-habitable room windows, the overlooking concern could be addressed by planning conditions to control the fixed opening and obscured glazing.

Design and street scene

24. The major changes of this proposal and the refused scheme are replacing the full gable roof with a hipped roof in the front elevation, and omitting the second floor front windows. Assessment would therefore be focused on whether these changes are sufficient to address the reason for refusal of the previous scheme relating to: *'The proposed replacement dwelling, by virtue of its complicated design, height, width and scale, with a full gable and facing Hinton way would result in a 9.5m high building which would result in a dominant feature and would be visually unattractive in the street scene'*.
25. It is noted that there is ground level difference between the application site and the adjoining properties that the land at No. 28 is set approximately 0.45 below the ground level of No. 30. There is also ground level difference within

the site between the frontage and the ground level of the proposed dwelling, the level difference is between 0.7m and 0.99m. The ground level of the proposed dwelling would set below the ground level of No 30. The submitted street elevation explains the height and ground level relationship within the site and amongst neighbouring properties. The hipped roof design significantly reduces the scale and overall bulk of the replacement dwelling comparing to the previous scheme. The introduction of a hipped roof with an eaves height of 5.2m, together with the fact that No. 30 is set on a rising ground level, it would be viewed from the public realm that that the eaves height of the proposed dwelling would set slightly lower than the eaves height of the house at No. 30.

26. Dwellings within the vicinity of the site are varied in character and appearance; however, there is a clear consistency of design and form of hipped roof design. The proposed hipped roof design would be in keeping with and reflective of the character of other properties in the locality.
27. The overall design of the front elevation has been revised and simplified that addresses the complicated design of the previous scheme. The proposed dwelling would have simple window arrangement in the front elevation without second floor front windows that would be related to the structural form of the front elevation.
28. It is acknowledged that the overall height of the dwelling has not been reduced and it remains as 9.5m to the ridge. However, given that the changes made in this proposal with a hipped roof and simple front elevation, together with the presentation of the resultant street elevation showing the level difference, it is considered that, on balance, this application is acceptable and addresses the issues of design, scale, and dominant feature.

Highway safety interests

29. The existing access remains unchanged. The proposed gate would be set back from the highway by 5m which is considered to be acceptable and would not cause adverse impact on highway safety. The on-site car parking and turning facilities are also acceptable in meeting development plan requirements.

Landscape character and boundary treatment

30. The proposal includes a new 1.8m high brick wall adjacent to the existing hedges along the frontage and extends into the front garden. Given that most part of the wall would be set back from the highway and only a small section would directly face the road, it is considered that the wall is acceptable and would not cause significant harm on visual amenity. Details of the landscape scheme and materials to be used for hard surfaced areas would be controlled by planning conditions in any consent to ensure the landscape character and the character of the area.

Recommendation

31. Approve subject to the following conditions:
32. 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 number 380/7A (location plan and proposed site plan), 380/8B (proposed floor plans), 380/9B (proposed elevations), 380/10B (proposed elevations) and 380/11 (sections).** (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 samples 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. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for the dwelling shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.** (Reason –

To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the Local Development Framework 2007.)

7. **No development shall commence until details of the materials to be used for hard surfaced areas within the site includes driveways and car parking and turning areas have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.** (Reason – To ensure that the development enhances the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. **No power operated machinery shall be operated on the premises during the period of demolition and construction, before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.** (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
9. **The proposed first floor windows in the south-west/ side elevation of the dwelling, hereby permitted, shall be fixed shut, fitted and permanently glazed with obscure glass.** (Reason – To safeguard the privacy of adjoining occupiers at No. 1 Glebe Way in accordance with Policy DP/3 of Local Development Framework 2007.)
10. **The proposed rooflights in the side elevations of the dwelling at and above first floor level, hereby permitted, shall be installed at least 1.7m from the floor level.** (Reason – To safeguard the privacy of adjoining occupiers at No. 30 Hinton Way and No. 1 Glebe Way in accordance with Policy DP/3 of 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. 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.

4. The applicant's attention is drawn to the Council's Landscape Design Officer's comments (a copy is enclosed with the decision notice) regarding to the details expected to discharge planning conditions 4 (landscape scheme) and 6 (details of hard surfaced areas).
5. A separate permission must be sought from the Highway Authority to carry out any works within, or disturbance of, or interference with, the Public Highway.
6. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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

South Cambridgeshire Local Development Framework Core Strategy DPD 2007
South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:

- Biodiversity 2009
- Landscape in New Developments 2009
- Design Guide 2010

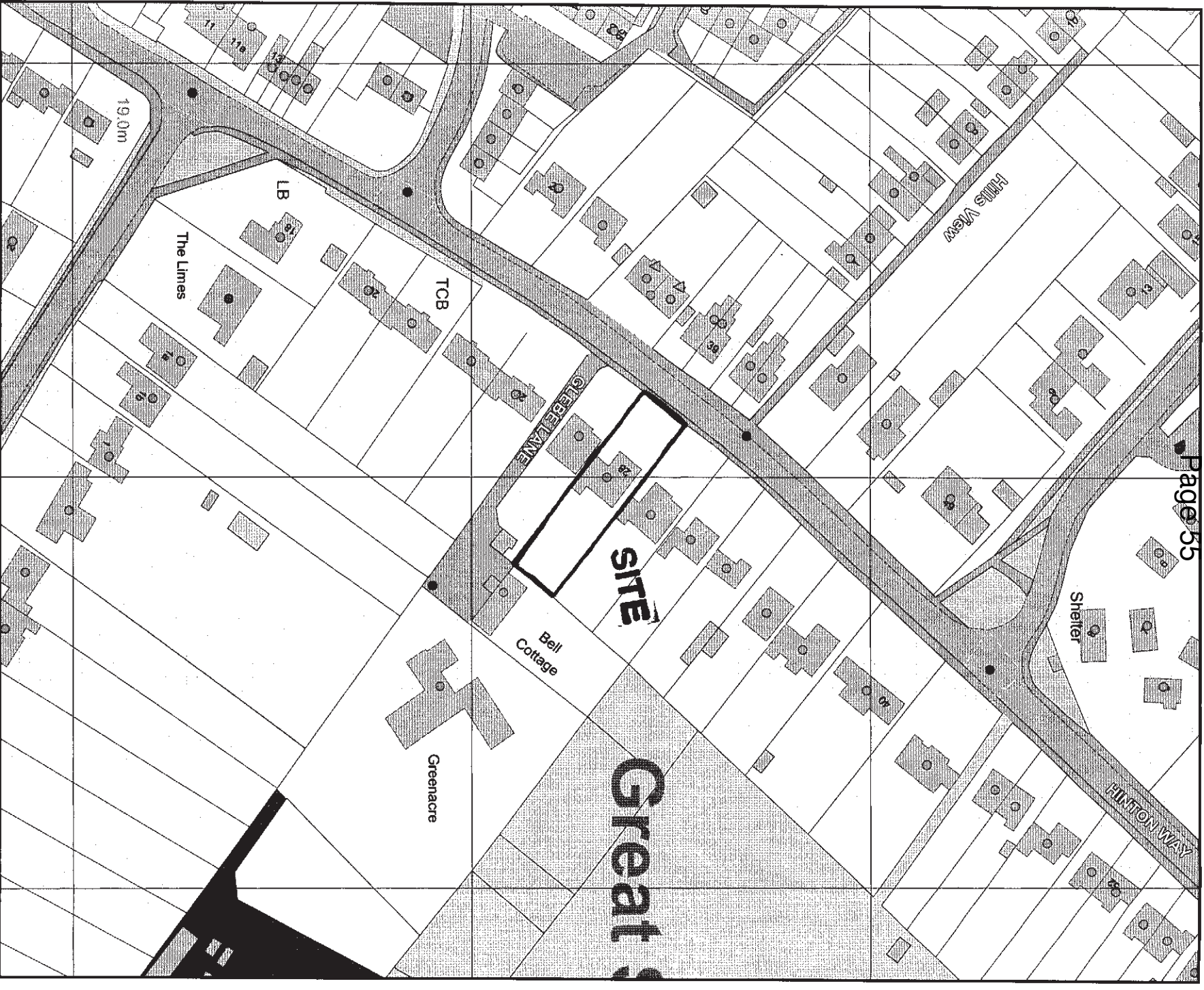
Circular 11/95 – The Use of Conditions in Planning Permissions

Circular 05/2005 – Planning Obligations

Planning application references: S/1642/10, S/1552/10, S/0680/10/F and S/1628/07/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2010

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

S/1776/10 – GREAT SHELFORD

Change of use from engineering workshop to: storage of one wedding car; maintenance & valeting of three wedding cars; sale of vintage & classic cars; & valeting of up to ten other cars per day. Alterations to building including removal of roof lights to front of building, and replacement of roofing and insertion of roof lights to rear. Erection of gates and fencing. - 11, High Green for Mr & Mrs M & B Elkins, Cambridge Motor Company

Recommendation: Delegated Approval**Date for Determination: 13th December 2010****Notes:**

Members of Committee will visit the site on Wednesday 12th January 2010

This application has been reported to the Planning Committee for determination at the request of District Councillor Nightingale

Conservation Area**Site and Proposal**

1. The site is located on the west side of High Green, within the village framework and inside the Great Shelford Conservation Area. The site comprises a mid-late 19th century vacant red brick and plain tile dwelling that lies gable end to the road, and a single-storey timber and metal building to the rear. This building is presently vacant but, until recently, was used as a workshop and was formerly the village smithy. There are residential properties to the north of the site whilst directly to the south is a vehicular access serving residential and commercial properties at Nos.9 and 9a High Green to the west, as well as offices at No.7 to the south. The properties on the opposite side of High Green are predominantly in residential use, although directly opposite the site at No.18 High Green is the village post office.
2. The application seeks to change the use of the single-storey building at the rear of the site from an engineering workshop to a use that consists of the following elements:
 - Storage of one wedding car;
 - Maintenance and valeting of three wedding cars (including viewings by appointment only and hire of wedding cars);
 - Sale of vintage & classic cars (by appointment only);
 - Valeting of up to ten other cars per day (by appointment only).

3. In addition, the application proposes a number of alterations to the building, including:
 - The removal of the roof lights (plastic light vents) from the front elevation of the building;
 - The insertion of roof lights into the rear elevation and the tiles removed to accommodate them re-used to retile the areas from which the roof tiles were removed on the front elevation;
 - Repair works to the existing chimney to make it more stable, thereby ensuring it can be retained; and
 - Replacement of the existing corrugated asbestos roof to the rear with metal sheeting.

4. The final element of the application proposes the erection of 2 metre high metal gates and railings along the front elevation. There is an existing low brick wall along part of the frontage of the site, and for this section of the frontage, the wall would be retained and the railings erected on top up to a total height of 2 metres.

5. The application has been accompanied by Planning, Design & Access, and Heritage Statements. These explain that the applicant has been running his wedding car hire business from his home in Trumpington for over ten years. He owns two vintage cars and one classic Rolls Royce and attends 50-80 events per year. Initially, there would be two employees working at the site (the applicant and his son), whilst it is anticipated there would be one other employee once the business is operational. The traffic assessment, encompassed within the Planning Statement, states that the site will not be visited by large numbers of the public, with most visits being by appointment only. The estimated traffic movements likely to be associated with the proposed use are as follows:
 - The number of vehicle movements to and from the site by staff would involve both the applicants (father and son) who would travel to the site together in one car. Once operational, there would be one further part-time member of staff who would walk or cycle to the site.
 - Viewings of wedding cars – it is estimated there would be up to four viewings per week by appointment only. When cars are hired for weddings, this tends to be on Saturdays with only one car at a time being required. It is also noted that this tends to be seasonal with few people viewing the wedding cars throughout the winter months.
 - Valeting wedding cars – the wedding cars are valeted once returned from an event in the late afternoon/evening. The classic Rolls Royce will be stored at the site and its valeting would not therefore result in additional traffic movements. Only the two cars that are not stored at the site would produce further traffic movements to and from the site.
 - Valeting other cars – it is estimated this would generate up to ten visits per day by appointment only.
 - Sale of vintage/classic cars – it is estimated this would result in a maximum of seven visits per day by appointment only.

6. The statement explains that no HGV's or other commercial vehicles would visit the site. The car parking spaces available on the site would be reserved for visitors coming to view wedding cars or classic/vintage cars. In addition,

five more overflow spaces would be made available nearby by the owners/occupiers of surrounding properties including The Plough Public House and De Freville House Properties. It is also noted that on-street parking spaces are available at the front of the site and on the opposite side of the road.

Planning History

7. **S/1579/06/F** – Application for erection of 4 houses following demolition of existing house and workshop withdrawn. Officers had intended to refuse the application on the grounds that: it would result in the demolition of buildings that make a positive contribution to the Conservation Area, the design detracted from the character and appearance of the Conservation Area, it would result in the loss of employment from the centre of the village, and due to the lack of on-site manoeuvring/highway safety problems.
8. **S/0356/07/F** – Application for erection of 3 houses following demolition of existing house and workshop withdrawn. Officers had intended to refuse the application for the 1st 2 reasons as before – namely the principle of the loss of the buildings and the impact of the development upon the character of the Conservation Area. The LHA removed its objection to the proposal and further information was submitted in respect of the marketing of the property.
9. **S/0934/08/F** – Application for erection of 2 houses following demolition of existing house and workshop was refused for the following reasons:
 - The buildings make a positive contribution to the Conservation Area and the proposal fails to demonstrate that the condition of the buildings makes it impractical to renovate or adapt them to reasonable beneficial use;
 - The design of both replacement buildings would not preserve or enhance the character of the Conservation Area; and
 - In proposing 1 x 3-bed and 1 x 4-bed property, the development contravenes Policy HG/2 of the Local Development Framework.
10. **S/1818/08/F** – An application to demolish the existing buildings and to erect two dwellings on the site was refused for the following reasons:
 - The buildings make a positive contribution to the character and appearance of the Conservation Area, and the proposal fails to demonstrate the condition of the buildings makes it impractical to renovate or adapt them to any reasonable beneficial use.
 - Notwithstanding this in-principle objection, the design of the proposed dwellings was considered to neither preserve nor enhance the character and appearance of the Conservation Area.
11. **S/0286/07/CAC, S/0742/08/CAC and S/1803/08/CAC** – Applications for Conservation Area Consent for the demolition of the buildings refused on the grounds that the existing buildings make a positive contribution to the character and appearance of the Conservation Area and that the replacement structures are not of greater design quality.
12. An appeal was submitted against the refusal of planning application reference S/1818/08/F and S/1803/08/CAC. This appeal was dismissed. The Inspector commented that the red brick dwelling is an attractive and distinctive feature

in the street scene that adds to the character of the Conservation Area, and considered the replacement would not contribute positively to the character of the area. In addition, the Inspector was not satisfied that a renovation scheme would not be viable, and concluded that there is not a need to demolish the existing building due to its poor state of repair. With regards to the workshop, the Inspector considered the front elevation of the building to be an attractive feature in the street scene and to contribute to the varied character of the Conservation Area. The replacement of this structure with a dwelling was deemed to harm the character of the area. In addition, the Inspector stated that evidence had not been presented to demonstrate that the building could not continue to function as a workshop, and to prove there is no demand for use of a building of this type. He therefore concluded there was no overriding need to demolish the existing workshop as a result of its condition or specification.

13. **S/0902/10/F** – An application proposing to change the use of the rear building from an engineering workshop to a workshop for wedding and vintage/classic cars, sale of vintage and classic cars, replacement of rear roof tiles and removal of chimney on workshop building and erection of new ornamental gates and railings was withdrawn.

Planning Policy

14. 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

ET/1 – Limitations on the Occupancy of New Premises in South Cambridgeshire

ET/4 – New Employment Development in Villages

ET/6 – Loss of Rural Employment to Non-Employment Uses

NE/1 – Energy Efficiency

NE/11 – Flood Risk

NE/15 – Noise Pollution

NE/16 - Emissions

CH/5 - Conservation Areas

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

15. **Supplementary Planning Documents:**

Great Shelford Village Design Statement – Adopted February 2004.

Development Affecting Conservation Areas – Adopted January 2009

Trees and Development Sites – Adopted January 2009

District Design Guide – Adopted March 2010

16. **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.
17. **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

18. **Great Shelford Parish Council** - Recommends refusal stating:

“This property has been identified as being at risk in the Great Shelford Conservation area appraisal in which it is suggested that any development on the site should retain the existing historic buildings. In that the applicant proposes to retain and refurbish the buildings which are valued by the village, this is preferable to their continued neglect.

However we remain concerned about a number of issues.

1. The inspector in his report on the planning appeal stated that both buildings were attractive and distinctive features in the street scene, the cottage especially when viewed from the south. Unfortunately the small garden with its planting enclosed by wrought iron railings has been removed reducing its attraction. They and the garden should be replaced and excluded from the forecourt of the workshop so that the long term future of the cottage as a residential unit with its own private open space can be preserved.

2. The design of the new railings is fussy and they will enclose what is an attractive open space to the street and will therefore be intrusive to the street scene.

(We note in the spec for the gates it is proposed to remove the half round brick coping which is a feature characteristic of many walls in the village - though 8.4 of the planning statement says the integrity of the existing wall will remain.)

3. It is stated in the planning statement that car parking on site is illustrated on the proposed site layout plan. We have not seen this although requests have been made for it, therefore it is difficult to assess whether there is adequate space for car display, parking and valeting on the forecourt.

We doubt very much there is enough room for all these uses, which will lead to off site parking which will reduce that available to existing businesses.

Although it is suggested some cars could park at Mark Eliot and the Plough these are outside the applicant's control and cannot therefore be considered as a satisfactory alternative.

4. Considerable unauthorised work has been carried out on the site including the demolition of some out buildings to the rear of the cottage, the removal of a chimney on the single storey extension to the cottage and the removal and replacement of a large amount of cladding on the workshop.

5. Are there any proposals for the removal of waste water and fumes from the site?

Recommend refusal as the application stands.”

19. **The Conservation Manager** - Has not commented to date. Any comments received will be reported to Members in an update prior to the Committee meeting.

20. **The Local Highways Authority** - Recommends refusal on highway safety grounds. This objection could be overcome if the applicant undertakes to either remove the gates or reposition them so that they are at least 5m from the boundary of the adopted highway.

21. **The Environmental Health Officer** - Raises no objections subject to the following conditions being attached to any consent in order to minimise the effects of the development to nearby residents:
- No power operated machinery to be operated on the premises before 8am on weekdays and Saturdays nor after 6pm on weekdays and 1pm on Saturdays (nor at any time on Sundays or Bank Holidays).
 - Details of location and type of any power driven plant or equipment.
 - The repair and servicing of cars/vehicles and the use of power operated machinery/equipment for the valeting of cars/vehicles shall not be permitted outside the main workshop building in the external yard area.

Representations

22. Letters of objection have been received from the occupiers of No.4 High Street, No. 18 High Green, and No.7 High Green (Kingfisher House). The main points raised are:
- (a) The application differs very little from the previously withdrawn scheme.
 - (b) The residential amenity of the area will be adversely affected due to noise and increased activity if the development goes ahead. The property is located in a predominantly residential area.
 - (c) A workshop and valeting service operating from 9am-5pm six days a week could generate significant disturbance from machinery and vehicle movements.
 - (d) Where would the gates and fencing be located?
 - (e) There is insufficient parking on site to cater for the proposed use.
 - (f) The creation of three separate business in place of the previous one is inappropriate as there is insufficient space on the site for this.
 - (g) No dimensioned plan of the forecourt has been supplied. It is impossible to accommodate six vehicles on the site. Where would space be for vehicles being valeted, display of vehicles for sale (and how many cars would be sold?), customer parking, staff vehicles, and turning of wedding cars?
 - (h) The use of parking spaces at Mark Elliott Furniture and The Plough Public House is unrealistic and unenforceable. Customers will want to park directly outside the business they are visiting. The owner of The Plough has left since this agreement. In addition, the owner's home is over a mile away from the site.
 - (i) The village post office, No.18 High Green, is opposite the site. The four nearby on-street car parks (2 outside the post office and 2 outside 11 and 13 High Green) were created by the Highways Department at the request of the post office to provide improved access for visitors to the post office. Approval of the scheme would result in more vehicles along High Green, resulting in potential parking problems for visitors to the post office.
 - (j) Vehicles will be taken onto the site for restoration on a trailer or low-loader. There is no room for a vehicle of this size to turn, so vehicles would reverse into the road.
 - (k) How is waste/contaminated water from the valeting service going to be collected and disposed of?
 - (l) Vehicle restoration work could involve spraying being undertaken on the site. What is the requirement for storage of inflammable products and how would fumes from the extractors be dealt with?

(m) Work has commenced on site and the construction vehicles have obstructed access to surrounding properties.

23. **District Councillor Nightingale** requests that the application be referred to Planning Committee with a site visit if Officers are minded to approve the proposal.

Planning Comments – Key Issues

Principle of the Use

24. As explained within the History section of this report, previous applications relating to this site have sought to demolish the existing buildings and to erect new dwellings on the land. The last of these applications was dismissed at appeal, with the Inspector stating that not only would the demolition of the existing buildings be unacceptable, as a result of their value to the Conservation Area, but also that insufficient evidence had been provided to prove the workshop or other employment use could not continue on the site. The current application proposes to retain and refurbish the buildings on the site, and also to retain the workshop building in employment use. The proposal would therefore comply with the requirements of Policy ET/6 of the Local Development Framework (LDF), which resists the loss of employment uses within villages, whilst the small-scale nature of the proposed use would be in compliance with the criteria within LDF Policies ET/1 and ET/4.

Impact on the Character of the Conservation Area

25. A previous application to change the use of the workshop building (S/0902/10/F) was withdrawn, following a number of concerns raised by the Conservation Officer. The previous application proposed the re-roofing of the building, the insertion of a large replacement rooflight in the front elevation, the removal of the chimney from the building, and the erection of ornamental gates and railings along the front boundary of the site. Following the withdrawal of this application, the applicant and his agent entered into pre-application discussions with Planning and Conservation Officers. Whilst no comments have been received to date from the Conservation Officer, the current proposal reflects the outcome of these discussions and includes the following changes: the retention and repair of the existing chimney; the removal of the rooflights from the front elevation of the workshop and their replacement with rooflights in the rear elevation; and the simplification of the design of the gates/railings along the front boundary of the site to a hoop-style design. The alterations to the workshop are considered to result in an enhancement in the appearance of the building, particularly as the unsightly plastic rooflights on the front elevation would be removed and replaced with tiles to be re-used from the rear elevation. The proposed replacement rooflights would be added to the rear of the building and would not be visible or prominent within the street scape.
26. In addition to the alterations to the workshop building, the applicant's agent has also advised that some brick repointing and cosmetic enhancements of the façade of dwelling will be undertaken, whilst, to date, the roof of the structure has been made watertight and the exterior brickwork to the extension replaced. In the long term it is proposed to fully renovate the dwelling.

27. The Parish Council has raised concerns regarding the removal of the garden and low railings from the front of the dwelling, and has requested their reinstatement. The removal of these elements does not specifically require planning permission and it is therefore considered that their replacement cannot reasonably be required.

Highway Safety and Parking

28. The Local Highways Authority (LHA) objected to the previously withdrawn application, stating that a traffic statement should be provided. Following these concerns, further information has been provided in the current application regarding the scale of the proposed use and the associated projected vehicle movements. The submitted traffic assessment argues that the proposed use is very low-key in nature and that the traffic movements expected to be generated by the proposals represent a reduction when compared to the movements associated with the previous use of the site or its potential reuse for engineering purposes. The LHA has been consulted in respect of the current application and has raised no specific objections regarding the volume of anticipated traffic movements or the lack of space available on the site for parking.
29. The submitted traffic assessment explains that the hardstanding area at the front of the site will be reserved, other than the valet space indicated, for customer parking. This could be conditioned as part of any planning permission, in order to ensure that customers visiting the site are able to park at the premises. The proposed staff numbers are extremely low (a maximum of three people) and a condition requiring the space on the site to be reserved for customer parking would mean that staff employed at the premises would need to park elsewhere, either on-street in the vicinity of the site, or through any arrangements made with local businesses. It should also be stressed that the site lies within an extremely sustainable location, in the commercial heart of the village (which is designated as a Rural Centre), and accessible by a variety of modes of transport, including train, bus, walking and cycling.
30. The LHA has objected to the application solely on the basis of the position of the proposed gates, stating they should be sited at least 5 metres back from the highway boundary. The applicant's agent has advised that a classic Rolls Royce would be stored permanently on the site and, as a result, the gates and railings are required for security purposes. In order to meet the applicant's security needs as well as resolve the LHA's concerns, it is suggested that a condition should be added to any permission stipulating that the gates can only be closed during non-business hours.

Residential Amenity

31. Concerns have been raised by local residents regarding the impact of the proposed use upon the amenities of nearby residents in terms of noise and disturbance from vehicle movements and machinery, together with the implications of any spraying that would take place on the site.
32. The Environmental Health Officer has advised that, in order to minimise the effects of the development upon nearby residents, conditions controlling the hours of use of power operated machinery, requiring details of any power driven plant or equipment, and preventing the repair and servicing of vehicles

and use of machinery associated with valeting of vehicles outside the main building should be applied to any permission.

33. The applicant's agent has confirmed that no spraying of vehicles will take place on the site and that no large-scale machinery would be used in association with the restoration or valeting of cars.

Other Issues

34. The applicant's agent has confirmed that waste water from valeting will feed into the existing drainage facilities and that the applicant is happy to provide an oil interceptor if this would overcome concerns. It is recommended that a condition requiring the submission of further details of surface water drainage be added to any consent.

Recommendation

35. Approval.
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. No development shall take place until details of the proposed rooflights 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 Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)
 3. No power operated machinery shall be operated on the premises before 08:00 hours on weekdays and 08:00 hours on Saturdays nor after 18:00 hours on weekdays and 13:00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
 4. 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 but excluding office equipment and vehicles and the location of the outlet from the building 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 dwellings from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
 5. The repair and servicing of cars/vehicles and the use of the power operated machinery/equipment for the valeting of cars/vehicles shall not

take place outside the main workshop building in the external yard area. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)

6. The hours of operation of the use hereby permitted shall accord with the hours specified within the application form, namely: Monday-Saturday 9am-5pm, unless otherwise previously agreed in writing by the Local Planning Authority. (Reason – To minimise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
7. The gates, hereby permitted, shall not be closed, other than outside the permitted business hours of Monday-Saturday 9am-5pm. (Reason – In the interest of highway safety in accordance with Policy DP/3 of the Local Development Framework 2007.)
8. 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 prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
9. The number of employees on the site at any one time shall not exceed 3. (Reason – To ensure the scale of the use is such that the associated level of activity and vehicle movements would minimise disturbance to adjoining residents and the impact upon highway safety in accordance with Policies NE/15 and DP/3 of the Local Development Framework 2007.)
10. Other than the space indicated for the valeting of vehicles, the hard surfaced area within the site shall be reserved for customer parking unless otherwise agreed in writing by the Local Planning Authority. (Reason – In the interest of highway safety in accordance with Policy DP/3 of the Local Development Framework 2007.)

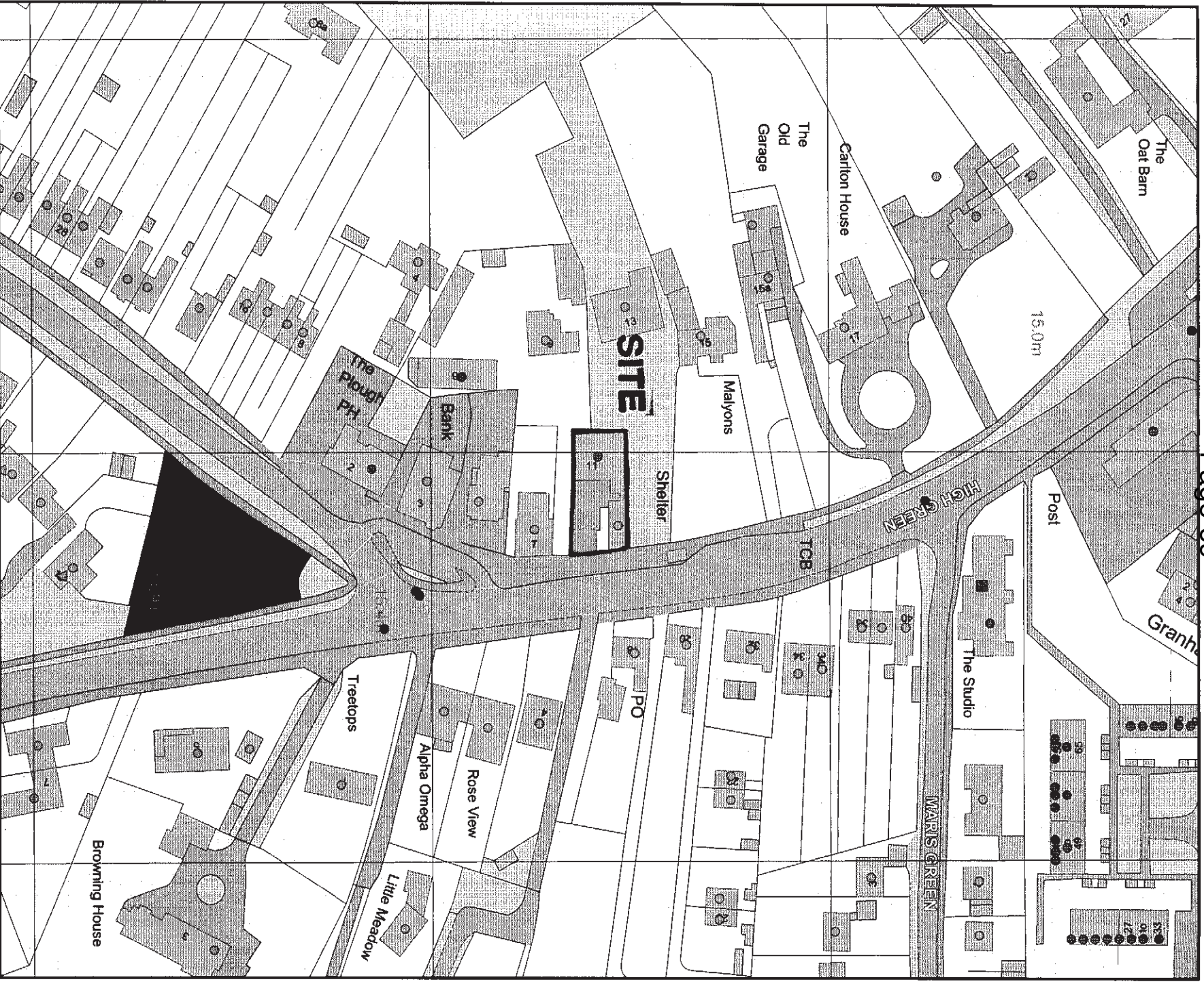
Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Great Shelford Village Design Statement; Development Affecting Conservation Areas; Trees and Development Sites; District Design Guide.
- Circular 11/95 and 05/2005

- Planning File References: S/1579/06/F, S/0356/07/F, S/0934/08/F, S/1818/08/F, S/0286/07/CAC, S/0742/08/CAC, S/1803/08/CAC, S/0902/10/F, S/1776/10/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/1745/10 – COMBERTON
Extension and Alteration to Garage to Form Annexe - 17 Long Road for
Ms Lillian Swift**Recommendation: Approve subject to Conditions****Date for Determination: 9th December 2010****Notes:****This Application has been reported to the Planning Committee for determination at the request of Cllr Dr Stephen Harangozo.****Members will visit the site on the 12th January 2011.****Site and Proposal**

1. The application site comprises a detached two-storey dwelling that fronts Long Road and forms part of a late 20th century planned development. To the south of the dwelling is a private gravelled access road that leads to a detached double garage that serves the application site and provides vehicular access to nos.15 and 13 Long Road.
2. The detached garage, which is the subject of the application, is of square plan form with a hipped roof and is currently clad in render with a concrete pan tile roof. Two garage doors are set within the eastern elevation of the structure and face onto a textured off-road parking area that is approximately 8m in width and could therefore accommodate three average domestic vehicles at present.
3. Surrounding development is predominantly residential, nos 15 & 13 Long Road are sited to the west and south west of the application site at the end of the cul-de-dac and to the north are Nos 1 & 2 Mallows Close. The site is within the Comberton Development Framework and near to the site are a number of Tree Preservation Orders.
4. The full planning application, submitted on 13th October 2010, proposes the extension of the detached garage and an alteration to its roof to facilitate an ancillary residential annexe.
5. The proposal has been amended to remove a number of the proposed roof lights and windows and to introduce a half-hipped roof form on the northern gable elevation. These amendments were made following concerns raised for the impact upon the residential amenity of neighbouring dwellings to the north of the site.

Planning History

6. **S/0187/98/F** – Erection of Chalet Bungalow, Two Houses and Garages Following Demolition of Existing Dwelling - Approved

Planning Policy

7. **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
NE/1 – Energy Efficiency
TR/2 – Car and Cycle Parking Standards

Consultations

8. **Comberton Parish Council** – Recommends refusal due to the impact upon the street scene, the presence of a private residential covenant that precludes the creation of ancillary annexe and impact upon access to properties.
9. **Tree Officer** – Advises that there are TPO's in the area but that these do not conflict with the proposals.
10. **Local Highways Authority** - Raises no objection to the proposals.

Representations

11. Representation received from Cllr Dr Harangozo, who raises concerns for the impact upon the character and appearance of the area, loss of privacy, loss of light, the existence of more appropriate locations for the development within the wider site and the fact that there is considerable local concern for the proposals.
12. Representation received from the occupants 1, 2, 3 and 6 Mallows Close and 13 & 15 Long Road, raising objections to the proposals for the following reasons:
 1. Neighbouring gardens not shown accurately on plans
 2. Loss of sunlight and daylight
 3. Visual overbearing
 4. Loss of privacy
 5. Concerns that the proposed annexe would be sold or let as an independent dwelling
 6. Noise and disturbance
 7. Impact upon drainage
 8. Impact upon the character and appearance of area
 9. Impact upon vehicles using the access road
 10. Impact on properties during construction
 11. Breach of covenant

Planning Comments – Key Issues

13. The key issues to consider in the determination of this application are:
- The impact upon the residential amenity of neighbouring dwellings
 - The impact upon the character and appearance of the area
 - Parking provision

Residential Amenity

14. The existing garage is adjacent to the common boundary with nos.1 & 2 Mallows Close. It is upon these dwellings that the potential for amenity impact is greatest.
15. The rear garden areas of nos 1 & 2 Mallows Close lie to the north of the existing garage structure and the common boundary at this point comprises an approximately 1.8m-2m high close boarded fence and landscaping of a similar height. To facilitate the annexe it is proposed to alter the existing hipped roof form on the northern elevation to a half-hip and introduce a full gable on the southern elevation, there is no increase in ridge height proposed. The half-hip form results in a marginal increase in massing in this location adjacent to the common boundary. The additional mass is not significantly greater than that of the existing roof form and there is no material increase in scale proposed. To this end there is not considered to be a significant overbearing impact upon the garden areas of these adjacent dwellings.
16. The rear gardens of nos 1 and 2 Mallows Close lie due north of the existing garage. Due to this fact the existing structure and common boundary over shadow a small part of these amenity areas at present. The proposed roof alterations do not result in a significant increase in mass, and no increase in scale over that of the existing structure. As such the loss of direct sunlight to the rear gardens of nos 1 & 2 is unlikely to materially differ from the current circumstances.
17. Two rooflights are proposed within the eastern roof-slope of the structure. One serves the landing area of the proposed annexe and other serves the single bedroom. Both rooflights may afford oblique and indirect views of the rear garden pertaining to no.1 Mallows Close. Although this relationship is similar to existing first floor windows in the rear elevation of the principal dwellinghouse it is considered reasonable and justified to condition that these rooflights be obscure glazed and, in the case of the bedroom, openable as a means of escape and indeed this treatment is indicated upon plan ref PL(21)02 Rev B. The indirect relationship of the windows with the rear garden area of 1 Mallows Close and a conditional requirement as detailed above is considered sufficient in this instance to overcome any adverse loss of privacy to the occupants of this dwelling.
18. At ground floor level there is a window proposed within the southern elevation of the structure, this is proposed to serve the kitchenette and looks towards the northern boundary treatment of the rear garden of no.11 Long Road. Due to the ground floor nature of this window there is no loss of privacy arising from this element of the proposals. At first floor level on this elevation an obscure glazed bathroom window is proposed, the treatment of this window

and the nature of the proposed use of the room its serves is sufficient to avoid an undue loss of privacy to any of those dwellings to the south of the proposed annexe.

The impact upon the character and appearance of the area

19. The proposed alterations to the garage comprise the introduction of a gable on the southern elevation of the structure. This gabled form is not incongruous to the forms of surrounding development and it is therefore not considered to have an unduly harmful impact upon the appearance of the surrounding area.
20. The half hip proposed on the opposite elevation, whilst unbalanced, does not present an unduly harmful or incongruous design feature.
21. The materials proposed for the external surfaces are a concrete interlocking tile to match the existing and weatherboarding. Whilst concrete pan tiles are the predominant roofing material in the immediate vicinity the dark stained weatherboarding proposed is not a prominent building material other than on a relatively small area on the rear of the principle dwelling. The principle of a weather boarded finish is not considered to be harmful, as traditionally it would have been common for ancillary outbuildings to be clad in such a low status material. However a light painted finish to match the predominant render colour in the area is considered appropriate in this instance to ensure that character and appearance is not adversely harmed. As such it is considered reasonable and justified to condition the materials to be used in the external finish of the structure to be approved in this instance.

Parking Provision

22. Plan ref PL(21)02 Rev B illustrates two parking spaces to serve no 17. This exceeds the Councils maximum parking standards of one and half spaces per dwelling as set out in annexe 1 of the Development Control Policies DPD. However the defined parking area that serves no.17 is illustrated and confirmed on site as being approximately 8m in width which is sufficient to accommodate three average domestic vehicles (the requisite minimum standard width being 7.5m). To this end the site has capacity to provide parking for additional vehicles should the need occur as a result of an ancillary annexe. To this end refusal of the application on the grounds of insufficient parking is not a sustainable reason for refusal in this instance.

Further Considerations

23. Representations received raise concern for the future sale or letting of the annexe as a separate dwelling. A standard occupation condition will be applied in this instance to ensure that the annexe is only authorised for ancillary use to the main dwelling.
24. Should there be any future application for a change of use to a separate dwelling this will be determined on its merits at the appropriate time.
25. Also raised by representation as a concern is the impact of the proposals upon the foul water drainage system. This is not a material planning consideration in this instance as there is no evidence to support these assertions and the same or greater impact could be achieved through a more

intensive use of the existing dwellings served by the foul water sewers i.e. larger families in each.

26. Representations also raise concerns that the development would constitute a breach of covenant. This is not a material planning consideration and is a separate consideration altogether to the planning process.
27. The impact upon the private cul-de-sac access road is cited as a concern. The proposed extension to the garage does not project beyond land in the applicants' ownership and thus does not encroach onto the access road, hence there is no greater impact upon the road than a solid boundary treatment or tall landscaping would have, neither of which would require planning permission in principle. Thus this is not considered to be a sufficient reason to support refusal of the application.
28. Noise and disturbance from construction is raised as a concern in some of the representations received. Although the constructional aspects of the proposals are very minor it is not considered unreasonable to condition that works be conducted during social hours in this instance
29. A number of the representations received suggest that there are alternate locations within the site that would be more appropriate for an annexe. There is no statutory requirement for the applicant to submit a sequential test to support or justify the proposed siting of such development.
30. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

31. **Approve**

Conditions:

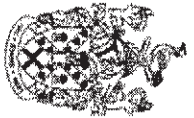
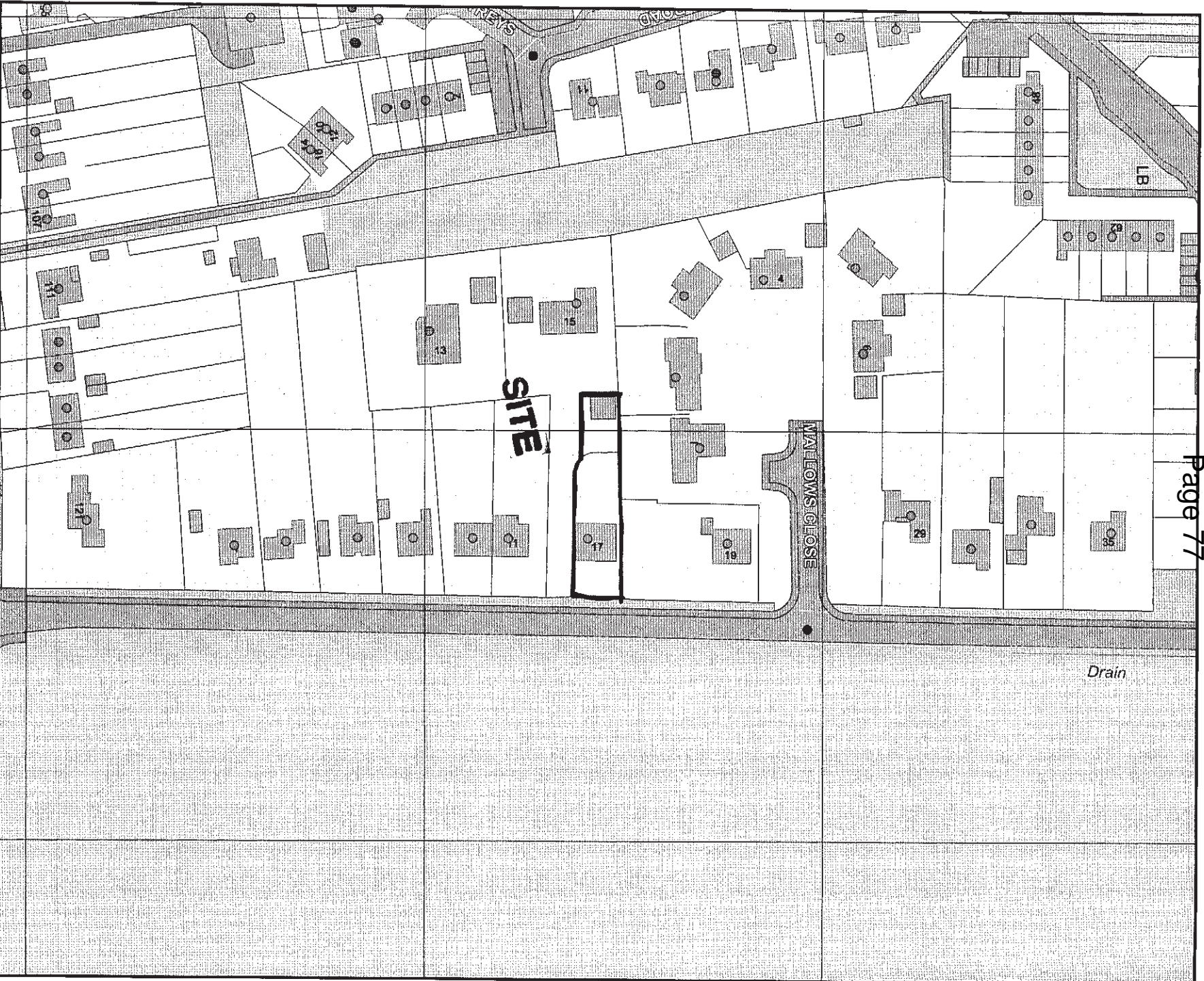
1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans; PL(21)02 Rev B, SC1 (Location Plan)**
(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. **The building, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 17 Long Road, Comberton, CB23 7DG.**
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. **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.)
6. **The proposed roof lights in the eastern elevation of the annexe, hereby permitted, shall be fitted and permanently glazed with obscure glass. No further rooflights or windows shall be added to the north, east or west elevations of the annexe except by the express consent of Planning Permission.**
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 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 2007

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2010

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

S/1765/10 – COTTENHAM
Erection of single storey dwelling and garage. - 22, Rampton Road, Cottenham
for Mr Gerald Cambridge**Recommendation: Approval****Date for Determination: 17th December 2010****Notes:**

This Application has been reported to the Planning Committee on the grounds that the Cottenham Parish Council recommendation of refusal conflicts with the officer recommendation.

Site and Proposal

1. The application site comprises of the subdivision of the garden land formerly attached to No.22 Rampton Road. The site is situated between nos.22 and 20 Rampton Road and is of an approximate area of 0.076ha. The site is located within the Cottenham Village, Framework, which is designated as a Minor Rural Centre by the Councils Core Strategy Settlement Policy ST/5. Residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings is permitted within the village frameworks of Minor Rural Centres.
2. No.22 is a detached narrow fronted Victorian property with a hipped roof. The application site once formed part of the garden to No.22 and has now been left to grow wild, with a new close-boarded fence boundary and timber security gates at the site entrance, which fronts Rampton Road. The site benefits from an extant planning permission to subdivide the plot and provide a new two-storey dwelling between nos.22 and 20 Rampton Road.
3. The adjacent dwelling at No.20 forms a corner plot at the access to a small back land development of 4 properties (Nos.20, 18, 16 and 14 inclusive). No.20 has a first floor secondary bedroom window overlooking part of the site. Surrounding development is predominantly residential and is a mixture of age and form.
4. The proposed development comprises of the erection of a single storey four-bedroom dwelling with detached garage within the rear of the plot. The building would be of a contemporary design with mono-pitch living (green) roofs and would be built in two main sections providing a private garden area between the building and the proposed double garage. The development would be finished in coloured render with timber cladding and a sedum mat roof.

Planning History

5. Planning Application S/1221/10/F for the erection of a single storey dwelling was withdrawn.
6. Planning Application S/1371/08/F was approved for the subdivision of the garden of no.22 to provide a new two-storey dwelling.
7. Planning Application S/1183/85/F was approved for an extension to no.22 Rampton Road.
8. Planning Application S/0135/84/F was approved for an extension to no.22 Rampton Road.

Planning Policy

9. **South Cambridgeshire Local Development Framework, Core Strategy, 2007:**
ST/5 Minor Rural Centres
10. **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/1 Housing Density
NE/1 Energy Efficiency
NE/6 Biodiversity
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/2 Car and Cycle Parking Standards
11. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Design Guide SPD – Adopted March 2010
Biodiversity SPD – Adopted July 2009
Landscaping in New Developments SPD – Adopted March 2010
Cottenham Village Design Statement – Adopted November 2007
Open Space in New Developments SPD – Adopted January 2009
12. 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.
13. 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.

Consultation

14. **Cottenham Parish Council** – Recommend refusal commenting that the small change of approximately half a metre reduction to the rear of the property is not significant enough to reduce the impact upon neighbouring properties and the proposed dwelling would result in overdevelopment of this site. The proposal would represent a modern design, which is not in keeping with the neighbouring properties within the street scene.
15. **Local Highways Authority** – Raise no objections to the proposed development subject to a condition being applied to ensure that the proposed pedestrian visibility splay is kept clear of obstruction above the height of 600mm. In addition further conditions will be required to ensure that the proposed manoeuvring area is kept free of obstruction and that the driveway is constructed so that all falls and levels are such that no surface water from the site drains across the public highway.
16. **Landscape Design** – No comments have been received. (consultation period has expired).
17. **Ecology** – Raises no objections commenting that the proposal would provide an exciting opportunity to secure a development with a significant green roof. Green roofed buildings have a huge potential to play in mitigating biodiversity loss in built-up areas. As this technique becomes more widely known it will become more widely used and this is something to be welcomed in terms of biodiversity conservation. I am aware that the current site is largely unkempt grass. The provision of a vegetated sedum roof will make a contribution to offsetting this loss. To further increase the scheme's biodiversity gain a scheme of nest box provision should be provided.

Representations

18. 3 neighbour letters raising objections to the proposed development have been received from occupiers of nos.61 & 63 Pelham Way and 5 Dunstal Field. The comments of which have summarised below:
 - a. The position of the property is not in keeping with the area. No properties have been built far back from Rampton Road. In 1963 no.24 Rampton Road was refused permission to build a dwelling in a similar location;
 - b. The proposal would be out of character with any property presently upon Rampton Road;
 - c. Vehicular access approved upon the previous application is different to that presently proposed as it was to be shared with no.22;
 - d. The proposal would result in overshadowing as the large shed to the rear of no.24 (which does not benefit from planning permission) does, this would also effect nos.61 and 63 Pelham Way;
 - e. Existing boundaries are of brick construction, although old fencing has been replaced with new fencing and therefore this is inaccurate;
 - f. The replacement of existing holly and plants with laurel is unnecessary when a boundary fence would suffice;
 - g. The approval for a two-storey dwelling was never intended to be built, because no.22 was fenced and bordered as a smoke screen to the proposal to build to the rear;

- h. The scheme is designed to produce money and not for the benefit of the village;
 - i. The site has been cleared of vegetation and levelled with the erection of boundary fencing.
19. 1 neighbour letter of support for the proposed development has been received from the occupiers of no.22 Rampton Road. The comments of which are summarised below:
- a. The proposal would relate well to our property and the site;
 - b. The dwelling would be a reasonable distance from our property and boundary and would not be intrusive or overbearing in relation to no.22 due to its single storey design;
 - c. Unlike the approved two-storey dwelling, this proposal would not take light from any of our windows or garden;
 - d. The proposal would make the best possible use of the site and would fit in well with its surroundings.
20. **The Cottenham Village Design Group** has provided comments stating that the development represents an interesting proposal for a contemporary dwelling, which would work well within this location. Furthermore, the proposed materials and finishes are appropriate to the design of the dwelling. The green sedum roof is a welcome addition due to its environmental and visual benefits. It should be noted that visibility from the street would be minimal.

Planning Comments – Key Issues

21. The key issues to consider in the determination of this application are the impact that the proposed development would have upon residential amenity, the public realm, public open space infrastructure, highway safety and biodiversity.

Principle of development

22. The site falls within the Cottenham Development Framework, which is a Minor Rural Centre, whereby residential development of this density is acceptable in principle. Furthermore, the site benefits from an extant planning permission that could still be implemented.
23. The proposal represents a development density of approximately 14dph, which would fall short of the minimum housing density of 30dph as set out within Policy HG/1 of the South Cambridgeshire Development Control Policies DPD 2007. Nevertheless, given the site's planning history with an extant consent for a single dwelling, anything above a single dwelling upon this site would be considered to represent overdevelopment of the site to the detriment of the character of the area. In addition it is unclear how more than one dwelling could be adequately served by an appropriate means of access.

Design (Public Realm)

24. The proposed dwelling would be located in a back of plot position. This proposed siting is in character with the site layout of those dwellings to the south east of the site at nos.14, 16, 18 and 20 Rampton Road. However, it is acknowledged that the development would depart from the urban grain of development of those dwellings to the northwest of the site, which although do not provide a rigid building line, they do sit in a more forward position fronting Rampton Road.
25. The set back nature of the proposed dwelling is not considered to be detrimental to the character and appearance of the area for the following reasons:
26. The dwellings to the southeast of the site establish a pattern of development beyond the confines of the main linear frontage to Rampton Road. Therefore the proposed rear siting of the dwelling would not be incongruous with the context of the planned nature of the immediate surrounding area. In addition the dwelling would be of single storey form and as such its proposed rearward positioning would mean it would appear comparatively un-prominent within the street scene, relative to the surrounding development.
27. Notwithstanding the above, it is acknowledged that the dwelling would not be completely screened from view from the street scene. Nevertheless, the proposed design is considered to be both of a high quality and visually stimulating and as such, is deemed to have a positive impact upon the public realm. It is those small eccentricities in design, such as this proposal, that bestow any urban environment with a 'sense of place'. The Cottenham Village Design Group also shares this view.

Residential Amenity

28. The proposed dwelling is of single storey design with a mono pitch form. The dwelling, being single storey, would have a large footprint sited approximately 2.4m from the northeast (rear) boundary of the site. This is the common boundary with nos.59, 61 and 63 Pelham Way and at present is formed by a mix of 1.8m timber fencing, 1.2m post and rail fencing and tall Holly and Alder bushes. A 2m close-boarded fence is proposed to consolidate this boundary. This would fall within the scope of permitted development (Part 2, Class A).
29. By virtue of the fact that the proposed dwelling is single storey and mono pitch in form it is the lowest part of the dwelling roof that is adjacent to the common boundary. This has an eaves height of approximately 2.5m and extends away from the common boundary up to a height of approximately 4.7m (at a pitch of approx 15 degrees) to a distance of approximately 8m from this boundary. By virtue of this low form and shallow pitch there is not considered to be a significant visual overbearing impact upon the properties in Pelham Way. Whilst nos.59, 61 and 63 are to the northeast of the proposed dwelling, the low form and pitch would not afford a significant loss of sunlight to these properties. This is adequately demonstrated by the light impact assessment submitted as part of the Design and Access Statement (drawing nos. RRCC-D1-P1, RRCC-D2 P1, RRCC-D3-P1). In addition the proposed building would not obstruct a 25-degree vertical angle above the proposed boundary fence from the rearmost part of the gardens of nos. 59, 61 and 63.

30. Due east of the site lies no.18 Rampton Road, which benefits from an 'L' shaped rear garden that shares the common boundary, with the application site (upon slightly elevated land). The proposed dwelling would be sited approximately 11m from no.18 at a distance of 4m from the common boundary narrowing to 1m to the furthest corner of the rear garden of no.18. Similar to the relationship with the northeast boundary the mono pitch roof of the proposed dwelling would project away from the common boundary. By virtue of the low form and shallow pitch there is not considered to be a significant visual overbearing impact upon the amenity currently experienced by the occupiers of no.18 Rampton Road.
31. Nos.22 and 24 Rampton Road lie due south and southwest of the application site. The proposed garage structure would be sited hard to the common boundaries of these properties. The garage structure shares a similar mono-pitch roof form to that of the main dwelling, albeit at a smaller height of approximately 2.5m to eaves and 3.8m at its highest point. Furthermore, the element of the garage that would be most visible to these properties would be its sedum roof and timber fascia board detail, both of which are considered, materials that soften the visual impact of this structure. In light of the garages form, due north orientation, back-to-back distance from these properties and the existing boundary details (2m in height) the structure is not considered to result in an adverse impact upon the amenities of these dwellings.
32. Further to the above, the proposed sedum mat roof is considered to visually soften the appearance of the development from views into the site. This is considered to substantially reduce the apparent visual overbearing impact upon those dwellings to the northeast and southwest of the proposed structure. Surrounding properties overlook the application site, however, its inverted design provides a central garden area, which could not be overlooked, therefore afforded a satisfactory provision of private amenity space.
33. Representations received from the occupants of neighbouring dwellings raise concerns, in addition to those discussed above, for loss of a private view and for loss of value to existing dwellings. However, these are not material planning considerations and cannot be afforded any weight in the determination of this planning application. In light of the sensitive nature of the site with regard to the amenity of surrounding properties, it is considered necessary to remove by condition the permitted development rights of the proposed dwelling.

Landscaping & Ecology (Biodiversity)

34. The proposal provides an indicative layout that addresses hard and soft landscaping. Whilst this is broadly acceptable in principle, there are specific elements of this outline scheme that are not favourable, such as the provision of what appear to be conifer trees upon the northern boundary with Pelham Way. In light of the comments under the title 'residential amenity' high level planting within this area is not required. As a consequence it is necessary to request a landscape condition to ensure that the specific planting method and details of hard landscaping is agreed in writing prior to development commencing on site. In addition to this, due to the ambiguity of the boundary provision, it is necessary to condition that the detail of all boundary treatments is also agreed in writing, prior to development commencing on site.

35. The provision of a living roof system is welcomed, as it would provide mitigation to the loss of garden lawn by providing an attractive habitat for invertebrates and birds. In addition the roof will mitigate views into the site from neighbouring properties that would screen the urban form of the development proposed. The detail and provision of the living roof system will be conditioned to ensure that it is adequately implemented to a standard for its longevity. The roof will aid surface water drainage throughout the site by limiting run off to the proposed soakaway system and will help insulate the dwelling within the winter and cool it in summer months. This will better enable the applicant to pursue a higher level of energy efficiency within the code for sustainable homes as indicated within the Design and Access Statement. Despite the habitat provision, by virtue of the roof and proposed landscaping, it is considered that a scheme for bird nest box provision is also required by condition to ensure further biodiversity enhancement.

Highway Safety

36. The proposed access is to serve only the single dwelling proposed. To this end the access width of 3m, is deemed sufficient by the Highway Authority. Furthermore, it is demonstrated on plan ref. RRCC-02-P1 that suitable pedestrian visibility can be achieved on site subject to a condition ensuring no obstruction above 600mm in height. To this end the proposal is not considered to result in any undue harm upon highway safety. The Local Highway Authority recommends that conditions regarding the construction specification of the vehicular access with regard to drainage and the retention of the manoeuvring area. It is considered reasonable and justified to apply such conditions in this instance.

Planning Obligations

37. In section 4.6 of the submitted Design and Access Statement the applicant agrees to the financial contributions to meet the needs of public open space, community facilities, bin provision, S106 monitoring fees and the Councils legal fees. Public open space contributions amount to £4,258.90 in this instance and community facility contributions amount to £718.78 in this instance. The section 106 monitoring fee would equate to £50 with refuse provision amounting to £69. By virtue of this agreement it is considered reasonable and justified to condition these payments to be made prior to the occupation of the dwelling house.

Recommendation

38. 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: Location Plan, RRCC-02-P1, RRCC-03-P1, RRCC-04-P1, RRCC-05-P1, RRCC-06-P1 & RCC-07-P1.**

(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. **The dwelling, hereby permitted, shall not be occupied until details of a scheme for the provision of outdoor sports, play and informal open space infrastructure, community infrastructure, S106 monitoring and refuse provision to meet the needs of the development in accordance with Policies DP/4, SF/10 and SF/11 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the LPA.**

(Reason - To ensure the development provides a suitable level of public open space for occupants of the development, in accordance with Policies DP/4, SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007.

5. **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.)

6. **Details of the green/living roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The green roof shall be:**

a) **Biodiversity based with extensive substrate base (depth 100-150mm);**

The green/living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.

b) Evidence that the roof has been installed in accordance with sub points a) above shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

(Reason - To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

7. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.**

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

8. **No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the nest boxes have been provided in accordance with the approved scheme.**

(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

9. **The pedestrian visibility splay shown upon plan no.RRCC-02-P1 shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.**

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

10. **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, B, C and E 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.**

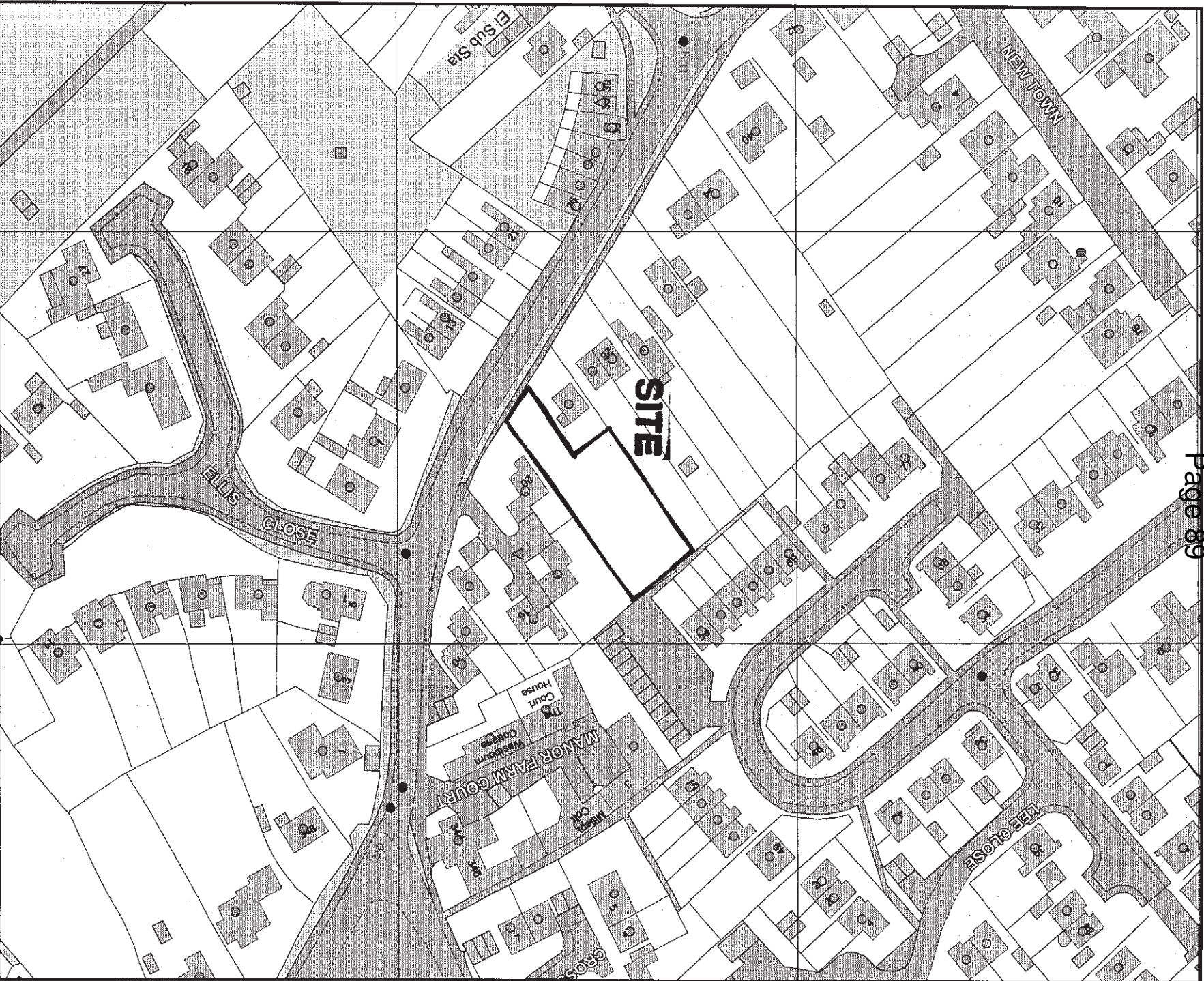
(Reason - In the interests of preserving the character and appearance of the surrounding area and the amenity of residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

11. **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.)

12. **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, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, 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.)
13. **The proposed access and turning area shall be provided before the dwelling hereby permitted is occupied and thereafter retained as such.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
14. **The garage, hereby permitted, shall not be used as additional living accommodation.**
(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Contact Officer: Mike Jones - Senior Planning Assistant
01954 713253



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 12 January 2011
AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1831/10 – FULBOURN
Extensions to the house and outbuilding (Scheme A) at Locksley House, Cox's Drove for Mr & Mrs Michael O'Sullivan

Recommendation: Refusal

Date for Determination: 16th December 2010

Notes:

This Application has been reported to the Planning Committee for determination with a site visit following a request made by Councillor John Williams.

Members will visit this site on 12th January 2011.

Site and Proposal

1. Locksley House is a one and a half storey detached house in 'L' shape within the village framework but not in the Conservation Area. The house is one of a pair of similar properties (Saxfield House, to the east of the site) that planning consent approved under planning reference S/0445/03/F on land in former association with a Grade II listed building, No. 28 Cow Lane. Locksley House and Saxfield House were designed to appear as traditional farm buildings. The house with the upper storey partly within the roof slope has painted weatherboarded walls and pitched slate roof. It has a detached single storey outbuilding with red tiled roof and a lean-to at the east end. The ground level of the site is elevated from the outbuilding to the main house. There are mature trees along the rear boundary of the site and adjacent to the driveway leading to neighbouring properties to the north. No. 28 Cow Lane, to the southwest of the site, is a thatched cottage with a detached outbuilding to the front adjacent to the shared driveway of Locksley House and Saxfield House and it has ground floor side door and bathroom window, and first floor bedroom window facing Locksley House. The north boundary of No. 28 has mature trees and the sitting out area at No. 28 is to the east of the cottage.
2. The full application validated on 21st October 2010, proposes a scheme to extend the house by adding a two storey gable front projection, 2.2m deep, 6.5m high to the ridge and in the same eaves height as the main house; a first floor side extension forming a new dormer window with a covered passageway adjacent to Saxfield House with additional rooflights in the rear and east side elevations; and extension to the outbuilding adding a first floor living accommodation forming a rear gable projection (1.7m deep x 2.9m wide, 3.4m high to the eaves and 5.2m high to the ridge) and a link connecting the house.

Planning History

3. **S/1846/10** – Extensions to house (Scheme B), yet to be determined at 12th January 2011 Planning Committee.

S/0445/03/F – Planning permission granted for two houses at land off Cox's Drove, adjacent No. 28 Cow Lane.

Planning Policy

4. **Planning Policy Statement 5: Planning for the Historic Environment**
5. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**
 - **DP/1** Sustainable Development;
 - **DP/2** Design of New Development;
 - **DP/3** Development Criteria
 - **CH/4** Development Within the Curtilage or Setting of a Listed Building
6. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**
 - **Listed Buildings 2009**
 - **Design Guide 2010**
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.

Consultations

8. **Fulbourn Parish Council** recommends approval.
9. **Conservation Manager** recommends refusal on the following grounds:
10. 'Locksley House is within the curtilage of 28 Cow Lane, a grade II listed building. Both Locksley House and Saxfield House were built in circa 2003 (under S/0445/03/F) in the style of farmbuildings to support the character of a listed former farmhouse. Criteria set at that time were that the new dwellings should not dominate the listed building at no. 28 and should be subservient to this listed building. The application follows pre-application enquiry although the submitted drawings have not been available for comment as part of this.
11. The proposed extensions increase the cumulative length and footprint of Locksley House to double that of the listed building. The increased domestic appearance and complexity of the building would increase this impact.
12. The proposed extension to the garage and provision of a habitable first floor makes the building more domestic in character and the development significantly more intensive. The car parking lost by conversion of the garage, together with the increase in domestic accommodation significantly increases the intensification of this rather restricted site, with resultant intensification of prominent parking at the entrance and along the frontage next to the listed building. The form of the garage

extension and link does not accord with the farmbuilding character of the buildings, or with proportions characteristic of the area as advised in the District Design Guide. The proposed link is a subtractive rather than an additive form, being level with the wider roof rather than a separate element and the two rooflights close together appear cramped within the smaller extent of this roof. The numerous rooflights distributed at random centres across the roof and positioned close to the ridge, distract from this smaller lower roof and from the more simple and limited arrangement on the existing building and are more prominent on the approach to the site and to the listed building. Those rooflights proposed are of the modern wide framed form rather than those which follow more traditional design, increasing their apparent heaviness. The large dormer at the rear of the garage is domestic in character and overly top-heavy above an open ground floor. It would be prominent due to its size, form and bulk in views towards the listed building from the north, especially in winter.

13. The proposed front extension projects forwards towards the listed building, forward of the existing building line and is two storey. The proposed structure appears top-heavy as it is solid in character at first floor but lightweight at ground floor. It is also unbalanced as part of the ground floor has solid panels and part glazing and the rhythm of openings varies across the structure. In pre-application discussion reference was made to the precedent of the midstrey at Saxfield House, but this is in a much more traditional and wholly symmetrical form, and also with a door in the front in the traditional manner. The complexity of this proposed structure, due to its design, proportions, conflict between symmetry and asymmetry, and the rhythm of openings, together with its prominent position, makes it overly intrusive into this sensitive setting.
14. The proposed side extension continues the roof of the main range at two storey to the boundary with Saxfield House. The highest ridge would become almost 40% longer than that of the listed building and at two storeys in comparison with the storey-and-half of the longest ridge of the listed building. The proposal loses the diminishing design and form of the existing building and is significantly more bulky and cramped than the existing. The design with its cantilevered first floor and open ground floor appears top-heavy and is contrary to the design of an agricultural barn. The proposed first floor dormer is larger than the ground floor window below, appearing top-heavy and contrary to the traditional hierarchy of traditional buildings. Whilst the existing dormer has the basic form of a hayloft opening, the introduction of a second dormer and in the form of a window creates a significantly more domestic appearance on this prominent elevation.
15. There is insufficient information about the practicality of the scheme, with resultant impact on the design. Potential concerns would arise from the soil pipes and services necessary for a first floor bathroom which would be on the most prominent part of the house and particularly visible when venting up from the roof and discharging across the more open ground floor walls. Also, it is unlikely that the proposed weatherboard would be possible on the boundary due to fire regulations, and therefore the proposed materials in this prominent area would be different to the existing and therefore attract more attention. It is also unlikely that a shower could be accommodated in the first floor of the garage within the dormer with the ridge lower than the existing ridge, due to the limited headroom.

16. The increase in the length, bulk, mass and complexity of the dwellinghouse would be harmful to the character of the existing building and to the setting of no. 28, and would result in competition with this listed building.
17. In conclusion:
The proposed extensions, by virtue of their bulk, form, position, design, hierarchy, rhythm and appearance, would compete with the role, size and form of the listed building, no. 28 Cow Lane. The proposal would therefore be harmful to the setting of the listed building, contrary to Policy CH/4 and PPS5 Policies HE7, HE9 and HE10.'

Representations

18. The trustee at No. 42 Cox's Drove raises no objection to the proposal and considers that the scheme would not harm amenity to No. 42 and the design is sympathetic with the surrounding area.
19. Councillor Williams concurs the Parish Council's recommendation for an approval which is contrary to the strong views expressed by the Conservation Team. He would that if it is the case that officers are minded to refuse the application on the grounds of the impact on the Conservation Area that it be determined by the Planning Committee Members following a site visit.

Planning Comments – Key Issues

20. The key issues to consider in the determination of this application are:
- Design and character of the existing house;
 - Impact on the setting of the nearby listed building;
 - Residential amenity interests; and
 - On-site car parking provision.

Design and character of the existing house

21. **Extension to the outbuilding** - The original design of Locksley House and Saxfield House emphasises in 'barn' style with detached outbuildings ancillary to the houses. The character of the house should not dominate the listed building at No. 28 Cow Lane and should be subservient to this listed building. The hierarchy and proportions of Locksley House, Saxfield House and No. 28 were well established in the planning consent reference S/0445/03/F. The proposed extension to link the main house and the outbuilding would create an overly-large building with a long span, contrary to the original character of the house. The resultant length of the house would be longer than the adjacent listed building, No. 28, that would be contrary to the hierarchy of the site. The new large dormer window in the north elevation of the outbuilding would form an awkward element which would not be in keeping with the simple design and ancillary character of the outbuilding in relation to the main house.
22. **Extensions to the house** – The proposed two storey front extension in the south elevation and the first floor side extension at the east end of the house with a new front facing dormer window facing would substantially increase the mass, bulk and complexity of the existing dwelling. The resultant domestic appearance would be contrary to the primary design of the house which is a simple farmhouse/ barn style building. The front gable projection is solid in character at the first floor with timber weatherboarding but lightweight at the ground floor with part solid panels and part glazing. The design and proportion of the proposed front gable conflicts with the

simple character of the house and it would form a prominent and intrusive element. The design of the proposed side extension with cantilevered first floor and open ground floor, and the proposed first floor dormer window is larger than the ground floor window below appears to be top-heavy and therefore contrary to the traditional hierarchy and character of the original building.

Impact on the setting of the nearby listed building, No. 28 Cow Lane

23. The site and Saxfield House form an important setting to the substantial listed cottage at No. 28. When assessing the original application for two houses at land within the curtilage of No. 28 (reference S/0445/03/F), officers at that time considered that the new dwellings should not dominate the listed building at No. 28 and should be subservient to this listed building. Therefore, the scale and form of the new houses should not be urban and the appearance should respect the settlement pattern in the locality. The original design of the two dwellings at Locksley House and Saxfield House in 'barn' style with modest scale outbuildings is subservient to and it does not dominate the listed building.
24. **Extension to the outbuilding** – The proposed link would level with the wider roof of the existing outbuilding rather than a separate element and the addition of two rooflights on the new roof close together appear cramped within the smaller extent of the new roof section. The proposed new modern wide framed rooflights across the roof of the outbuilding and set close to the ridge would result in this lower and subservient outbuilding roof prominent on the approach to the site and to the listed building at No. 28. The large dormer window in the rear elevation of the outbuilding is also domestic in character and overly top-heavy above an open ground floor. This element would be prominent due to its size, form and bulk in views from public realm to the north of the site towards the listed building, especially in winter.
25. **Extensions to the house** – The proposed front gable would project forwards nearer the listed building and with the top-heavy design and proportions would conflict between and the symmetrical form. The proposed side extension would result in the house longer than that of the listed building and would increase the bulk of the existing dwelling. The increase in the length, bulk, mass and complexity of the house would be harmful to the setting of the listed building at No. 28 and would result in competition with this listed building.

Residential amenity interests

26. No. 28 has first floor windows in the north facing gable end and the existing window-to-window distance between Locksley House and No. 28 is approximately 17m. Given that there is an existing first floor bedroom window at Locksley House facing No.28 and the soft boundary treatment, the addition of first floor windows in the front elevation of Locksley House which would be at an oblique angle looking at the garden and sitting out area at No. 28, it is considered that the proposal would cause limited overlooking of No. 28 to warrant a refusal. The introduction of new rooflights in the east side elevation would set at least 1.7m high from the first floor level that would avoid overlooking to neighbours at Saxfield House. Given the distance between the proposed rear facing dormer window above the outbuilding and the neighbouring properties to the north of the site, the proposal does not consider causing adverse impacts to the occupiers at these neighbouring properties in relation to overlooking and loss of privacy.

On-site car parking provision

27. It is acknowledged the Conservation Manager's comments that extension to the outbuilding to provide a habitable first floor would increase in domestic accommodation and intensify the use of the site that would result in intensification of prominent parking at the entrance and along the frontage next to the listed building. The existing four-bedroom house provides one car parking space within the outbuilding and there is a space at the side of the outbuilding that could accommodate another on-site car parking space. The original planning consent did not control the use of the outbuilding for car parking spaces only. Given the existing on-site car parking provision, it is not considered that the proposed extensions which would result in a six-bedroom house, would cause adverse impact on the car parking provision within the application site and therefore generate additional off-site car parking that would affect the wider setting of the listed building.

Recommendation

28. Refuse
29. Reason for refusal

Locksley House, Cox's Drove is originally designed in the style of farmbuilding in a pair with Saxfield House to support the character of a listed former farmhouse, No. 28 Cow Lane. The proposed extensions to the house and outbuilding, by virtue of their bulk, form, position, design, hierarchy, rhythm and appearance, would result in the existing dwelling becoming unbalanced and dominated by the extensions and would compete with the role, size and form of the listed building, No. 28 Cow Lane. The proposal would therefore be harmful to the setting of the listed building and contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 which requires a high standard of design which responds to the local character of the built environment for all new development; Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 that resists development that would have an adverse impact upon village character; Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007, South Cambridgeshire Local Development Framework Listed Buildings Supplementary Planning Document 2009 and Policies HE7, HE9 and HE10 of Planning Policy Statement 5 that resist development that would damage the setting of a Listed Building and would not preserve or enhance the quality and distinctiveness of the historic built environment.

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

Planning Policy Statement 5: Planning for the Historic Environment
South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:

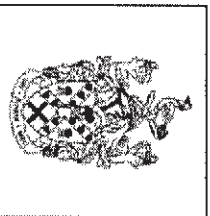
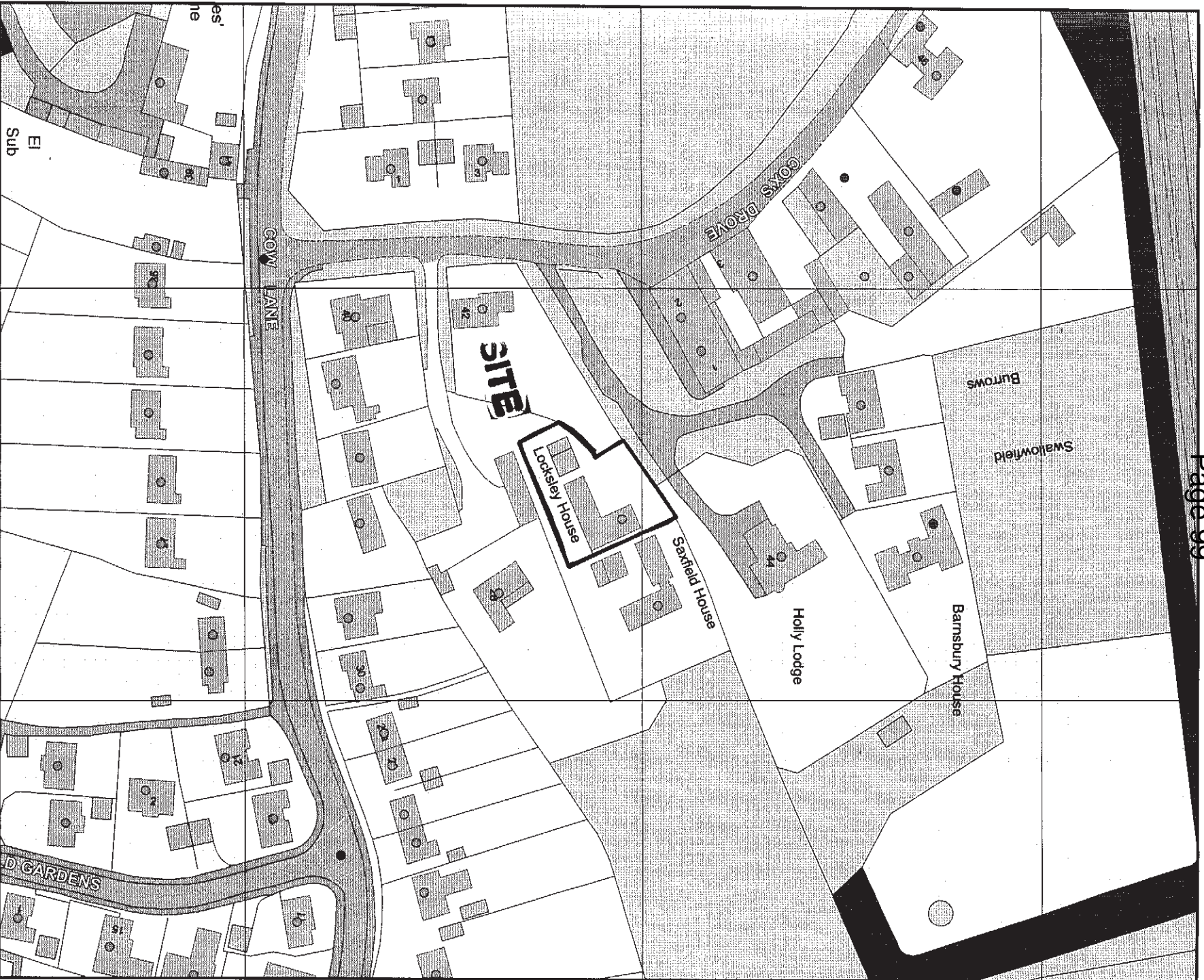
- Listed Buildings 2009
- Design Guide 2010

Circular 11/95 – The Use of Conditions in Planning Permissions

Planning application references: S/1831/10, S/1846/10 and S/0445/03/F.

Contact Officer: Emily Ip – Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/1846/10 – FULBOURN**Extensions to the house (Scheme B) at Locksley House, Cox's Drove for Mr & Mrs Michael O'Sullivan****Recommendation: Refusal****Date for Determination: 17th December 2010****Notes:**

This Application has been reported to the Planning Committee for determination with a site visit following a request made by Councillor John Williams.

Members will visit this site on 12th January 2011.

Site and Proposal

1. Locksley House is a one and a half storey detached house in 'L' shape within the village framework but not in the Conservation Area. The house is one of a pair of similar properties (Saxfield House, to the east of the site) that planning consent approved under planning reference S/0445/03/F on land in former association with a Grade II listed building, No. 28 Cow Lane. Locksley House and Saxfield House were designed to appear as traditional farm buildings. The house with the upper storey partly within the roof slope has painted weatherboarded walls and pitched slate roof. It has a detached single storey outbuilding with red tiled roof and a lean-to at the east end. The ground level of the site is elevated from the outbuilding to the main house. There are mature trees along the rear boundary of the site and adjacent to the driveway leading to neighbouring properties to the north. No. 28 Cow Lane, to the southwest of the site, is a thatched cottage with a detached outbuilding to the front adjacent to the shared driveway of Locksley House and Saxfield House and it has ground floor side door and bathroom window, and first floor bedroom window facing Locksley House. The north boundary of No. 28 has mature trees and the sitting out area at No. 28 is to the east of the cottage.
2. The full application validated on 22nd October 2010, proposes a scheme to extend the house by adding a two storey gable front projection, 2.2m deep, 6.5m high to the ridge and in the same eaves height as the main house; and a first floor side extension forming a new dormer window with a covered passageway adjacent to Saxfield House with additional rooflights in the rear and east side elevations.

Planning History

3. **S/1831/10 – Extensions to house (Scheme A), yet to be determined at 12th January 2011 Planning Committee.**

S/0445/03/F – Planning permission granted for two houses at land off Cox's Drove, adjacent No. 28 Cow Lane.

Planning Policy

4. **Planning Policy Statement 5: Planning for the Historic Environment**
5. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**
 - **DP/1** Sustainable Development;
 - **DP/2** Design of New Development;
 - **DP/3** Development Criteria
 - **CH/4** Development Within the Curtilage or Setting of a Listed Building
6. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**
 - **Listed Buildings 2009**
 - **Design Guide 2010**
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.

Consultations

8. **Fulbourn Parish Council** recommends approval.
9. **Conservation Manager** recommends refusal on the following grounds:
10. 'Locksley House is within the curtilage of 28 Cow Lane, a grade II listed building. Both Locksley House and Saxfield House were built in circa 2003 (under S/0445/03/F) in the style of farmbuildings to support the character of a listed former farmhouse. Criteria set at that time were that the new dwellings should not dominate the listed building at no. 28 and should be subservient to this listed building. The application follows pre-application enquiry although the submitted drawings have not been available for comment as part of this.
11. The proposed front extension projects forwards towards the listed building, forward of the existing building line and is two storey. The proposed structure appears top-heavy as it is solid in character at first floor but lightweight at ground floor. It is also unbalanced as part of the ground floor has solid panels and part glazing and the rhythm of openings varies across the structure. In pre-application discussion reference was made to the precedent of the midstrey at Saxfield House, but this is in a much more traditional and wholly symmetrical form, and also with a door in the front in the traditional manner. The complexity of this proposed structure, due to its design, proportions, conflict between symmetry and asymmetry, and the rhythm of openings, together with its prominent position, makes it overly intrusive into this sensitive setting.
12. The proposed side extension continues the roof of the main range at two storey to the boundary with Saxfield House. The main ridge would become almost 40% longer than that of the listed building and at two storeys in comparison with the storey-and-

half of the longest ridge of the listed building. The proposal loses the diminishing design and form of the existing building and is significantly more bulky and cramped than the existing. The design with its cantilevered first floor and open ground floor appears top-heavy and is contrary to the design of an agricultural barn. The proposed first floor dormer is larger than the ground floor window below, appearing top-heavy and contrary to the traditional hierarchy of traditional buildings. Whilst the existing dormer has the basic form of a hayloft opening, the introduction of a second dormer and in the form of a window creates a significantly more domestic appearance on this prominent elevation.

13. There is insufficient information about the practicality of the scheme, with resultant impact on the design. Potential concerns would arise from the soil pipes and services necessary for a first floor bathroom which would be on the most prominent part of the house and particularly visible when venting up from the roof and discharging across the more open ground floor walls. Also, it is unlikely that the proposed weatherboard would be possible on the boundary due to fire regulations, and therefore the proposed materials in this prominent area would be different to the existing and therefore attract more attention.
14. The increase in the bulk and mass of the dwellinghouse would be harmful to the setting of no. 28 and result in competition with this listed building.
15. In conclusion:
The proposed extensions, by virtue of their bulk, form, position, design, hierarchy, rhythm and appearance, would compete with the role, size and form of the listed building, no. 28 Cow Lane. The proposal would therefore be harmful to the setting of the listed building, contrary to Policy CH/4 and PPS5 Policies HE7, HE9 and HE10.'

Representations

16. The trustee at No. 42 Cox's Drove raises no objection to the proposal and considers that the scheme would not harm amenity to No. 42 and the design is sympathetic with the surrounding area.
17. Councillor Williams concurs the Parish Council's recommendation for an approval which is contrary to the strong views expressed by the Conservation Team. He would that if it is the case that officers are minded to refuse the application on the grounds of the impact on the Conservation Area that it be determined by the Planning Committee Members following a site visit.

Planning Comments – Key Issues

18. The key issues to consider in the determination of this application are:
 - Design and character of the existing house;
 - Impact on the setting of the nearby listed building; and
 - Residential amenity interests.

Design and character of the existing house

19. The proposed two storey front extension in the south elevation and the first floor side extension at the east end of the house with a new front facing dormer window facing would substantially increase the mass, bulk and complexity of the existing dwelling.

The resultant domestic appearance would be contrary to the primary design of the house which is a simple farmhouse/ barn style building. The front gable projection is solid in character at the first floor with timber weatherboarding but lightweight at the ground floor with part solid panels and part glazing. The design and proportion of the proposed front gable conflicts with the simple character of the house and it would form a prominent and intrusive element. The design of the proposed side extension with cantilevered first floor and open ground floor, and the proposed first floor dormer window is larger than the ground floor window below appears to be top-heavy and therefore contrary to the traditional hierarchy and character of the original building.

Impact on the setting of the nearby listed building, No. 28 Cow Lane

20. The site and Saxfield House form an important setting to the substantial listed cottage at No. 28. When assessing the original application for two houses at land within the curtilage of No. 28 (reference S/0445/03/F), officers at that time considered that the new dwellings should not dominate the listed building at No. 28 and should be subservient to this listed building. Therefore, the scale and form of the new houses should not be urban and the appearance should respect the settlement pattern in the locality. The original design of the two dwellings at Locksley House and Saxfield House in 'barn' style with modest scale outbuildings is subservient to and it does not dominate the listed building.
21. The proposed front gable would project forwards nearer the listed building and with the top-heavy design and proportions would conflict between and the symmetrical form. The proposed side extension would result in the house longer than that of the listed building and would increase the bulk of the existing dwelling. The increase in the length, bulk, mass and complexity of the house would be harmful to the setting of the listed building at No. 28 and would result in competition with this listed building.

Residential amenity interests

22. No. 28 has first floor windows in the north facing gable end and the existing window-to-window distance between Locksley House and No. 28 is approximately 17m. Given that there is an existing first floor bedroom window at Locksley House facing No.28 and the soft boundary treatment, the addition of first floor windows in the front elevation of Locksley House which would be at an oblique angle looking at the garden and sitting out area at No. 28, it is considered that the proposal would cause limited overlooking of No. 28 to warrant a refusal. The introduction of new rooflights in the east side elevation would set at least 1.7m high from the first floor level that would avoid overlooking to neighbours at Saxfield House.

Recommendation

23. Refuse
24. Reason for refusal

Locksley House, Cox's Drove is originally designed in the style of farmbuilding in a pair with Saxfield House to support the character of a listed former farmhouse, No. 28 Cow Lane. The proposed extensions to the house, by virtue of their bulk, form, position, design, hierarchy, rhythm and appearance, would result in the existing dwelling becoming unbalanced and dominated by the extensions and would compete with the role, size and form of the listed building, No. 28 Cow Lane. The proposal would therefore be harmful to the setting of the listed building and contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development

Control Policies Development Plan Document 2007 which requires a high standard of design which responds to the local character of the built environment for all new development; Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 that resists development that would have an adverse impact upon village character; Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007, South Cambridgeshire Local Development Framework Listed Buildings Supplementary Planning Document 2009 and Policies HE7, HE9 and HE10 of Planning Policy Statement 5 that resist development that would damage the setting of a Listed Building and would not preserve or enhance the quality and distinctiveness of the historic built environment.

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

Planning Policy Statement 5: Planning for the Historic Environment
South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:

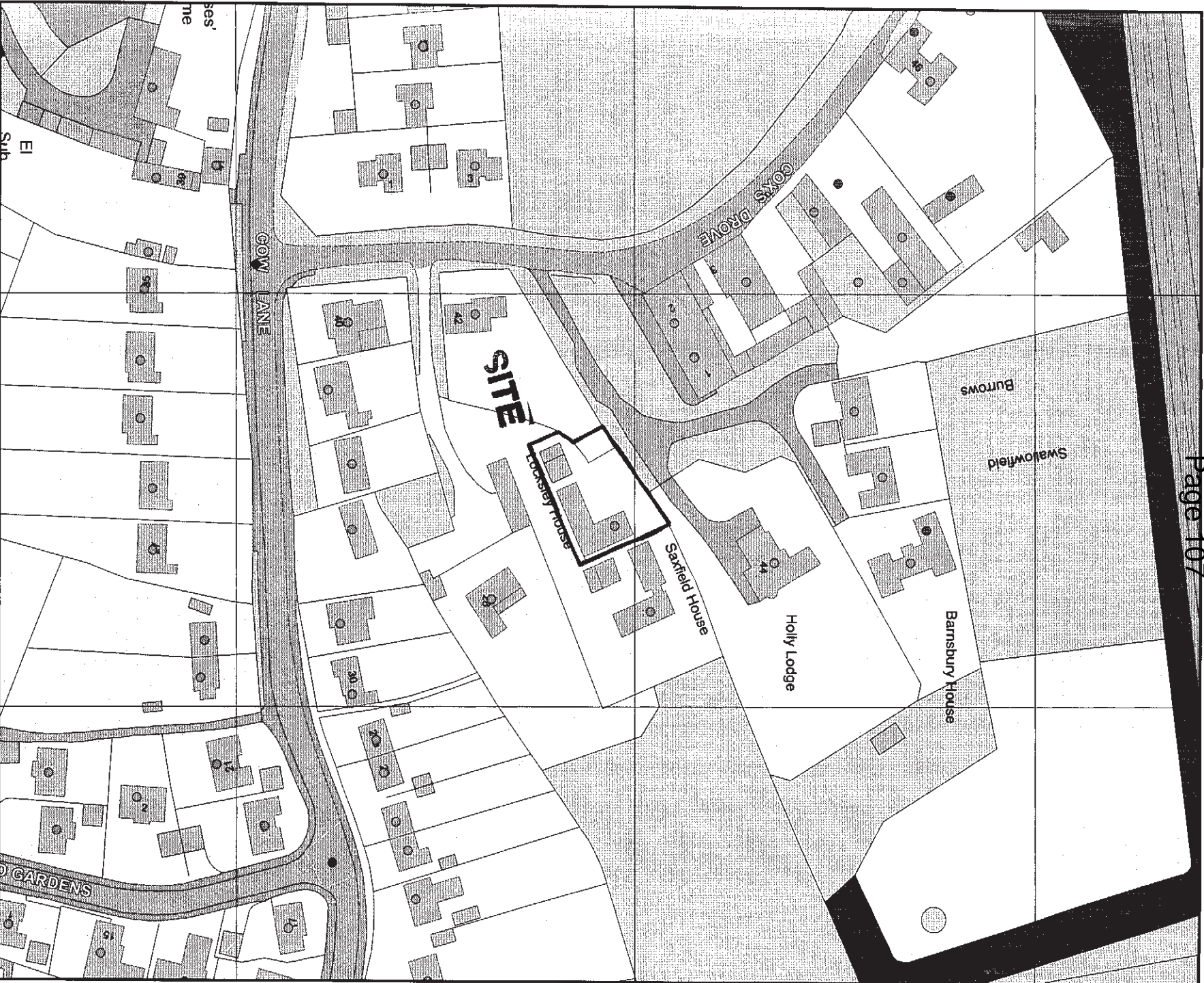
- Listed Buildings 2009
- Design Guide 2010

Circular 11/95 – The Use of Conditions in Planning Permissions

Planning application references: S/1846/10, S/1831/10 and S/0445/03/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/0663/10/O - GAMLINGAY**Erection of dwelling and provision of new access for existing dwelling (no.76)
following demolition of outbuildings - Land at and to the South East of 76
Cinques Road for
Moatside Properties****Recommendation: Approval****Date for Determination: 22-Jun-2010****Notes:**

This application has been reported to the Planning Committee for determination as the recommendation of Gamlingay Parish Council conflicts with the Officer recommendation.

Site and Proposal

1. The site falls within the Gamlingay Village Framework, in the north west part of the village. The surrounding street scene generally comprises two storey dwellings with the built form becoming denser as you move away from the site to the east towards the centre of the village. The existing dwelling types along Cinques Road are varied in design, age and materials.
2. The application site comprises garden land and single storey outbuildings within the curtilage of 76 Cinques Way. It also includes a track, which serves these outbuildings and access to the existing main dwelling. Both neighbouring dwellings are two storeys, of a traditional design with pitched tile roofs.
3. The proposal, received 26th April 2010, seeks outline planning permission for a new dwelling on land between No 76 and 72 Cinques Road Gamlingay. All matters are reserved for future consideration, although indicative siting and access are included. A Design and Access Statement provides more detail on the concepts proposed for this development. The proposal also includes indicative details of the new access to serve the existing property at No 76, which is set out on the indicative site plan.

Planning History

4. In 1977, outline Planning permission was refused under reference S/0199/77/O for a single dwelling on this site. This was on the grounds of highway safety, being outside the then village framework and sewerage quality.

5. In 1984, outline planning permission was refused under reference S/1329/84/O, for the erection of a single dwelling on this site. This was by virtue of the site falling outside of the then village framework.

Planning Policy

Local Development Framework (LDF) Policies

6. **South Cambridgeshire LDF Core Strategy DPD, 2007:**

ST/5 – Minor Rural Centre

South Cambridgeshire LDF 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/1 Housing Density

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

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/6 Biodiversity

NE/15 Noise Pollution

TR/2 Car and Cycle Parking Standards.

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009

Biodiversity SPD - Adopted July 2009

District Design Guide SPD – Adopted March 2010

RECAP Waste Management Design Guide 2009

7. **National Planning Guidance**

Planning Policy Statement 1 (Delivering Sustainable Housing)

Planning Policy Statement 3 (Housing)

8. **Circulars**

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permission

Consultations

9. Gamlingay Parish Council - Initially raised objections on the ground of density as it suggests the site could be used for two smaller dwellings rather than one. Further representations on the additional detail confirm no objections and mark the correspondence 'Approve', but refer back to previous concerns regarding density.
10. The Parish Council were contacted for clarification and the comments received were as follows:

"I have looked into our comments made in relation to the above application. My opinion of the information supplied still regards the scheme as insufficient as regards density. This issue was also discussed in relation to application S/1981/08/0 which is within 200 metres of this site. Parish Council needs to show consistency in its views on density within the village envelope. This will also have a bearing for a potential site opposite on the edge of the village (bungalow with large side garden on the edge of the village within the village envelope)."

11. **Local Highway Authority** – Recommends that permission should be granted subject to conditions.

Representations

12. None

Planning Comments - Key Issues

13. The key issues to consider in the determination of this application are the principle of a dwelling on this site, the density of the proposed development, highways and access, design, relationship with neighbouring properties and Planning Obligations.

Principle of Development

14. Unlike the planning applications in 1977 and 1984, the site lies within the development framework boundaries of Gamlingay and is identified as a Minor Rural Centre under Policy ST/5 of the adopted South Cambridgeshire LDF Core Strategy DPD 2007. As such the provisions of Policy DP/7 applies, which permits the development of unallocated land within development frameworks, subject to the proposal not leading to a loss of character or local employment, being respectful to local features and providing the necessary infrastructure. In this instance, the proposal does relate to unallocated land, which is already in residential use, where it is felt that a new dwelling could be satisfactorily accommodated in this context.
15. Following amendments to PPS3 earlier this year regarding the classification of garden land, the site cannot be considered as 'previously developed', but as the site is within the village framework area, residential development is considered appropriate in policy terms.

Density of Development

16. As raised by Gamlingay Parish Council, the site area totals 700sqm, however the developable area (not including the land at the front of the existing dwelling) is to 570sqm. Policy HG/1 sets 30 dph as a minimum unless there are 'exceptional' circumstances requiring a different treatment. The changes to PPS3, means it is no longer reasonable to insist on 30 dph in all but 'exceptional' circumstances. A lower density will be appropriate if other material considerations suggest otherwise.
17. The Local Highway Authority request that new dwellings have sufficient turning and parking space on site and vehicles are able to access and exit the site in forward gear. Officers would want to see a maximum of up to 3 off road parking spaces with turning and parking on site and this would not be

achievable for two units on this site without harming the street scene and character. Planting on the front boundary would be totally lost to accommodate visibility splays and the majority of the front garden would be hardstanding.

18. It is considered that the development of one unit on this plot fits well with the edge of village ribbon development and sits comfortably between the No 72 and 76, without compromising existing character. The erection of more than one dwelling would conflict with the objectives of Policies DP/2 and DP/3.
19. It is therefore considered that subject to an appropriate design, infrastructure provision and access arrangements, development for just one unit on this plot is acceptable.

Highways and Access

20. Although reserved for future consideration, the indicative details include vehicular access to serve the existing and proposed dwellings. These are considered acceptable to the Local Highway Authority, subject to details, which include minimum widths, the use of dropped kerbs, visibility splays, materials to be used, surface water run off, and the retention of parking and turning on site.

Design

21. As all the matters are reserved, the design of the scheme does not form part of the formal application. The Design and Access Statement does confirm that the dwelling will be two storeys, with a finished floor level, eaves and ridge height similar to the existing property. It states that external materials will comprise a tiled roof, bricks, timber windows and UPVC rainwater goods. The siting of the dwelling on the indicative plan reflects the existing building lines, which is also confirmed in the Design and Access Statement.
22. The indicative plan also includes a rear garden depth of at least 18 metres, which is acceptable under the terms of the District Design Guide. Two parking spaces, with associated turning are to be provided for each of the existing and proposed dwellings. Reference is made to the accessibility, refuse and recycling and drainage. These items are considered to be acceptable in principle and should be incorporated in the detailed design of the development.

Relationship with Neighbouring Occupiers

23. The indicative siting of the proposed dwelling should not lead to the loss of residential amenity of neighbouring occupiers. Therefore, from the indicative information supplied, it is considered that the proposal can comply with Policies DP/2 and DP/3 and advice contained in the Design Guide, should these principles be reflected in the detailed design.

Developer Contributions

24. Policy DP/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 states that planning permission will only be granted for proposals that have made suitable arrangements for the

improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms.

25. Policy SF/10 of the LDF The South Cambridgeshire Recreation Study 2005 identified Gamlingay as having a shortfall of play space. The proposed dwelling will result in an increase of occupants. 13 sqm of informal open space on-site or a contribution towards off-site provision of such space of £4,258.90 is required. This is index-linked and would be secured through the signing of a Section 106 legal agreement. Confirmation that the applicant would be willing to make such a contribution has been received.
26. In accordance with Policy DP/4, a new charge has been introduced in relation to the Community Facilities Assessment 2009 that seeks a financial contribution of £718.78 towards indoor community facilities. This is index-linked and would be secured through the signing of a Section 106 legal agreement. Confirmation that the applicant would be willing to make such a contribution has been received.
27. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide, which outlines the basis for planning conditions and obligations. In accordance with the guide developers are required to provide for household waste receptacles as part of a scheme. The current fee for the provision of appropriate waste containers is £69.50 per dwelling. The costs will be secured via a Section 106 agreement and would be required to be paid upon completion of the agreement. Confirmation that the applicant would be willing to make such a contribution has been received.

Conclusion

28. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

29. Approval subject to the following conditions:
 1. **Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.**
(Reason - The application is in outline only.)
 2. **Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**
(Reason - The application is in outline only.)
 3. **The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
(Reason - The application is in outline only.)

- 4. The hard and soft landscape works as required by Condition 1, shall include indications of the positions, design, materials and type of boundary treatment to be erected, 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, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, 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. 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.)
- 7. 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 prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 8. Prior to the commencement of the development, details of the bin storage to serve the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority.**

(Reason – To ensure that the bin store is within an appropriate carrying distance for operatives)

9. **No development shall begin until details of a scheme for the provision of public open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP4 and Policy SF/10 have 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 that the development contributes towards public open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

10. **No development shall begin until details of a scheme for the provision of community facilities infrastructure, waste receptacles and Section 106 monitoring costs, to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 have 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 that the development contributes towards infrastructure in accordance with the above-mentioned Policy DP/4 of the adopted Local Development Framework 2007.)

11. **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

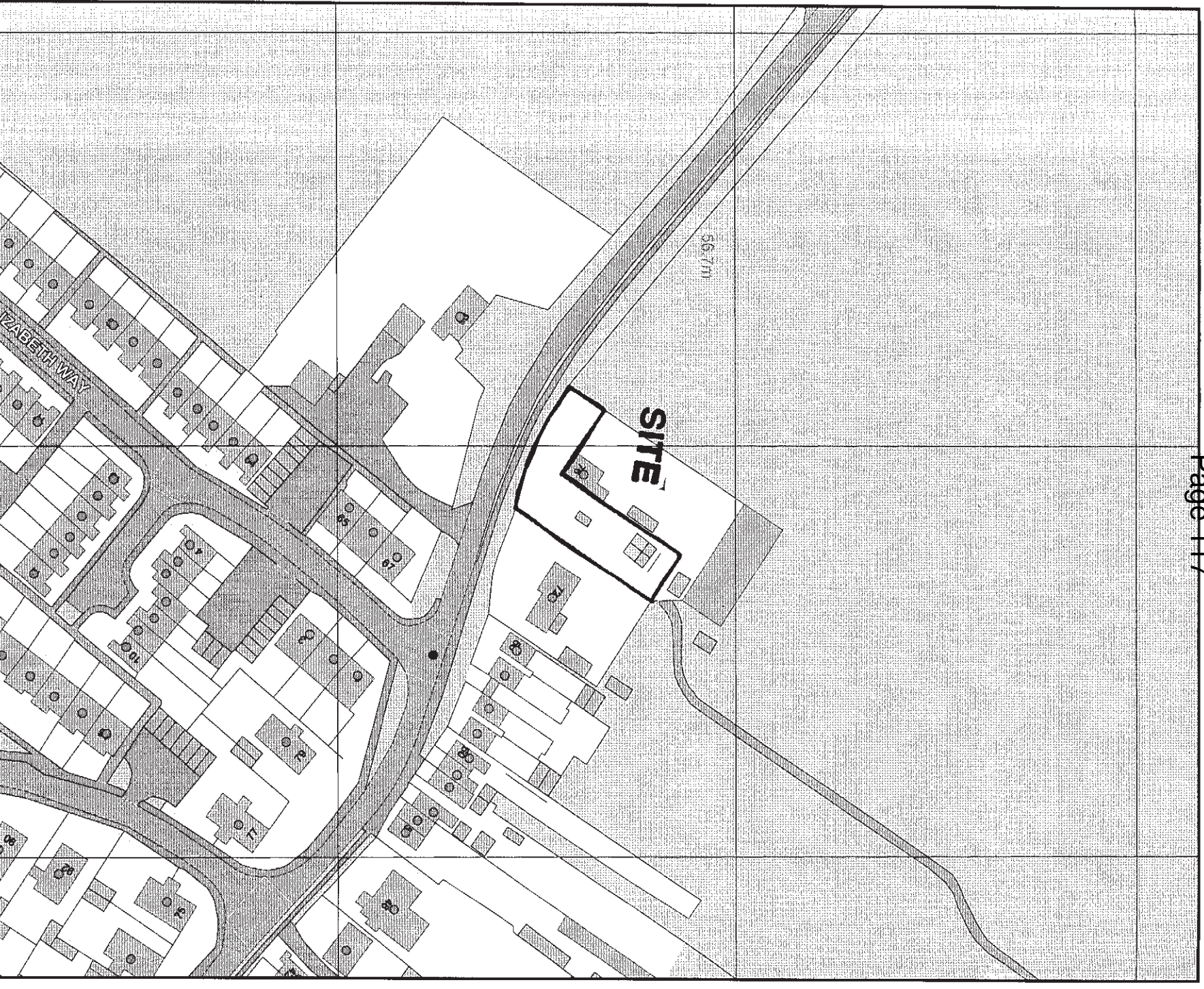
1. During demolition and construction, there shall be no burning of bonfires or burning of waste on site except with the prior permission of the Council's Environmental Health Officer in accordance with best practice and current waste management legislation
2. Should pile driven foundations be proposed, then before works commence of statement of the method construction of these foundations shall be submitted to the Council's Environmental Health Officer so that noise and vibration can be controlled.
3. Condition 9 requires the provision of public open space infrastructure to meet the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £4,258.90 as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.

4. Condition 10 requires the provision of infrastructure to meet the needs of the development in accordance with Policy DP/4 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £718.78 towards community facilities; and £69.50 towards waste receptacles, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.
5. The Highway Authority has advised that the access serving the dwelling should be constructed using dropped kerbs and not radii, include 2.0m x 2.0m pedestrian visibility splays, shall be of a gradient no greater than 1:12 for a minimum distance of 5.0m from the near edge of the carriageway, shall be laid out in accordance with Cambridgeshire County Council construction specification and have no unbound material in the surface finish within 6 metres of the highway boundary.

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

- South Cambridgeshire Local Development Framework Core Strategy DPD
- 2007
- South Cambridgeshire Local Development Framework Development Control
- Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary
- Planning Documents: Development Affecting Conservation Areas; Listed
- Buildings; Open Space in New Developments
- Affordable Housing
- District Design Guide
- Planning Policy Statements 1, 3 and 5
- Planning File References:

Contact Officer: Saffron Garner - Senior Planning Officer
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

**S/1848/10 – GIRTON
Erection of Dwelling - 17 St Margarets Road
for Mr & Mrs Greaney****Recommendation: Approve****Date for Determination: 29th December 2010****Notes:**

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

Member will visit the site on the 12th January 2011.

Site and Proposal

1. The application site comprises an area of rear garden land of approximately 0.023ha that currently serves no.17 St Margaret's Road. Although pertaining to no.17 the application has a loser relationship to the development along Bandon Road, which runs along the western boundary of the site.
2. The site falls within the Girton Development Framework and surrounding development is predominantly residential comprising an early 20th century planned housing estate. House types within the vicinity of the application site on Bandon Road are generally two storey semi detached units finished externally in a mix of red stock facing brick and render with concrete plain tile roofs. Dwellings tend to front the street with open driveway access and private gardens to the rear.
3. The estate is relatively mature and as such some significant trees that have developed over time contribute to the character and appearance of the street scene. There are some trees within the application site, none are afforded statutory protection. More recent development is evident along Bandon Road and St Margaret's Road and generally comprises infill development.
4. The full planning application, submitted on 21st October 2010, proposes the erection of a dwelling.
5. The proposal has been amended to address concerns raised for the design of the structure and its impact upon the street scene.

Planning History

6. **S/0882/06/F** – Extension to Dwelling – Approved.

Planning Policy

7. **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
- DP/4 - Infrastructure and New Developments
- HG/1 - Housing Density
- SF/10 - Outdoor Play space, Informal Open Space, and New Developments
- SF/11 - Open Space Standards
- NE/1 - Energy Efficiency
- NE/6 - Biodiversity
- TR/1 - Planning for more Sustainable Travel
- TR/2 - Car and Cycle Parking Standards

8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

- District Design Guide SPD – Adopted March 2010
- Open space in New Development SPD – Adopted January 2009

Consultations

9. **Girton Parish Council** – Recommends refusal of the application for the following reasons:

- Inaccuracies within the Design and Access Statement
- Level of neighbour hostility
- Impact upon the character and appearance of the area
- Highway safety
- Noise and disturbance

10. **Tree Officer** – No objections.

11. **Landscape Design Officer** – Verbally confirmed no objections.

12. **Local Highways Authority** - Raises no objection to the proposals. Recommend approval subject to standard conditions regarding surface water drainage and the use of hardbound materials.

Representations

13. Letters of representation received from the occupant and daughter of no.19 St Margaret's Road, no.24 and 23 St Margaret's Road and No.2 Bandon Road raising the following concerns:

- Inaccuracies of application form and Design and Access Statement
- Highway safety.
- Impact upon the character and appearance of the area in terms of design siting and loss of trees.

- Impact upon residential amenity arising from noise and disturbance and loss of privacy.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:
- The principle of development
 - The impact of proposals upon the residential amenity of neighbouring dwellings
 - The impact of proposals upon the character and appearance of the area
 - Highway Safety
 - Public open space and community facility provision

Principle of Development

15. The application site is within the Girton Development Framework and the proposal represents a density of approximately 43 dwellings per hectare, thus the proposed development is in accordance with policies DP/7 and HG/1 of the Local development Framework. However, the site currently comprises undeveloped garden land, which has implications for the residential development of the site. PPS 3 has been recently amended by the Government to remove garden land from the definition of previously developed land, and by virtue of this there is no longer a 'presumption in favour of development' of sites such as these.
16. It is necessary to look at the character of the area and surrounding development patterns on a case-by-case basis to establish whether or not the principle of residential development of garden sites is acceptable without causing adverse material harm.
17. In this instance the location of the proposed dwelling specifically its frontage onto Bandon Road and spatial relationship with other dwellings on this residential street is not considered a departure from the pattern of development in the area. Thus it is considered that residential development of the site is acceptable in principle.

Neighbour Impact

18. The proposed dwelling is sited within the rear garden of no.17 St Margaret's Road. To the south west of the application is no.2 Bandon Road and to the southeast is garden land that serves no.19 St Margaret's Road. The potential for undue impact upon residential amenity is therefore greatest upon these two neighbouring sites.
19. No.2 Bandon Road is two-storey semi-detached dwelling and is set approximately 8.5m away from the nearest point of the proposed dwelling. The rear amenity area serving no.2 is spatially divorced from the proposed dwelling and the land adjacent to the southwest boundary of the application site comprises an area of front lawn and off road parking. The proposed dwelling is sited approximately 5.8m away from the common boundary with this aspect of the site at no.2 and as such there is not considered to be a significant overbearing impact upon the occupants of this dwelling arising from the proposals. Similarly the northerly relationship of the proposed

dwelling to the neighbouring site precludes any significant loss of sunlight or daylight in this instance.

20. There is a small porthole window at first floor level in the north (side) elevation of no.2, this serves as a secondary window to a bedroom. The occupants of no.2 Bandon Road have raised concerns for the face-to-face relationship of this existing porthole window with a proposed bedroom window in the southwest elevation of the proposed dwelling. Given the close relationship of the two windows it is considered reasonable to condition this window to be obscure glazed to ensure that there is no significant loss of privacy in this instance.
21. A first floor glazed element is proposed upon the southwestern return of the projecting two-storey element on the front elevation of the dwelling. This faces the front garden of no.2 Bandon Road but is not considered to result in a significant loss of privacy to occupants of this dwelling for this reason.
22. A letter of representation received from the occupiers of no.2 Bandon Road raises concerns for the noise and disturbance arising from use of the vehicular access that is proposed to serve the site. However the vehicular access is existing and therefore there is no material change in circumstance to this affect.
23. The proposed dwelling is sited approximately 5.1m from the common boundary with the rear garden of no.19 that lies to the south east of the application site. The application site has been viewed from the rear garden area of no.19 and the garden is noted as being of significant size (approximately 33m length by 11m width). The proposed dwelling would be visible from the rear garden of no.19, but due to its siting, conservative ridge height (approx 7.7m), hipped roof form and the size of the rear garden serving no.19 is not considered to visually overbear upon the rear garden of no.19. The proposed dwelling is sited to the north west of the end of no.19s rear garden and as such there would be no significant overshadowing impact.
24. A first floor bathroom window is sited within the rear elevation of the proposed dwelling. This would afford a view to the rear garden of no.19 but would not be considered adversely harmful due to the nature of the room. Notwithstanding it is considered reasonable and justified to condition the window to be obscure glazed with a high level opening vent in this instance.
25. It is reasonable and justified in this instance to apply a condition to ensure that no further windows are added to the rear or side elevations of the dwelling without the express consent of planning permission to ensure that no future window insertions unduly impact upon the privacy of neighbouring sites.

Character and Appearance

26. St Margaret's Road and Bandon Road form part of an early to mid 20th century planned residential housing estate. The predominant character of dwellings is two storey semi detached units with hipped roof form, external materials being a mix of brickwork, render and concrete plain tile roofs. Notwithstanding this there are many examples of significant departures from this idiom evident on newer developments on the estate.

27. The proposed dwelling fronts Bandon Road and to this end would be read in conjunction with existing development on this street. Bandon Road is linear in layout and dwellings predominantly have open frontages onto the street.
28. The proposed dwelling follows the general form and proportions of surrounding dwellings and proposes predominantly rendered elevations in accordance with common external treatments. The frontage boundary treatment is proposed to be a low hedge, which is in character with many of the site frontages on Bandon Road.
29. Further to this the proposed design introduces elements of vertical timber cladding to the external elevations of the projecting two-storey range on the front elevation and a corner glazing detail on this part of the structure. These are more contemporary stylings than are present on many of the existing dwellings in the vicinity, however they are considered to provide depth and visual interest to the proposed structure and thus to enhance the character and appearance of the street scene in this instance. Notwithstanding it is considered reasonable and justified to condition details of the external materials to be agreed in writing to ensure that materials of a suitable quality are employed.

Highway Safety

30. The access to the proposed dwelling currently serves a garage unit and is at present gated. To this end the proposal, which makes no material change in this arrangement, would have no significant adverse effect upon the Public Highway should it gain the benefit of planning permission.
31. The Local Highways Authority has request that standard drainage and bound material use conditions be applied to any consent granted and this is found to be reasonable and justified in this instance.

Public Open Space and Community Facility Provision

32. The scheme would be required to contribute to the provision of public open space. There is no scope for on site provision in this instance and as such a financial contribution of £3,104.38, which the applicants have informally agreed to in the submitted Design & Access Statement.
33. Further to this a financial contribution of £523.93 for community facility provision, and for refuse bin provision will also be required in accordance with policy DP/4 of the adopted Local Development Framework, Development Control Policies DPD. The applicants have informally agreed to a contribution of this nature in writing. Both contributions can be agreed by a S106 agreement, which will be secured by conditional requirement that would be triggered prior to occupation of the proposed dwelling.

Recommendation

34. **Approve as amended by drawing numbers 10/29/03 B & 10/29/02 B date stamped 29th November 2010.**

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; 10/29/03 B & 10/29/02 B, date stamped 29th November 2010, & 10/29/04.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
3. **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.)
4. **No development shall begin until details of the scheme for provision of outdoor play space and informal open space infrastructure, community facilities and refuse bin provision to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and SF/11 have been submitted to an 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 that the development contributes towards outdoor play space and informal open space infrastructure in accordance with policies SF/10, SF/11 and DP/4 of the adopted Local Development Framework 2007)
5. **The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.** (Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. **The landscaping scheme as shown on plan ref 10/29/02 B 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. All soft landscape works shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, 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.)

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 side or rear elevations of the dwelling 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. **The first floor windows proposed within the north eastern (side) and rear elevations of the dwelling, hereby permitted, shall be obscure glazed and fixed apart from any top hung vent greater than 1.7m from finished internal floor level unless otherwise agreed in writing with the Local Planning Authority.**

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

9. **The first floor window proposed within the south western (side) elevation of the dwelling, hereby permitted, shall be obscure glazed unless otherwise agreed in writing with the Local Planning Authority.**

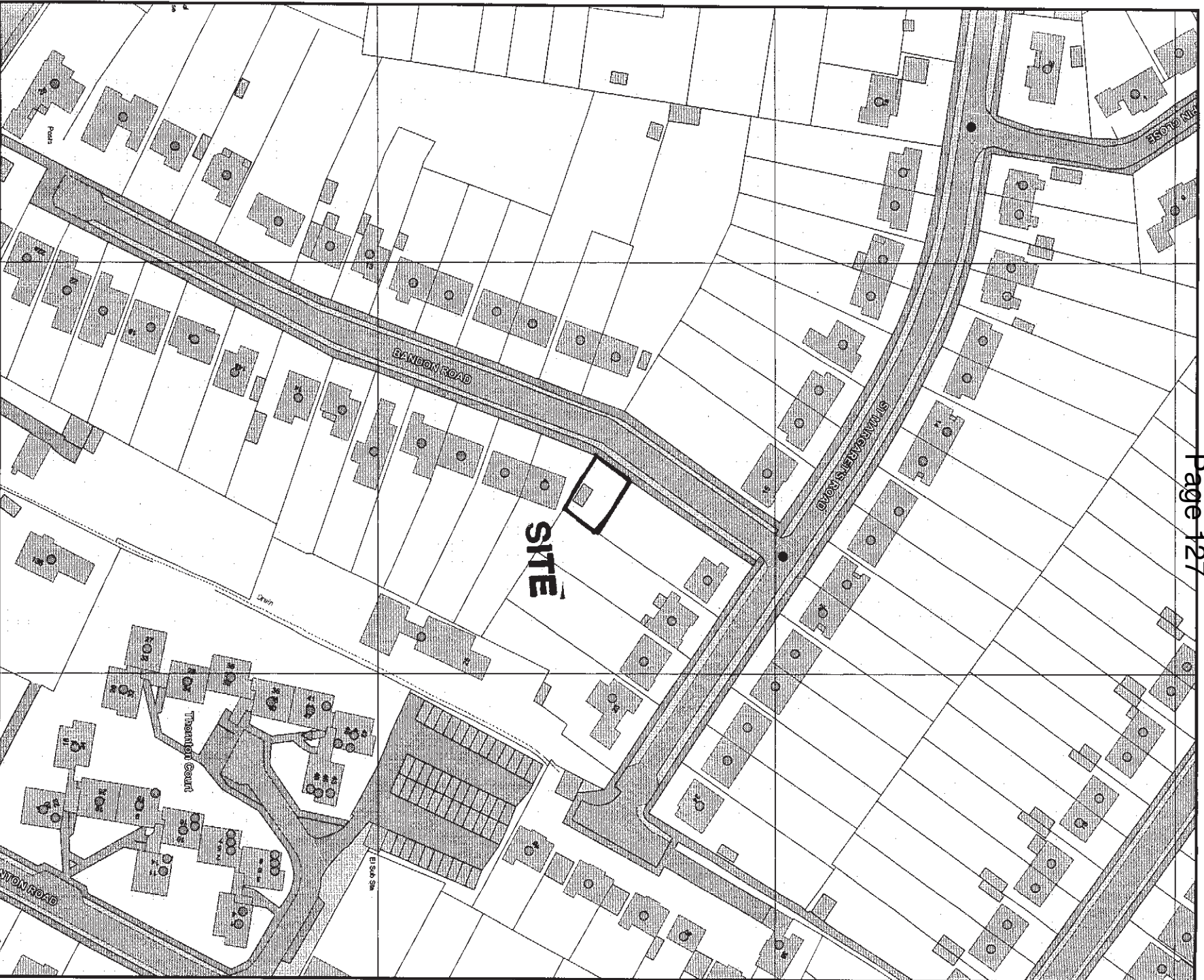
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

S/1624/10 - LONGSTANTON
Installation of 10 Photovoltaic and 4 Thermal Solar Panels to the Roof of the
Dwelling at
St Michael's Mount, St Michaels for
Mr Alex Riley

Recommendation: Approve with conditions

Date for Determination: 14th December 2010

The application has been referred to Planning Committee as the applicant is a District Councillor.

Site and Proposal

1. The application site is a large, detached house situated at the Southern side of Longstanton. It is set well back from the road and the gardens between the house and the road and along the Southern and Eastern boundaries are planted with mature trees, screening the property from public viewpoints. The site is located within the Longstanton Conservation Area.
2. The proposed development is the installation of a total of fourteen solar panels on the roof of the property.

Policies

3. DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
NE/2 – Renewable Energy
CH/5 – Conservation Areas

Consultations

4. Parish Council – has recommended approval
5. Conservation Team – whilst it would not normally support solar panels on the front elevation of a historic building in a Conservation Area, as it cannot be seen from any public view, in this instance it would not significantly affect the character of the Conservation Area.

Representations

6. No representations have been received in respect of this application.

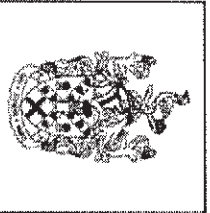
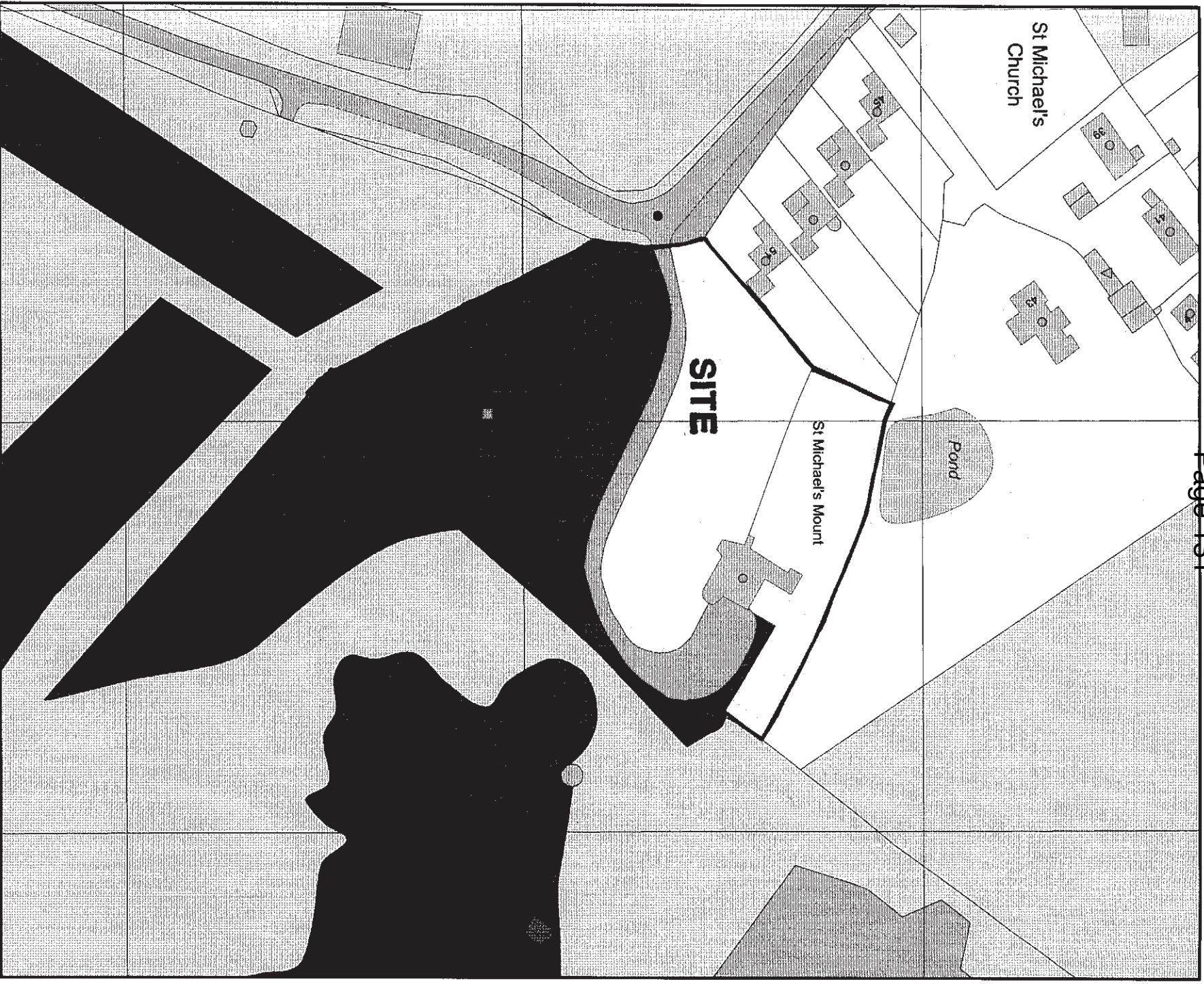
Planning Comments

7. Policy NE/2 supports measures such as solar panels to generate energy from renewable sources. The main planning consideration in this case is the impact on the Conservation Area.
8. Impact on the Conservation Area – The rooflights are located on three roof slopes; ten are on the main front elevation which faces South West, two on an inward facing North West facing roof slope and two on an inward facing South West facing roof slope. Only the ten on the South West elevation would be visible from within the site and, given the screening to the South, West and East boundaries of the site, it is not considered that these would be significantly visible from outside of the site.
9. The panels themselves are less than 100mm thick and would not significantly alter the roof profile of the building, nor would they project above the main ridge.
10. The proposed solar panels are therefore considered to preserve the character and appearance of the Conservation Area.

Recommended 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 plan: SKY-PV-T-102374-5-100 Rev A1.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)**S/1811/10 - LONGSTANTON****Dwellinghouse adjacent to 14 Thatchers Wood (application to extend the time limit for implementation for extant planning permission S/0996/07/F) at 14 Thatchers Wood for Mr Neil Bloomfield****Recommendation: Approve with conditions****Date for Determination: 16th December 2010****The application has been referred to the Planning Committee as the recommendation of approval conflicts with the views of the Parish Council.****Site and Proposal**

1. The application site is an area of garden land adjacent to 14 Thatchers Wood, which is a detached house located adjacent to, but not within, the Longstanton Conservation Area. The garden is at the corner junction of two of the roads on the Thatchers Wood development. To the front of the site there are several trees including one which is protected. The side boundary of the site is more open.
2. The application seeks an extension of the time limit for implementation for the extant planning permission S/0996/07/F for a single dwelling on the site. The original plans were amended as part of the consideration of the 2007 application and those amended plans are the ones which are now being considered under this application.

Relevant Planning History

3. S/0996/07/F – Planning permission granted for a detached dwelling on the site subject to conditions relating to landscaping, boundary treatments, tree root protection measures, pedestrian visibility splays and surface and foul water drainage. The permission was also subject to a three year time limit for implementation which expires on 18th January 2011.

Policies

4. DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/4 – Infrastructure and New Developments
CH/5 – Conservation Areas
NE/1 – Energy Efficiency

NE/6 – Biodiversity
NE/9 – Water and Drainage Infrastructure
SF/10 – Outdoor Play Space, Informal Open Space and New Developments

Consultations

5. Parish Council – has recommended refusal on the same grounds as for the original 2007 permission, namely that the dwelling would harm the well planned layout of the area and problems with drainage being at full capacity.
6. Conservation Team – has not objected to the extension of time application. Its comments on the previous scheme where that while it had objected to the first development on a corner plot elsewhere on the estate, as that application was granted, there was not an objection to this development and it would not harm the adjacent tree belt.
7. Local Highways Authority – commented on the original application requesting a condition to ensure pedestrian visibility splays are provided.

Representations

8. Two representations have been received in respect of this application. The first, from the owner of 26B Thatchers Wood, objects to the dwelling on the grounds of the impact of the dwelling on visual amenity and the loss of the green space. Also objects to the impact of the proposed fence on the amenity of the occupiers of No. 25 and the impact of the development on vehicle and pedestrian safety.
9. The owner of No. 25 Thatchers Wood comments refers to amendments that were made to the original application checking that they still apply. Also notes that the dwelling previously approved is higher than others in the area and that proposed materials are also different.

Planning Comments

10. The main planning considerations in the original application were the impact on the visual amenity of the area, the impact on residential amenity, the impact on trees on site and the issue of drainage of the site.
11. As the plans remain the same as originally approved and given that there is no evidence of any other significant development having taken place since the 2007 application was granted permission, it is considered that the proposed development remains acceptable in terms of the above considerations, subject to the imposition of the same conditions.
12. The additional matter of the impact of the development on informal open space and outdoor play space does not appear to have been considered in the previous application. A single dwelling, such as the one proposed in this application, would now be expected to contribute towards open space and play space, community facilities and waste receptacles, as Longstanton has been identified as having a deficit. The applicant has agreed to enter into an Section 106 Legal Agreement requiring such a contribution and this is considered sufficient to comply with the relevant policies. A condition would be applied to any permission requiring that a Section 106 Agreement is entered into prior to the commencement of development.

Recommendation

13. That the extension of time application be granted subject to the following condition(s):

Conditions

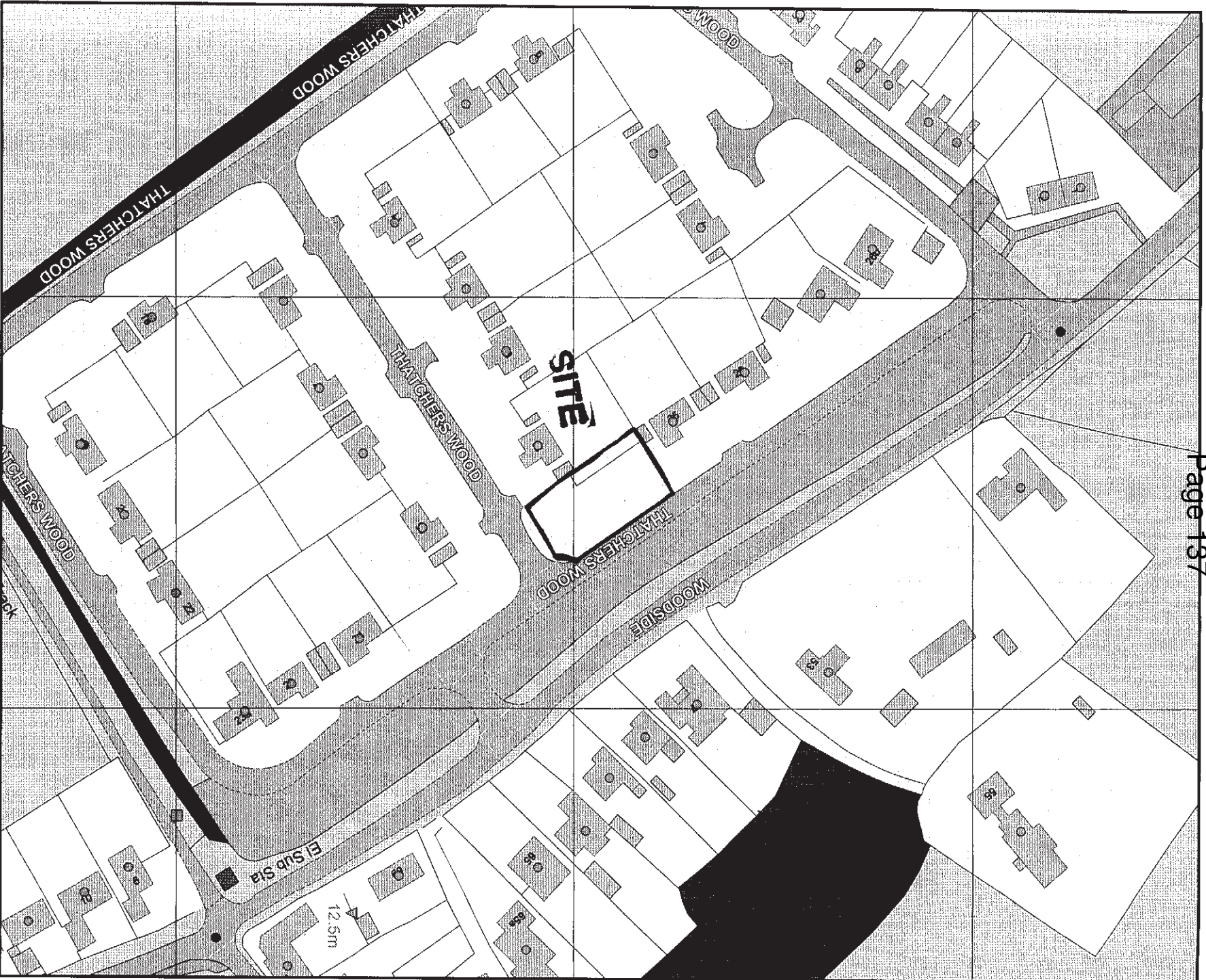
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 620.01 Rev A.
(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 commence until details of the materials to be used for the external walls and roof of the dwelling, hereby approved, have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with policies DP/2 and DP/3 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 policy DP/2 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, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, 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 policy DP/2 of the adopted Local Development Framework 2007.)
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the

positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the dwelling is occupied or the development completed, whichever is the sooner, and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. No development shall commence until details of the construction method and materials for the driveway have been submitted to and approved in writing by the Local Planning Authority. The driveway shall be constructed using a 'No dig' construction method unless otherwise approved in writing by the Local Planning Authority.
(Reason – To minimise the threat to the protected tree by reason of root damage cause by underground excavation or compaction in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0 metres by 2.0 metres measured from and along respectively the highway boundary.
(Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. No development shall commence until details of the method of surface water drainage and foul sewage disposal have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved details.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
10. No development shall begin until details of a scheme for the provision of informal open space and outdoor play space infrastructure, community facilities and household waste receptacles to meet the needs of the development in accordance with Policies DP/4 and SF/10 of the Local Development Framework Development Control Policies 2007 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 that the development contributes towards local infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)**S/1602/10 - THRIFLOW****Extension, widening of existing access and replacement fence at
1 Fowlmere Road for
Miss Zib Gotto****Recommendation: Refusal****Date for Determination: 15th November 2010****Notes:**

This Application has been reported to the Planning Committee for determination with a site visit following a request made by Councillor Topping.

Members will visit this site on 12th January 2011.

Site and Proposal

1. No. 1 Fowlmere Road is a single storey detached dwelling with an attached flat roof garage adjacent to no. 3 and a monopitch style rear extension. The front boundary has existing 1.4m high picket fencing. Properties on this side of Fowlmere Road are predominantly single storey. The adjacent property to the east, Glyndebourne, is a 1.5 storey dwelling which has ground floor kitchen windows and utility doors and windows, and low-level first floor roof lights serving WC's facing the site. The side elevation of no.1 is visible from the patio area and sitting out area at Glyndebourne. No. 4 Lower Street, to the southeast of the rear boundary of application site, is a two- storey detached house with two-storey and single storey rear extensions. The house and the sitting out area beyond the west facing patio doors are set at a lower ground level than the site. A second sitting out area is located on a raised platform and adjacent to the rear boundary fencing. The north elevation has no first floor main habitable room windows, but the ground floor has a landing window, side doors and obscure glazed windows. The site is adjacent to Conservation Area and the nearest listed building is approximately 55m from the application site, no. 11 The Green.
2. The full application validated on 20 September 2010, proposes first floor extension above both the existing rear extension and part of the original bungalow. The resultant dwelling would be 4.7m high to the eaves and 7.9m high to the ridge. The proposal also includes widening the access and replacement fence. Existing car parking spaces provided at the forecourt and existing garage would not be affected. This application is a revised scheme following an approval of a previous application reference S/0086/10/F. The major changes of this scheme are: alterations to windows in the side

elevations; first floor rear facing windows are clear opening windows instead of fixed and obscured; and additional skylights in the rear facing roof.

Planning History

3. **S/0086/10/F** – Planning permission granted for extension, widening of existing access and replacement fence subject to conditions including the first floor windows in side and rear elevations of the extension shall be fixed, fitted and permanently glazed with obscure glass; and permitted development rights removed for further first floor rear facing windows and openings to prevent overlooking of and to safeguard the privacy of adjoining occupiers.

S/0710/83/F – Planning permission granted for single storey side, rear and front extensions. No planning conditions restricting installation of additional windows.

Planning Policy

4. **National Planning Guidance:
Planning Policy Statement 5: Planning for the Historic Environment**
5. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**
 - **DP/1** Sustainable Development;
 - **DP/2** Design of New Development;
 - **DP/3** Development Criteria
 - **NE/1** Energy Efficiency
 - **NE/6** Biodiversity
 - **CH/5** Conservation Areas
6. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**
 - **Development Affecting Conservation Areas 2009**
 - **Trees and Development Sites 2009**
 - **Biodiversity 2009**
 - **Landscape in New Developments 2010**
 - **Design Guide 2010**
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.

Consultations

8. **Thriplow Parish Council** recommends approval and has no objection.
9. **Conservation Manager** recommends approval.
10. **Trees and Landscape Officer** states that previous comments apply: extension to the driveway should be designed and constructed using 'no-dig' foundations to accommodate tree roots.

11. **Landscape Design Officer** has no objections, a landscape plan needs to be submitted.
12. **Local Highway Authority (LHA)** – no comments received. Given that the proposed widened access and on-site car parking arrangement is same as the previous approved scheme S/0084/10/F, it is considered that LHA's comments on planning reference S/0084/10/F apply. The comments were: Requests conditions in relation to the provision of 2.0m x 2.0m pedestrian visibility splays, the use of unbound materials in the surface finish of the driveway, the provision of adequate drainage measures for the driveway, and the construction of the access to County Council specifications. Suggests informatives with regards to dimensions of the parking spaces, development encroaching upon the highway, the requirement for a Section 142 license for the hedge, works within the highway and the re-location of public utility apparatus.

Representations

13. None received.

Planning Comments – Key Issues

14. This application is a revised scheme following the approval of a previous application reference S/0084/10/F. The design of this application is same as the approved scheme and therefore the principle of the proposal is acceptable. The major considerations are the impacts on residential amenity interests with the revisions to windows and openings at and above first floor level. The key issues to consider in the determination of this application are:
 - Street scene;
 - Character and appearance of the adjacent Conservation Area;
 - Wider setting of the nearby listed building;
 - Residential amenity interests of neighbours;
 - Landscape character;
 - Important trees; and
 - Highway safety.

Street scene

15. The principle of the development is considered acceptable. The impact of the first floor extension upon the street scene, the character of the area and the existing dwelling has been carefully considered. Whilst it is noted that the extension would change the simple character of the existing bungalow, its design is considered appropriate and would enhance the dwelling. The scale of the extension with its lowered eaves height of 4.4m and roof height of 7.6m, would be in keeping with the character of properties in the area and be only slightly higher than the neighbouring property, Glyndebourne. The proposed materials that consist of timber cladding, slate roof tiles and timber joinery would be an improvement to those used on the existing dwelling.
16. The scale and design of the fence is considered to be in keeping with the character and appearance of the area.

Conservation Area/Listed Building

17. The proposed extension would be visible from the adjacent Conservation Area. Having considered that properties in the locality have different design and style and that the proposed extension would be an improvement to the existing dwelling, on balance, the proposal is acceptable and would not have significant impact on the character and appearance of the adjacent Conservation Area. The proposal would not harm the wider setting of the nearest listed building, given its distance from the site.

Residential amenity

18. The proposal was viewed by the case officer from the neighbouring properties no. 4 Lower Street and Glyndebourne, Fowlmere Road. It is not considered to result in an unduly overbearing mass that would affect the outlook from the private garden area of Glyndebourne, as the rear building line of the extension would not project beyond the rear building line of that neighbour. There would also not be an adverse impact from the windows in the side elevation of that property, as they serve non-habitable rooms. The first floor bathroom window in the side elevation of the extension is not considered to overlook that property providing it is fixed and obscure glazed.
19. The loss of privacy from the proposed first floor bedroom windows in the rear elevation of the extension to the sitting out areas of no. 4 Lower Street has been considered. Paragraph 6.68 of the District Design Guide 2009 sets out the guideline to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens. It is preferable that a minimum distance of 15m is provided between the proposed windows and the property boundary. The distance between the proposed first floor windows and the boundary fencing with no. 4 Lower is approximately 12m which does not meet the minimum distance. The current proposal with three clear opening windows is considered to be unacceptable and would overlook two separate sitting out areas at no. 4 that would result in an unacceptable loss of privacy and affect the enjoyment of the private garden areas of the occupiers at this neighbouring property.
20. Paragraph 6.69 of the District Design Guide 2009 states that 'Protective boundary treatments, garden walls and planting, can assist in obscuring views, but as these cannot be relied upon to remain in perpetuity they should not be utilised as the primary means of creating privacy.' Therefore, to rely on the presence of existing plants and trees along the rear boundary as screening to reduce overlooking from the proposed windows to no. 4 is unacceptable given that such soft landscaping cannot be guaranteed in a long term, even with any planning consent including relevant landscaping conditions.
21. The applicant's argument on the fallback position has been considered. It is noted from plans that show this alternative that a loft conversion under permitted development could be installed providing a first floor bedroom and a landing area with four clear opening first floor windows facing no.4 which two of these windows would serve the landing area and the other two would serve a bedroom. Officers are aware that it may be the applicant's intention to implement a loft conversion under permitted development if this application is

not successful. It is confirmed that during officer's site visit in October 2010, the loft conversion has not been implemented and therefore no circumstances have been changed since the approval of the last application. The proposal includes three clear opening windows which two of these would serve a bedroom while another window would serve an ensuite guest bedroom. It is considered that the fallback option is unlikely to be implemented and it has limited weight in this case. The function of the windows serving a landing area under permitted development and the function of the habitable room of an ensuite bedroom have been carefully assessed. Also, given that the functions of a landing window and a bedroom window are different, (a landing in planning is not considered as a main habitable room, whereas a bedroom is), it is therefore considered that the proposal with three rear facing clear windows to serve two bedrooms is unacceptable and limited weight should be given in considering the permitted development option with one bedroom and a landing area.

22. The first floor windows and openings in the side elevations, and the new skylights in the rear elevation are acceptable providing any clear opening windows are set 1.7m from the first floor level and other proposed first floor windows in the northeast side elevation are fixed and obscured glazed.

Tree/ Landscape character

23. The proposal would not result in the loss of any important trees subject to safeguarding conditions for the submission of a landscape plan and no dig construction for the driveway as part of any planning consent.

Highway safety

24. The proposal is not considered to be detrimental to highway safety subject to the provision of adequate pedestrian visibility splays as a condition of any consent. The surface materials for the driveway are considered acceptable, as it would not change from that existing. The use of drainage measures is not appropriate given the use of permeable materials.

Other Matters

25. It is acknowledged that the property at no. 4 Lower Street is marked on the site plan as no. 2

Recommendation

26. Refusal
27. Reason for refusal

The proposed first floor extension with three first floor clear opening windows in the rear elevation would overlook the rear garden and sitting out areas of no. 4 Lower Street that would result in a material loss of privacy to the private amenity areas that residents at this neighbouring property currently enjoy. The proposal is therefore contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 which states that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity.

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

Planning Policy Statement 5: Planning for the Historic Environment
South Cambridgeshire Local Development Framework Development Control Policies
DPD 2007

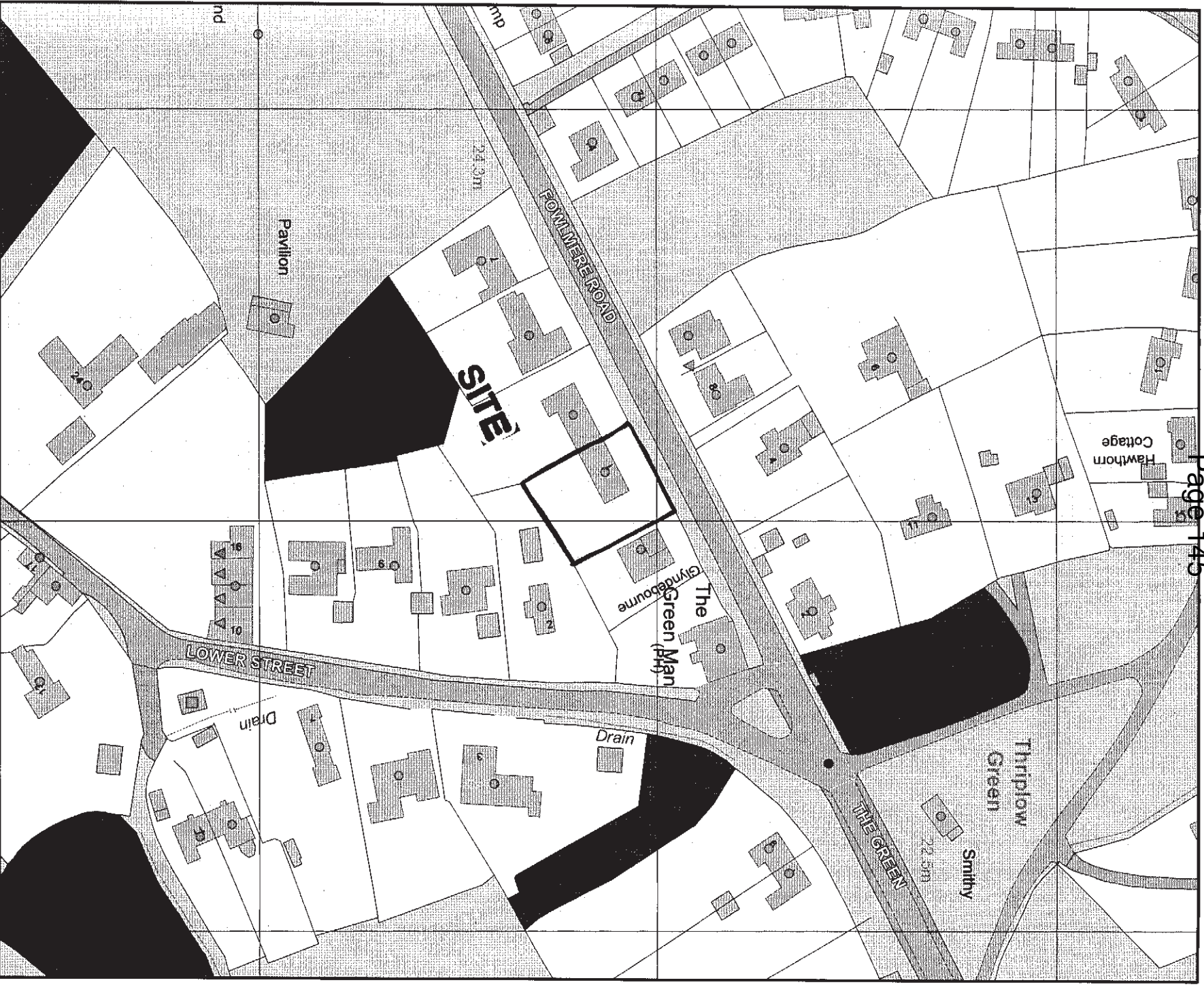
South Cambridgeshire Local Development Framework Development Supplementary
Planning Documents:

- Development Affecting Conservation Areas 2009
- Trees and Development Sites 2009
- Biodiversity 2009
- Landscape in New Developments 2010
- Design Guide 2010

Circular 11/95 – The Use of Conditions in Planning Permissions

Planning application references: S/0086/10/F and S/0710/83/F.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

CAMBOURNE - DRAINAGE**Purpose and 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.

Update as at 20 December 2010

2. Officers have continued to liaise with representatives of the Cambourne Consortium, its Resident Engineer and Anglian Water and the Senior Planning Lawyer attended a review meeting on 15 December where representatives of the Cambourne Consortium, its Resident Engineer, Bovis Homes, Taylor Wimpey and Anglian Water were present.

The main matters reported at that meeting were as follows;

- (a) WSP (Engineers) are producing a Final Report on the drainage survey work undertaken over an eight week period and such report to include an executive summary.
- (b) WSP confirmed contractors have completed the Infrastructure list of remedial works. In effect however these will only be checked following the next heavy rainfall event.
- (c) Bovis Homes confirmed their contractors are progressing with repair works (and subject to any additional items included in the latest inspection reports circulated by WSP on 15 December) Bovis Homes anticipated all repair works would be completed by 24 December 2010. Bovis Homes confirmed their willingness to provide a written certificate to confirm completion of their works. (In effect however the Bovis works will likewise only be checked following the next heavy rainfall event.)
- (d) Taylor Wimpey confirmed their contractors are progressing with repair works and about 90% completed (and subject to any additional items included in the latest inspection reports circulated by WSP on 15 December) Taylor Wimpey anticipated all repair works would be completed by the end of January 2011. Taylor Wimpey also confirmed their willingness to provide written confirmation of completion of their works. (In effect however the Taylor Wimpey works will likewise only be checked following the next heavy rainfall event.)
- (e) Update as to third party developers including site visits organised for later in the week with Persimmon Homes and David Wilson Homes.

- (f) Anglian Water confirmed a weather station has recently been installed at the Terminal Pumping Station and this will feed information directly into AW's telemetry control room. AW are preparing a Method Statement as to monitoring of flows and how flow predictions will be compared with actual flows following a rainfall event to assess the effect of the remedial works. AW has been asked (and have agreed) to attend the February Planning Committee to give a short presentation as to their work in relation to flow monitoring etc. It was thought it was best for the presentation to be in February rather than January on the basis of more flow information being available and on the basis that Taylor Wimpey repair works would not be completed until the end of January 2011.
3. At the meeting on 1st December 2010 it was reported that MCA were aware that there was no prospect of Planning Permission being granted in relation to the application for a further 950 dwellings at Cambourne until the Planning Committee was satisfied with the master programme and until that master programme has been implemented and shown to be satisfactory in addressing the infiltration of surface water into the foul water system. On 6th December a resolution was passed to grant planning permission for the 950 but this was strictly on the basis that a full drainage up-date will be reported back to the Planning Committee for the Committee's approval (i.e. as to satisfactory implementation of the master programme and also an up-date as to Uttons Drove) before the Section 106 Agreement for the 950 is completed and the planning permission is issued. Update reports will continue to be issued (unless the Committee decide otherwise) until the final report as to satisfactory implementation of the master programme.

Background Papers: No background papers were used in the preparation of this update: None

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

Purpose

- To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at Date report written. Summaries of recent decisions of importance are also reported, for information.

- Decisions Notified By The Secretary of State**

Ref. no.	Details	Decision	Decision Date
S/0097/10/F	Mr A de Simone Land at Lea Court Coles Road Milton Single Dwelling	Dismissed	02/11/10
S/0553/10/F	Mr A de Simone Land at Lea Court Coles Road Milton Single Dwelling	Dismissed	02/11/10
S/0608/10/LB	Mr W Elbourn 8 Church Street Whaddon Retention of Conservatory	Dismissed	03/11/10
S/0607/10/F	Mr W Elbourn 8 Church Street Whaddon Retention of Conservatory	Dismissed	03/11/10
S/1383/10/LB	Mrs S Fuller 30 Ledo Road Duxford Single storey timber and double glazed garden room	Dismissed	04/11/10
S/0088/10/LB	Mr & Mrs G Jones 5 Church End Arrington Removal of Gable Wall and construction of single story side extension, construction of 5 bar gates	Dismissed	04/11/10
S/0250/10/F	Mr & Mrs G Jones 5 Church End Arrington Removal of Gable Wall	Dismissed	04/11/10

	and construction of single story side extension, construction of 5 bar gates		
PLAENF.3837	Mr Fleet Cooke Land at Hill Trees Babraham Road Stapleford Without planning permission the C of U of residential accommodation to a mixed use of land for motor vehicle sales and repair.	Dismissed and enforcement notice upheld subject to corrections	04/11/10
S/0674/10/F	Mr & Mrs Wynn 33 Church Street Willingham Two-storey extension and single story extension to rear and associated alterations	Dismissed	08/11/10
S/0668/10/F	Mr & Mrs E Stewart 56 North Road Great Abington Two storey extension & alteration to existing roof	Allowed	16/11/10
S/0765/10/F	Mr P Lewis 8 Kirby Close Over Extension	Dismissed	16/11/10
S/0925/10/F	Mr D Mercer 31 Moorfield Road Duxford Extension	Dismissed	18/11/10
Plaenf.3863(2)	Mr Harding & Mr McGann South of Pampisford Road Great Abington Construction of building used as office	Allowed	23/11/10
S/1178/10/F	Mr J Lindsay 17a High Street Milton Extension	Dismissed	24/11/10
S/1913/09/F	Mr M Flack Adjacent to Alvescote Newmarket Road Stow-cum-Quy Stable to Residential Annex	Dismissed	25/11/10
S/1429/09/F	Mr & Mrs Shelford 64 Barton Road Comberton Dwelling and Garage following demolition of existing house	Dismissed	29/11/10

S/1430/09/CAC	Mr & Mrs Shelford 64 Barton Road Comberton Dwelling and Garage	Dismissed	29/11/10
S/1399/09/F	Mr B Christian The Old Bakery Church Street Litlington House and garage following demolition of building B	Dismissed	29/11/10
S-1400-09-CAC	Mr B Christian The Old Bakery Church Street Litlington Demolition of building C & B	Dismissed	29/11/10
S/1904/09/F	Mr & Mrs Mac Churchman 50 Church Lane Cottenham Replacement dwelling with Outbuildings	Dismissed	29/11/10
S/1061/10/F	Mr P Wharrier 8 Balsham Road Fulbourn Creation of formal garden	Dismissed	30/11/10
S/0570/10/F	Mrs S Shadbolt Adj to 14 Sheralds Croft Lane Thriplow Change of Use from Public open space to private use	Dismissed	30/11/10
S/0114/10/F	Mr Hobbs 16a Norman Way Industrial Estate Over Light industrial use to private members club	Dismissed	01/12/10
PLAENF.4196	Mr M Walker Park Farm Station Road Stow-cum-Quy Remove gates from their location	Dismissed Enforcement Notice Upheld	01/12/10
PLAENF.3851	Mr D Price Plots 1-6 Moor Drove Histon Parking a commercial vehicle	Dismissed Enforcement Notice upheld	06/12/10
S/1711/09/F	Mr D Braggins 90 High Street Meldreth Dwelling and Garage	Dismissed	07/12/10

S/1608/09/F	The Whitfield Group The Old School Fen Drayton Change of Use from Offices to Childrens Day Nursery	Allowed	08/12/10
S/0234/10/F	Mr G Nelson 12 Green Street Willingham Demolition of existings dwelling and the erection of nine dwellings with ancillary works	Dismissed	08/12/10
S/0839/10/F	Mr T Aresti Odsey Grange Baldock Road Guilden Morden Garage (Retrospective Application)	Dismissed	09/12/10
S/1028/10/F	Mr & Mrs K Tabron Meadowside Lodge Olmstead Green Castle Camp Dwelling following demolition of existing bungalow and garage	Dismissed	10/12/10

- **Appeals received**

3.

Ref. no.	Details	Decision	Decision Date
S/0665/10/F	Falck Renewables plc Land to the west of the A1198, Arrington Temporary meteorological Mast	Delegated Refusal	05/11/10
S/0839/10/F	Mr T Aresti Odsey Grange Baldock Road Guilden Morden	Delegated Refusal	08/11/10
S/0609/10/F	Mr & Mrs A Curtis 345 St Neots Road Hardwick Dwelling following demolition of existing dwelling and outbuildings	Delegated Refusal	08/11/10
S/1163/10/F	Mr K Boodhun 21 Teasel Way Fulbourn Two-storey side extension	Delegated Refusal	08/11/10
S/0191/10/F	Mr Wotherspoon Pightle Park Lane Change of use of	Delegated Refusal	29/11/10

	agricultural land to form part of garden		
S/1048/10/F	Cambridge University NHS Magog Court, Hinton Way Great Shelford Extension to Office for D1 Healthcare purposes and additional parking areas	Delegated Refusal	29/11/10

- **Summaries of important decisions**

4. None

- **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 12 January 2010.**

5.

Ref. no.	Name	Address	Hearing
S/0180/10/F	Mr A Houghton	47 London Road Harston	Hearing Confirmed 24/11/10
S/1397/09/O	Banner Homes Ltd	18-28 Highfields Road, Caldecote	Hearing Confirmed 06/01/11
S/1178/09/F	Mr P McCarthy	Plot 12 Victoria View, Smithy Fen, Cottenham	Hearing Confirmed 11/01/11
S/0014/10/F	Camsure Homes	Brickhills Willingham	Hearing Confirmed 13/01/11

- **Appeals withdrawn or postponed:**

6. None

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

7. None

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

-

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

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

CURRENT ENFORCEMENT ACTION CASES

1. Purpose

To update Members about current enforcement action cases as at 20 December 2010.

Ref No	Village	Location	See Page No for full update	Remarks
18/98	Cottenham	Setchell Drove	1 – 4	Plots 7, 7A and Four Winds being monitored.
34/98	Milton	Camside Farm Chesterton Fen Road	4 – 10	Defendants appeared before Cambridge Magistrates Court on 15 th May 2007. Each given a conditional discharge for 18 months with £200 costs. Planning permission S/1653/07/F approved 12 th August 2008. Letter received from defendants Solicitors regarding current circumstances – File submitted to Legal for opinion. Defendant's circumstances remain unchanged. Legal Officer informed.

Ref No	Village	Location	See Page No for full update	Remarks
10/03	Cottenham	Plot 12 Victoria View, Smithy Fen	10 – 13	<p>Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18th 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 3rd March 2010. Report to be submitted to Planning Sub Committee.</p> <p>The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as they remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches. A further report to be submitted to the Sub-Committee upon determination of the Section 78 Appeal presently running in respect of plot 12 Victoria View, with recommendations dependant upon the outcome of that Appeal</p>
19/03	Histon	Land adjacent to Moor Drove Cottenham Road	13 - 16	<p>Application for injunction refused by the High Court, 5th June 2008. Planning Appeal allowed, planning conditions to be monitored. All schemes required as part of the planning conditions have been submitted within timescale. The planning officer has requested further information in order that the schemes relating to conditions can be discharged.</p>

Ref No	Village	Location	See Page No for full update	Remarks
9/04	Swavesey	Land adjacent to Cow Fen Drove	16 - 19	<p>Defendant appeared at Cambridge Magistrates Court on 10th 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 6th 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 4th November 2009 by His Honour Justice Seymour, requiring the Owners to cease residential occupancy by the 2nd December 2009.</p> <p>Site inspection carried out on the 3rd 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 4th 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>

Ref No	Village	Location	See Page No for full update	Remarks
13/05	Cottenham	Plots 5, 5a, 6, 10 & 11 Orchard Drive	19 - 22	<p>Planning Appeal dismissed. Further report to be considered by Planning Sub Committee.</p> <p>No change - Needs Audits to be carried out</p> <p>The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as they remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches.</p>
4/06	Cottenham	Plot 15 Water Lane Smithy Fen	23 - 25	<p>Appeal dismissed on 29th January 2007. File submitted for an application for an injunction. Report to be considered by Planning Sub Committee</p> <p>No change - Needs Audits to be carried out</p>
8/06	Melbourn	1 London Way Clunchpits	26 - 27	<p>Appeal allowed in part and dismissed in part.</p> <p>Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly.</p> <p>No Change – Matter to be referred back to Planning Officer</p> <p>Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue</p>
7/07	Barton	The Drift Cambridge Road	27 - 29	<p>Appeal dismissed on the 1st April 2008. Compliance date 1st October 2008</p> <p>Partial compliance. Discussions continue.</p>

Ref No	Village	Location	See Page No for full update	Remarks
12/07	Whittlesford	The Firs 117 Duxford Road	29 – 30	<p>Enforcement Notice issued for unauthorised wall. Appeal dismissed. Planning application S/0360/08/F approved 25th April 2008. Monitoring planning conditions. Further planning application S/1701/08/F submitted. Refused at Chairman's Delegation 10th 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. 16th June 2010. Partial compliance – Waiting for replacement gates currently on order</p> <p>Gates replaced – Enforcement Notice complied with. Remove from active list</p>
16/07	Willingham	38 Silver Street	30 - 31	<p>Enforcement Notice issued 28th September 2007 for unauthorised work on Listed building. At Cambridge Magistrates Court on 10th January 2008 the owner was fined £10,000 for unauthorised works. A Listed building application S/0192/08/LB, approved 19th 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	Village	Location	See Page No for full update	Remarks
5/08	Milton	27/28 Newfield's Fen Road Chesterton	31 - 32	Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6 th May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24 th November 2009, Conditions to be monitored. Further planning application submitted – Ref: S/0246/10/F. Pending Decision.
6/08	Milton	6 Sunningdale Fen Road Chesterton	33 - 34	Enforcement Notice appealed. Inquiry date 10 th February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18 th August 2009. Planning application received and registered. Application S/1154/09 approved 5 th October 2009 – Conditions to be monitored. Original building not removed as per condition – File to be submitted to Legal
12/08	Histon	Plot 4 Moor Drove	34 - 35	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 th June 2009 Conditions to be monitored

Ref No	Village	Location	See Page No for full update	Remarks
13/08	Melbourn	49 High Street	35 - 36	<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 9th July 2009. Male Defendant ejected from court, case adjourned until 23rd 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 17th December 2009 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. Retrospective planning application submitted.</p>
01/09	Great Abington	82 High Street	36 - 37	<p>Listed Building Enforcement Notice no 3342 issued 6th 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 26th May 2010. Negotiations continue – Owners currently living abroad.</p>

Ref No	Village	Location	See Page No for full update	Remarks
06/09	Over	16a Norman Way Industrial Units	37 - 38	<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 27th January 2010. Planning reference S/0114/10/F.</p> <p>Planning application unsuccessful, formal notice to cease unauthorised use issued.</p> <p>Warrant obtained and executed, evidence obtained regarding the continued breach of the Enforcement Notice, reference no 3457 issued 7th April 2009. Owner and Operator summoned to appear at Cambridge Magistrates Court 16th September 2010.</p> <p>Court date deferred until 7th October 2010</p> <p>Further appeal made against the refusal of planning permission. 1st December 2010 appeal dismissed. 6th December 2010 operator appeared in court and was found guilty of breaching the planning enforcement notice and was fined £12500.00p with additional cost totalling £300.00p and £15.00p Victim Support charge. Upon advice from Counsel a formal warning has been issued to the operator with regard to future breaches of planning control within South Cambridgeshire. Monitoring to continue.</p>

Ref No	Village	Location	See Page No for full update	Remarks
07/09	Sawston	163 High Street	38 - 39	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation Appealed – Hearing date 5th January 2010.</p> <p>Appeal withdrawn.</p> <p>Formal discussions with Conservation Team as to next steps.</p>
12/09	Histon	6 Cottenham Road	39 - 40	<p>Enforcement Notice issued in respect of breaches of control – Compliance period six months i.e. by 30th March 2010. Appealed – Hearing date 9th 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> <p>Enforcement notice complied with – Remove from active list</p>
16/09	Milton	The Barn, Chesterton Fen Road,	40	<p>Enforcement Notice issued in respect of breaches of control – Compliance period four months i.e. by 6th February 2010. Appealed – Inquiry 13th & 14th April 2010 Inquiry date moved to 18th & 19th May 2010.</p> <p>Appeal dismissed – Compliance period 9 months i.e. February 2011.</p>
01/10	Histon	Land at Moor Drove	40 - 41	<p>Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15th April 2010 – Appeal submitted</p> <p>6th December 2010 appeal dismissed, compliance period 6th February 2011</p>

Ref No	Village	Location	See Page No for full update	Remarks
02/10	Stapleford	Hill Trees Babraham Road	41	<p>Enforcement Notice issued - Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15th April 2010 Appeal submitted.</p> <p>Public Enquiry date 12th October 2010</p> <p>Appeal dismissed 4th November 2011 partial costs awarded. Application to appeal against the Inspectors decision has been made</p>
03/10	Milton	2 Grange Park Chesterton Fen Road	41 - 42	<p>Enforcement Notice issued - Compliance period to demolish and remove materials from the land three months i.e. by 15th June 2010. Enforcement Notice Appealed.</p> <p>Appeal allowed – Remove from active list.</p>
05/10	Great Wilbraham	9 Toft Lane	42	<p>Enforcement Notice issued - Compliance period to remove the mobile home six months i.e. by 15th September 2010 and one month for the two sheds and storage container i.e. by 15th April 2010. Part compliance – Steel storage container, and mobile home removed. Rear wooden structure dispute, waiting for further evidence.</p> <p>Referred back to planning officer</p>
13/10	Whaddon	North Road Farm Ermine Way	42 - 43	<p>Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22nd April 2010</p> <p>Appeal submitted 4th March 2010.</p> <p>Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged.</p> <p>Enforcement Notice withdrawn – Planning and Conservation Officers currently in negotiation with Owner</p>

Ref No	Village	Location	See Page No for full update	Remarks
17/10	Croxtton	The Car Wash facility St. Neots Road	43	<p>Enforcement Notice issued – Compliance period to cease using any part of the land for residential use, two months i.e. by 12th June 2010. Enforcement Notice Complied with – Site to be monitored for 3 months.</p> <p>Dawn inspection revealed that residential occupation had recommenced – Prosecution file raised</p> <p>Operator appeared at Court, however due to the recent change in ownership of the premises and that the new operators are no longer using the premises for residential occupation the case was withdrawn – Monitoring continues.</p>
19/10	Stow-Cum-Quy	Park Farmhouse Station Road	43	<p>Listed Building Enforcement Notice issued – Compliance period to remove the unauthorised gates three months i.e. by 8 August 2010.</p> <p>Notice Appealed.</p> <p>Listed Building Enforcement Notice withdrawn and reissued – See case 24/10</p>
21/10	Fowlmere	22 Pipers Close	44	<p>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. 8th November 2010.</p> <p>Enforcement Notice complied with – Remove from active list</p>
23/10	Meldreth	Field Gate Nurseries 32 Station Road	44	<p>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. 12th August 2010</p> <p>Application submitted</p>

Ref No	Village	Location	See Page No for full update	Remarks
24/10	Stow-Cum-Quy	Park Farm Station Road	44 - 45	Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6 th September 2010 Appeal submitted 1 st December 2011 appeal dismissed – Time period to comply extended to 12 months – Revised scheme to be submitted and agreed by SCDC.
25/10	Thriplow	19 Whitehall Gardens	45	Enforcement Notice issued – Compliance period to restore the use of the land to that of a single dwelling and remove all development work which has been undertaken to enable the land to be used as four self-contained flats. Notice withdrawn – Negotiations with Owner continue Further planning application submitted and subsequently approved by Committee – Remove from active list
26/10	Whaddon	8 Church Street	45	Listed Building Enforcement Notice issued. Compliance period 3 months i.e. by 15 th March 2011
28/10	Odsey	Odsey Grange Baldock Road	45	Enforcement Notice issued – Compliance period to remove the unauthorised garage, three calendar months i.e. by 21 st April 2011

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

- Enforcement Action Progress Report as at 20th December 2010 (attached to the electronic version of the agenda on the Council's website)

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