

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



27 March 2012

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, Tumi Hawkins, Caroline Hunt,
Sebastian Kindersley, Mervyn Loynes, David McCraith, Charles Nightingale,
Deborah Roberts and Hazel Smith, and to Councillor Peter Topping
(Sustainability, Planning and Climate Change 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, 4 APRIL 2012 at 10.00 a.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 SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting 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
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To authorise the Chairman to sign the Minutes of the meeting held

on 7 March 2012 as a correct record.

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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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"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 – 4 April 2012 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

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Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

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

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/0290/12/FL – PAPWORTH EVERARD**Part Change of Use to Provide Childcare Facility (retrospective) – 9 Blyton Road, Papworth Everard, Cambs, CB23 3XY for Mrs Gillian Wadkin****Recommendation: Refuse****Date for Determination: 4 April 2012****Notes:**

This Application has been reported to the Planning Committee at the request of the Development Control West Team Leader having regard to potential impacts on the local community

Members will visit the site on Tuesday 3rd April.

Site and Proposal

1. 9 Blyton Road is a modest detached two-storey dwelling of late 20th century character (although there appears to be rooms in the roof). The dwelling forms part of a modest cul-de-sac of 16 dwellings and this in-turn forms part of a large planned 20th century housing estate. Dwellings in the immediate vicinity are predominantly detached of a similar size to no.9, however the design of dwellings varies.
2. 9 Blyton Road is served by a modest rear garden behind which the Papworth Everard Development Framework Boundary runs. The Site is also served by a single garage and substantial driveway with space for four average domestic vehicles to park within. In addition there is a small front garden bounded by a hedge.
3. Blyton Road is an adopted highway and, owing to the fact that it is essentially a cul-de-sac there is a turning head incorporated into the road layout, this turning head is directly opposite the application site.
4. The application seeks a part change of use to the residential property to allow for the care of up to 22 children at any one time between the ages of 0-8yrs and during the hours of 7:30 and 18:00 Monday to Friday. The use is currently being operated from the site and employs the equivalent of 4 full time posts.

Planning History

5. None of relevance.

Planning Policy

6. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**

DP/1 Sustainable Development
DP/3 Development Criteria
DP/7 Development Frameworks
NE/15 Noise Pollution
TR/2 Car and Cycle Parking Standards

Consultations

7. **Papworth Everard Parish Council** – Recommends refusal, commenting:

"The additional traffic congestion and noise created by the additional vehicular movements and by groups of children at play around the facility throughout the year will cause disturbance and inconvenience to residents in Blyton Road and adjoining roads. The change of use proposed is inappropriate for a residential cul de sac. This is supported by current planning policy and guidance – at South Cambridgeshire LDF: Development Control Policies Policy N/E 15 Noise Pollution."

8. **Environmental Health Officer** - No objections to the principle of development with regard to statutory noise and disturbance. Advises that if officers are minded to recommend approval then it may be prudent to control the development via standard conditional requirements pertaining to limited working hours and days and the times in which children using the facility could be permitted to play outside.

9. **Local Highways Authority** – "The Highway Authority believes that the proposed childcare business will not be significantly detrimental to highway safety but may lead to nuisance parking and potential effect upon residential amenity".

Representations

10. 2 Letters from Cambridgeshire County Council Children and Young People's Services Team advising that currently in Papworth childcare provision is not in balance with demand [implied deficit], that the service has an Ofsted 'good' rating and supporting the proposals.

11. 1 Letter from the National Childminding Association (NCMA) supporting the proposals.

12. 38 letters of representation received. 9 of which raise concerns for the development and 29 (3 of which come from address points outside of the District) of which support the development.

The concerns received can be summarised thusly:

- Harm to residential amenity through noise and disturbance from the care of children on the site (both internal and external)
- Harm to residential amenity through nuisance parking and traffic generation

- Harm to residential amenity from car lights
- Harm to residential amenity through loss of privacy
- Harm to highway safety
- Absence of a transport statement, noise assessment and parking plan
- No consultation carried out by applicant
- Precedent creation
- Private covenant restricting use

The reasons for support can be summarised thusly:

- The essential service provision
- The unique domestic setting is beneficial for certain types of children who don't respond well to more formal childcare facilities
- Employment provision

Planning Comments – Preamble and Key Issues

13. There is some planning case law that decrees that when considering childcare provision on domestic premises that a material change in use occurs with the provision of care for 6 children. Conversely there is case law that rules that the care for 6 six children does not constitute a material change in use. Clearly it is a matter one of fact and degree and each case should be considered on its own merits. Notwithstanding this, in this instance the use is considered of such intensity that the development constitutes a material change of use.
14. The key issues to consider in the determination of this applications is:
 - The impact upon residential amenity (noise and disturbance from children and nuisance parking and congestion).

Residential Amenity

15. It is clear from representations received that the service is valued by some members of the community, unsurprisingly such representation has been received exclusively from those that have child care needs. At the same time concerns have been raised by other members of the community predominantly from occupants of neighbouring dwellings on Blyton Road in relation to amenity and safety impact.
16. Although the application submission is not explicit in this regard a site visit confirmed that the whole of the ground floor of the property is devoted to child care on an average day, and it is reasonable to assume that aspects of the first floor are used for the younger children to sleep during the day. At the same time Officers note that toys such as slides etc are within the rear garden of the premises but are of such insubstantial nature that they are not considered to constitute operational development.

Noise and disturbance from children

17. Representations received raise concerns for noise and disturbance from the child care activities inside the premises. The Environmental Health Team has been consulted on the application and do not consider the use to represent a statutory nuisance in this regard, however the planning consideration of

amenity is a more sensitive test. Officers have visited the site during use and stood in both the front and rear gardens and do not report significant aural disturbance associated with *internal* activities associated with the use.

18. Representations received also raise concerns for noise and disturbance from child care activities in the rear garden.
19. The application submission states that outdoor play is limited to the summer months and only between the hours of 10-11:30am and between 1:30-2:45pm. One of the representations received states that there are requirements/guidance, superfluous to the planning system, that state that children in care should be allowed to have free flow to outside areas whenever they choose, this is not corroborated but it seems pragmatic. Notwithstanding this, the hours of outside play stated by the applicant are within social hours and it would be reasonable and justified for the Local Planning Authority to impose such a condition to this extent.
20. Further to this, it's prudent to note that the age range of children that permission is sought to provide care for is between 0-8 yrs old. Older children may have a greater proclivity to make noise than the younger children given their need to 'let off steam', such is life. In this regard it would be reasonable and justified for the Local Planning Authority to impose a condition to control the maximum age of children that could be cared for.
21. In the same vein it would be reasonable and justified for the LPA to impose a condition that would remove rights for outside play to be carried out on the front garden.
22. Having regard to this it is not considered that there would be a significant adverse harm to residential amenity arising from noise and disturbance from children at play either inside or in the rear garden of the sufficient to sustain refusal of the application.

Nuisance parking and vehicular movements

23. Representations raise concerns for the impact of vehicles dropping children off at the premises. These concerns refer to nuisance parking outside of the application site area and the noise and general disturbance from frequent vehicular movements to and from the site.
24. The application seeks permission to care for a maximum of 22 children at any one time. However the application submission states that, at the time of writing, 50 children are registered with the applicant for care provision. Thus despite seeking a maximum of 22 children at any one time, due to the fact that children do not predominantly remain on the premises for a whole working day, there is the potential for more than 22 children to pass through the site on the average day.
25. Indeed the empirical data supplied with the submission, which catalogues the number of children attending the premises and their mode of transport to and from over the span of a single week, reveals that an average of 29 children pass through the site on any given day (the spread does not vary significantly with a low of 28 and high of 30). This data cannot be relied upon in perpetuity but it does offer a useful glimpse of the current intensity of the use.

26. In addition this data shows, in terms of gross movements, a practical 50/50 split between the mode of transport (i.e. car or by foot) that individual families currently use to take children to and from the site. The data shows that more children are taken to site by car than on foot but this appears to be because of the propensity for larger families to use a car, whereas single child families appear more likely to walk.
27. The sum of this is that in terms of current intensity the use entails a high number of vehicular movements to and from the site. Furthermore, if granted approval, it is possible that the number of children visiting the site on an average day could increase and the maximum of 22 still be met (i.e. more children for shorter time periods). The LPA could not, it is considered, practically enforce a condition to limit the number of children registered with the applicants business or to limit the number of vehicular movement to or from the site.
28. This intensity of vehicular movements is considered to have a material impact upon the area. As discussed, the site forms part of a small cul-de-sac with a narrow highway and is immediately adjacent to the turning area in the road. Intensive vehicular comings and goings associated with the use would be considered to have an impact upon residential traffic using the cul-de-sac and thus cause a significant nuisance as well as a significant disturbance to the occupiers of immediate residential properties.
29. The applicant has advised that the maximum number of children in care at any one time on the site could be reduced to 16 and that they would be amenable to a requirement to increase the off-road parking serving the site by one or two spaces. This has been taken into consideration but it is still considered that, having regard to the above, the potential for significant harm to residential amenity resulting from vehicular movements could still occur despite such measures.

Further considerations

30. Representations have been received raising concern for harm to highway safety, loss of privacy and the absence of a transport statement, noise assessment and parking plan. Such considerations are material but there is not considered to be material harm caused by the development in respect of these considerations.
31. Representations have been received raising concern for lack of consultation on the behalf of the applicant, a private covenant restricting the use on the site and precedent creation. These are not considered to constitute material considerations in this instance.

Conclusion

32. 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 not be granted in this instance.

Recommendation

33. Refuse

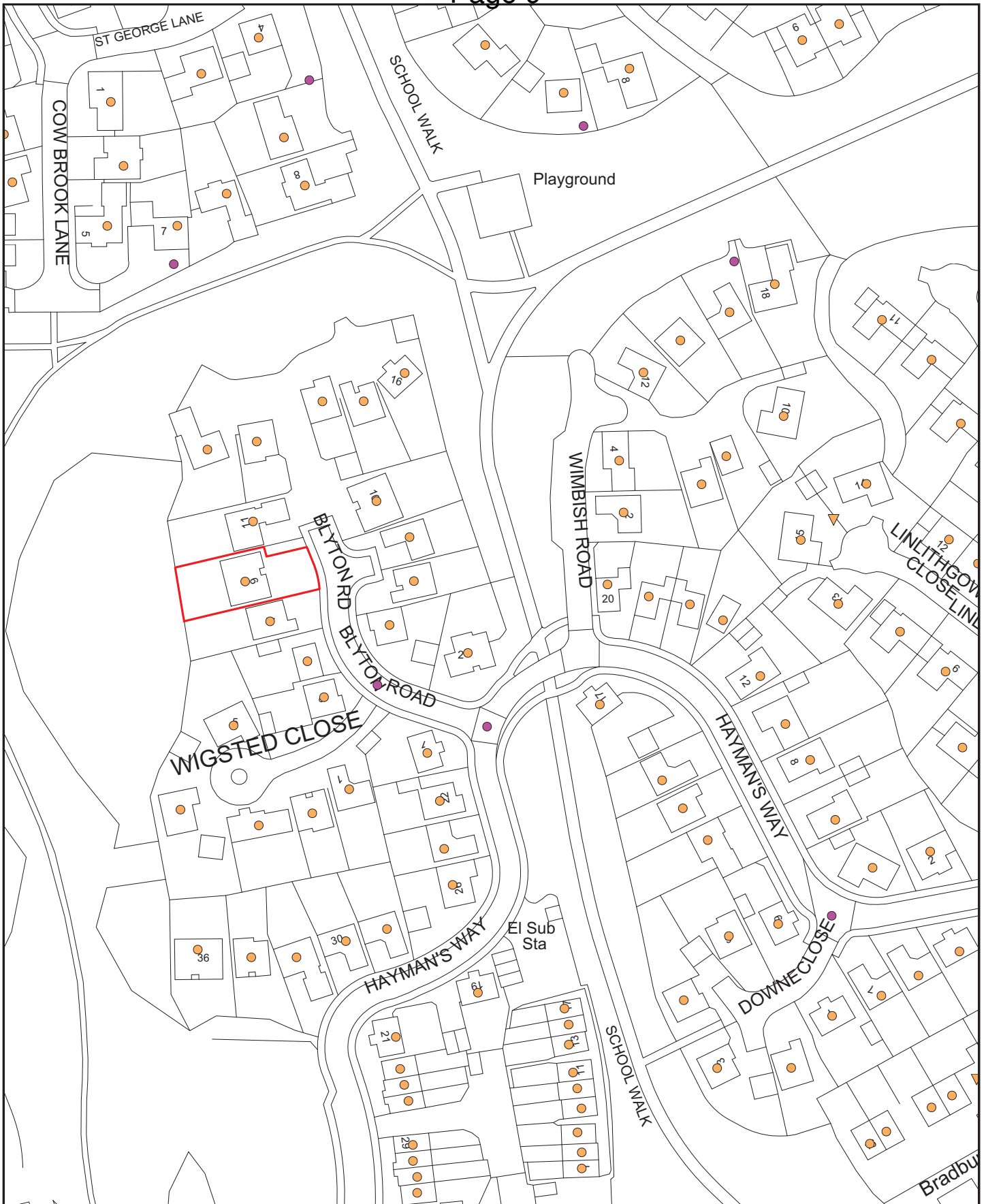
Reason for Refusal

Permission is sought for the part change of use to the premises to allow childcare provision for a maximum of 22 children. The property in question is a detached residential dwellinghouse comprising part of a narrow cul-de-sac of sixteen similar residential properties and is sited opposite the turning head that serves the cul-de-sac. Despite being well served by off-road parking the potential impact from vehicular movements associated with a use of this intensity is considered to result in a significant nuisance and disturbance to the residential amenity of occupiers of surrounding dwellings. To this end the development is considered to be contrary to the stipulations of policy DP/3 (criterion j & k) of the South Cambridgeshire Local Development Framework Development control Policies DPD 2007 which seek to ensure that planning permission will not be granted for developments that would have an unacceptable adverse impact on residential amenity from traffic generated.

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



South
Cambridgeshire
District Council

Planning Dept - South Cambridgeshire DC



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/2317/11 - COTTENHAM**Erection of 47 dwellings, garages, public open space, landscaping, vehicular access and associated infrastructure, Land at the junction of Beach Road and Long Drove for Barrett Eastern Counties and Cedric John Abbs****Recommendation: Refusal****Date for Determination: 16 February 2012**

This application has been reported to the Planning Committee for determination because it is major development that raises issues of broad relevance to planning policy.

Members will visit this site on Tuesday 3 April 2012

Major Development**Departure Application****Site and Proposal**

1. The site is located on land adjoining the south eastern periphery of the village, with frontages onto Beach Road and Long Drove. The site has an area of 1.63ha, and is in agricultural use as pastureland. The site is flat. The boundaries of the site are marked with mature hedgerow and trees, and the site is fully screened from views along Beach Road.
2. The site is adjacent to residential dwellings in Beach Road, Coolidge Close, Coolidge Gardens, and Calvin Close along its north western boundary. For the most part these are semi-detached two storey properties, with a smaller number of bungalows. Calvin Close is an estate of 12 affordable houses granted planning permission as an exception site. To the south east and south west the site is bounded by roads; Long Drove and Beach Road respectively, beyond which the land is in agricultural use. The boundary with Beach Road includes a pedestrian footway which terminates at the junction with Long Drove. A detached farmhouse is located to the south west opposite the proposed entrance to the site, No.60 Beach Road. To the north east the site adjoins a horticultural nursery and dwelling, known as Arkley Nursery.
3. The full planning application, dated 16 November 2012, and amended by documents and drawings received 1 February and 8 March 2012, proposes the erection of 47 dwellings laid out as a cul-de-sac served by a vehicular access to be provided centrally within the Beach Road frontage.
4. The proposal is for two-storey development incorporating a central area of open space and a smaller subsidiary area of open space. The design has paid regard to principles

for the historic development of the village as indicated in the Cottenham Village Design Statement, incorporating near uniform depths to most plots, and with larger dwellings framing the entrance to the site, following the examples of the farmhouses and villas in the village. The layout includes gaps between dwellings to allow views of the mature hedgerows and trees on the borders of the site. The design of dwellings includes a variety of gables and widths of plot, and a mixture of detached, semi-detached and terraced dwellings, to provide variety to the built form. The north-western end of the site is designed as a mews, including two flats over garages and a parking court behind dwellings.

5. External materials have been reduced in range during the application period to more closely reflect principles in the Cottenham Village Design Statement. The main dwellings are to be completed in buff brick with slate roofs. Garages are in some cases to be clad in timber.
6. The scheme is to provide 61 parking and car port spaces, and 22 garage spaces, a total of 83 spaces, equivalent to 1.7 spaces per dwelling.
7. The density of the scheme is 29 dwellings per hectare. The layout shows an informal play space area of 1420 square metres with an additional 419 square metres of landscaped open space provided to the east of the site.
8. The proposal includes 19 affordable dwellings, representing 40% of the scheme housing. All affordable dwellings will be designed to lifetime homes standard. Of the market housing 21% will have two bedrooms, 50% will have three bedrooms and 29% will have four bedrooms. Overall, the housing mix will be 36% with two bedrooms, 40% with three bedrooms and 23% with four bedrooms.
9. The proposal includes landscaping of the site. This seeks to ensure that the existing hedgerow along Long Drove forms a permanent southern boundary to the village. The site lies within the Fen Edge landscape character area, and is typical of this character area. Existing hedgerow within the site adjacent to Calvin Close and along the eastern boundary of the site is to be retained. The majority of the mature hedgerow along the western boundary is to be removed. A replacement yew hedge up to 1.2m in height is proposed to either side of the access to be formed. The design includes significant tree planting in the open space areas, together with small fruit trees to a number of rear gardens.
10. The agent has conducted a traffic survey on Beach Road adjacent to the site. The submitted Transport Statement Report concludes that the development would have very low impact (less than 6%) on peak time traffic flows. However the agent has commenced discussions with the Local Highway Authority to fund moving of the 30mph zone further south east (out of the village) and to erect stationary gate features near the approach to Cottenham. Additionally, the applicant is willing to fund improvements to pedestrian crossing over Beach Road at the junction with Brenda Gautrey Way, and at the High Street mini-roundabout. These works would require a Traffic Regulation Order procedure outside the planning application, and would involve consultation.
11. The applicant has expressed willingness to enter into agreement with the Council for the payment of reasonable and proportionate sums in respect of education, rights of way, public art, open space (including an off-site equipped play area), community facilities, waste receptacles, waste recycling, and monitoring of obligations. These sums would total approximately £394,000 (comprising SCDC and Parish Council £187,000, and County Council £207,000). Highway works would be additional, estimated by the applicant to be in the order of £70,000. The applicant has estimated that the

development would generate a payment under the New Homes Bonus of approximately £450,000, which would fall 80% to the District Council and 20% to the County Council, an allocation then being made to the Parish Council.

12. The application is supported by a Planning Statement, Overview Statement, Design and Access Statement, Statement of Community Involvement, Flood Risk Assessment, Tree Survey and Report, Ecology Survey and Report, Landscape Appraisal, Archaeology Report, Sustainability Statement, Health Impact Assessment and an Outline Public Art Delivery Plan.

Planning History

13. S/1346/79/O	RESIDENTIAL DEVELOPMENT 2.562 ACRES	Refused	07-09-1979
S/1954/79/O	ERECTION OF 4 HOUSES	Refused	19-12-1979
S/0389/81/O	RESIDENTIAL DEVELOPMENT	Refused	24-04-1981
S/1799/81/O	ONE DWELLING	Appeal Dismissed	11-08-1982

'To build an isolated dwelling on the appeal site, no matter how good the external appearance and landscaping, in my opinion would form a visual intrusion in the predominantly open area to the south-east of Cottenham and would detract from its rural appearance and character.' (extract from Inspector's letter dated 11-08-1982)

S/1473/82/F	ERECTION OF 6 CHICKEN HOUSES	Refused	15-11-1982
S/0364/83/F	AGRICULTURAL STORAGE BUILDING	Refused	25-04-1983
Adjacent land	(Calvin Close)		
S/0052/97/F	12 DWELLINGS (Granta Housing Society)	Approved	04-03-1997

Planning Policy

Planning Policy Statements:

13. **PPS 1** - Delivering Sustainable Development
PPS 3 - 'Housing' (2006) (paragraphs 68 to 72)
'Determining planning applications'

68. *Local Planning Authorities should take into consideration the policies set out in Regional Spatial Strategies and Development Plan Documents, as the Development Plan, as well as other material considerations. When making planning decisions for housing developments after 1st April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing Development Plans.*

69. *In general, in deciding planning applications, Local Planning Authorities should have regard to:*

- *Achieving high quality housing.*
- *Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.*
- *The suitability of a site for housing, including its environmental sustainability.*
- *Using land effectively and efficiently.*
- *Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.*

70. Where Local Planning Authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, Local Planning Authorities will need to consider whether granting permission would undermine achievement of their policy objectives.

71. Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.

72. Local Planning Authorities should not refuse applications solely on the grounds of prematurity.'

PPS 7 - Sustainable Development in Rural Areas

Draft National Planning Policy Framework (July 2011) This sets out a presumption in favour of sustainable development. The draft guidance encourages Councils to prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified requirement for housing over the plan period (15 years).

The finalised **National Planning Policy Framework** will be issued by the Minister prior to the consideration of this item at Planning Committee.

South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007)

14. **ST/e** (Strategic Vision and Objectives) - seeks to ensure that the scale and location of development in each village is in keeping with its size, character and function and that the buildings and open spaces which create their character are maintained and wherever possible enhanced.

ST/j (Strategic Vision and Objectives) To ensure that the district's built and natural heritage is protected and that new development protects and enhances cherished townscape assets of local design, cultural, and conservation importance, and character of the landscape.

ST/k (Strategic Vision and Objectives) To locate development where it will ensure maximum use of previously developed land and minimise loss of countryside and the best and most versatile agricultural land.

ST/1 (Green Belt) A Green Belt will be maintained around Cambridge which will define the extent of the urban area.

ST/2 (Housing Provision) Between 1999 and 2016 the District Council will make provision for 20,000 new homes. The supporting text states that 10,050 dwellings are likely to come from Rural Centres and other villages.

ST/3 (Re-Using Previously Developed Land and Buildings) – Between 1999 and 2016 at least 37% of new dwellings will either be located on previously developed land or utilise existing buildings.

ST/5 (Minor Rural Centres)

Residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the village frameworks of Minor Rural Centres, as defined on the Proposals Map.

Where development of a larger scale (9 to 30 dwellings) would place a material burden on the existing village services and facilities the District Council will use its powers under Section 106 of the Town and Country Planning Act 1990 to secure financial contributions at an appropriate level towards their development or improvement.

South Cambridgeshire Development Control Policies Development Plan Document
(2007)

- 15. **DP/1** (Sustainable Development)
- DP/2** (Design of New Development)
- DP/3** (Development Criteria)
- DP/4** (Infrastructure and New Developments)
- DP/6** (Construction Methods)
- DP/7** (Development Frameworks)
- GB/3** (Mitigating the Impact of Development Adjoining the Green Belt)
- HG/1** (Housing Density)
- HG/2** (Housing Mix)
- HG/3** (Affordable Housing)
- SF/6** (Public Art and New Development)
- SF/10** (Outdoor Playspace, Informal Open Space, and New Developments)
- SF/11** (Open Space Standards)
- NE/1** (Energy Efficiency)
- NE/3** (Renewable Energy Technologies in New Development)
- NE/4** (Landscape Character Areas)
- NE/6** (Biodiversity)
- NE/8** (Groundwater)
- NE/9** (Water and Drainage Infrastructure)
- NE/11** (Flood Risk)
- NE/12** (Water Conservation)
- NE/17** (Protecting High Quality Agricultural Land)
- TR/1** (Planning for More Sustainable Travel)
- TR/2** (Car and Cycle Parking Standards)
- TR/3** (Mitigating Travel Impact)

Supplementary Planning Documents

Cottenham Village Design Statement (2007)
Open Space in New Developments SPD (2009)
Public Art SPD (2009)
Trees & Development Sites SPD (2009)
Biodiversity SPD (2009)
District Design Guide SPD (2010)
Affordable Housing SPD (2010)
Landscape in New Developments SPD (2010)
Health Impact Assessment SPD (2011)

Strategic Housing Land Availability Assessment

16. The site has been included in the Call For Sites – List of Registered Sites, which has been compiled as part of the process towards formulating the Council's Strategic Housing Land Availability Assessment ('SHLAA'). Public consultation on potential site allocations will form part of the Issues & Options consultation, which is anticipated to take place in summer 2012. The SHLAA report will be published at the same time, as one of a number of supporting studies. Only following that consultation will the Council decide the sites it intends to allocate for housing development. The South Cambridgeshire Development Plan will go through a further stage of public consultation and examination by an independent Planning Inspector before it is finalised and adopted.
17. The Northstowe and New Communities Portfolio Holder agreed, at his meeting of 24 November 2011, that the appropriate method of calculating 5-year housing land supply pending the completion of the Local Development Framework review is against the draft East of England Plan up to 2031 (the review of the East of England Plan 2008 to 2031) housing target (Option 1), without making up any residual shortfall against the Core Strategy target for the period to 2016, and that this be a material consideration for planning decisions pending the completion of the Local Plan review.
18. **Circular 05/2005 – Planning Obligations:** States that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

Consultations

19. **Cottenham Parish Council.** The comments of the Parish Council on the amendments received 8 March are awaited. In response to the application as originally submitted and as first submitted the Parish recommended refusal.
20. **Council's Landscape Design Officer** – Generally satisfied with the proposals following negotiations with the developer. Comments on the details received 8 March are awaited.
21. **Council's Trees and Landscape Officer** – No objection, subject to a robust landscaping scheme being put in place. The TLO notes that the site has an established boundary hedge, but accepts that if development is granted sections of the hedge will be lost. Proposals for the future management of the hedge are acceptable.
22. **Council's Ecology Officer** – The Ecology Officer, while not objecting in principle, would like to see full protection given to the hedge along Long Drove as it is a locally important feature. It is noted that the site has been thoroughly cleared of vegetation other than boundary features. A condition should be used to secure a scheme of nest box provision.
23. **Council's Joint Urban Design Team** - The design of the scheme has been altered to take account of many of the concerns of the JUDT, but its comments on the amendments received 8 March are awaited.
24. **Council's Affordable Homes Manager** – The proposed site sits outside the development envelope and should therefore be considered as an exception site for the provision of affordable housing only. The Affordable Housing Supplementary Planning Document states that rural exception sites should be of a small scale, and typically range from 6-20 dwellings. With 47 dwellings proposed, this scheme is too large for a

rural exception site. If the site was to be brought forward as rural exception site, and subject to planning permission being granted here, the AHO has confirmed that there is sufficient demand to meet a larger rural site of up to 20 units, as there are currently 143 households on the housing register with a local connection to Cottenham.

25. Should this application be determined not as an exception site, then the Council will seek to secure 40% or more affordable housing on developments of two or more dwellings. This application, following amendment, proposes 19 of the 47 dwellings to be affordable. This would meet the 40% planning policy requirement as contained within HG/3 of the Core Strategy Development Plan Document.
26. Following amendment, the proposed dwelling sizes and tenures remain in line with district requirements. The clustering of the affordable units into two smaller groups is more acceptable than all the affordable housing being situated in one area, as was originally proposed.
27. The units should meet the Homes and Communities Agency, Design and Quality Standards. There would be no requirement for this site to be made available for people with a local connection to Cottenham. The dwellings would be open to all applicants who are registered on the Councils Home Link system. South Cambridgeshire District Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.
28. **Council's Arts and Culture Development Officer** – The ACDO has been in discussion with the consultant company which has prepared the submitted Outline Public Art Delivery Plan to ensure that construction timetable for any permanent artwork would be integrated into the phasing of the development.
29. **Council's Section 106 Officer** – The applicant has agreed in principle to financial contributions in respect of offsite and onsite public open space and maintenance, indoor community facilities, public art, section 106 monitoring, household waste receptacles. These financial contributions are compliant with the Community Infrastructure Levy (CIL) regulations to make the net impact of the development on these facilities, which have identifiable needs, acceptable in planning terms.
30. **Corporate Manager (Health and Environmental Services)** – No objection in principle. Recommended conditions to address issues of noise disturbance to future residents from the adjacent commercial use and to limit noise disturbance during the construction period.
31. **Council's Scientific Officer (Contaminated Land)** – No further investigation of the site for contaminated land is necessary.
32. **Cottenham Village Design Group** – The CVDG has met with the developer and has confirmed that a great number of initial concerns with the proposals have been addressed. These concerns related to the mix of external materials, roof pitches, bay windows, appropriate local detailing, and the location of affordable housing. The CVDG expressed concern about the amendments received 1 February 2012. There is a concern in principle about the development of a green field site, which represents a loss of green space and wildlife habitat, although it recognises that the site is 'obvious' for infill development and the inclusion of affordable housing is a considerable advantage for the village. The CVDG recommends the incorporation of low walls or railings to front gardens facing the street, as a local tradition, and shallower roof pitches, which would help to reduce the visual impact of the development on views into the village. The CVDG would prefer more use of native species and orchard style planting in the landscaping

scheme. The comments of the CVDG on the amendments submitted 8 March 2012 are awaited.

33. **Cambridgeshire Constabulary Crime Prevention Design Team** – Noted that the site is in an area of low crime risk. The layout is acceptable from a crime reduction and community safety perspective.
34. **County Council Archaeology Unit** – No objection.
35. **County Council Growth and Economy Team** – The CC Growth and Economy Team has put forward a request for financial contributions for educational provision for pre-school and primary school facilities, and for improvements to the local rights of way network, and household waste disposal and recycling. The Growth and Economy Team has requested a longer period of ten years to hold any financial contribution towards primary education to take into account strategic factors of provision. The Team has commented:
36. 'Although the County Council is not submitting a formal objection to the development proposals, officers feel it is important to highlight significant reservations about the timing of the planning application. These include:
 - a) The existing pressure for primary school places within Cottenham;
 - b) The need to conclude discussions and deliver additional primary school places in the village;
 - c) The fact that the application site is outside the existing planning policy framework and has been submitted ahead of the refresh of the SCDC Local Plan. This creates uncertainty over the overall number of new homes to be planned for in Cottenham; and
 - d) The contribution from the application site developers would likely be required, in the short-term, to pay for primary school provision at schools outside Cottenham. This could leave the County Council short of funding with which to secure additional school provision in Cottenham in the longer-term.'
37. **Local Highway Authority** – No objection in principle, subject to conditions to be attached to any consent issued. The Highway Authority would seek to adopt those areas that serve a highway function. The design of highway features has been amended by the applicant following discussions with the Highway Authority. The comments of the Highway Authority on the amended drawings received 8 March 2012 are awaited.
38. **Environment Agency** – No objection in principle. Conditions to any approval to be issued are recommended.
39. **Anglia Water** – No objection. There is capacity at Cambridge sewage treatment works to accept foul drainage from the development.
40. **Campaign to Protect Rural England (Cambridgeshire and Peterborough)** – Objection. The application is premature pending the review of housing allocation through the SHLAA procedure. This scale of site should be reviewed as part of the Local Plan, where alternatives could be fully tested, or through a neighbourhood plan under the Localism Act. As the site is not within the Green Belt, countryside policies which disallow this type of development should apply.
41. **Executive Headteacher of Cottenham Academy** – Very pleased to hear about the proposals for safer routes to schools, for community art and for pre- and primary education in Cottenham, as part of the proposals.

Representations

42. Letters of objection have been received from nos 49 and 60 Beach Road, 2 Brenda Gautrey Way, 2 Coolidge Close, Arkley Nursery Ltd, Long Drove, and one letter with no address stated. The grounds for objection are:
- a) Too many houses for the site: 25 to 30 would be appropriate
 - b) The development does not comply with ST/5 as it exceeds the maximum development size of 30 dwellings
 - c) The development is not well served by public transport and so does not meet policy ST/6
 - d) The primary school is too far away to walk to.
 - e) Affordable houses should be laid out closer to the entrance, to be nearer village facilities.
 - f) Concern about surface water if the ditches are not properly maintained.
 - g) Potential noise disturbance from the adjacent nursery
 - h) Good security fencing is needed to prevent access to the nursery.
 - i) Existing hedges should be properly maintained to retain their density
 - j) Access from the site will be unsafe due the close proximity of Long Drove, and three accesses to land opposite, despite moving the speed limit position.
 - k) Long Drove would be used as an access route to the north (Wilburton etc). The access onto Long Drove is already dangerous.
 - l) The corner of Beach Road/ Demark Road is already dangerous at peak hours
 - m) Beach Road is congested during rush hours.
 - n) On Beach Road there should be speed humps and a giveway to oncoming traffic, as well as relocating the 30mph signage.
 - o) There should be an emergency exit for traffic from the site.
 - p) Loss of countryside and harm to the amenity of users of Long Drove for recreation. This would be an eyesore on this very attractive and natural area.
 - q) The primary school already has temporary accommodation. Health Service and sewers in Cottenham are near breaking point.

Agent's comments

43. In addition to responding to detailed issues of layout and design, the agent has provided comment on the principle of development. In the submitted Planning Statement, at Section 3, the agent has set out a case for exceeding the indicative maximum scheme size of 30 dwellings contained in Policy ST/5. The site would be inefficiently developed at this density and would not relate well to the pattern of this part of Cottenham. Significant sums of money will be made available towards school improvements, community facilities and recreation, play and sports provision.
44. There has been a limited supply of housing within South Cambridgeshire within recent years and over the next five years the supply is limited compared to the housing needs of the District. The Council's Annual Monitoring Report (AMR) identifies a significant shortfall against the Five Year Supply requirement, and when the delivery prospects of the large strategic sites in the AMR are considered there remains a significant shortfall in housing delivery.
45. The government has stated in PPS3, at paragraph 71, that where a local planning authority cannot demonstrate a Five Year Supply then those authorities are to look favourably on applications for residential development, in accordance with criteria set out at paragraph 69 of the PPS. The current proposal is worthy of planning permission in this approach, even if it does not comply fully with local policies such as ST/5. The

development satisfies the criteria in paragraph 69 because it offers good quality housing, with a good housing mix to cater for a wide selection of the community, particularly family housing. The site relates extremely well to the settlement form and does not suffer from any environmental constraints. The density is considered to be an efficient and effective use of land in this location. As a Minor Rural Centre, residential development at Cottenham is supported by the Core Strategy, and forms part of the Council's spatial vision for South Cambridgeshire.

46. This consideration outweighs the position of the site outside (but directly abutting) the village framework, and is a significant material consideration that weighs heavily in favour of the application, in the agent's opinion. The agent has stated:

"The point raised of paragraph 69 and the criteria regarding being 'in accordance with the spatial vision', I strongly believe that the application is in line with the spatial vision. It is important to note that the criteria are not to be in line with 'the proposals map'. I, properly, take the spatial vision to be at a more strategic level than the details of the proposals map. The development is therefore located at a Minor Rural Centre, which is recognised for its services, facilities and connectivity. The application attracts no objections in reference to the impact on local services. The site is very well related to the settlement form and edge of the village. Residential development within the settlement boundary of Cottenham would have policy support, in principle. The proposal is in accordance with the spatial vision of providing new development, of appropriate scale, at sustainable settlements, which is the case for the proposal.

"In addition the application has support from the Village College and the Parish Council (I attended the Parish Council meeting of 15th March and I can inform you that the Members voted in favour of the application for the benefits that it will bring to the village). We have addressed, we believe, the comments of the Cottenham Village Design Group. We have met with the headmaster of the village Primary School and no objection is raised to the proposal. I trust these are material considerations that further weigh in favour of the proposal."

47. The agent has provided legal opinion which draws further attention to the need to bring forward housing where possible in the context of a housing land shortage and that delivery against the housing targets in the Core Strategy 'has fallen short by a very significant margin' to 2016, which 'should be met in the short term and can only be met by deliverable sites being released in the short term'. In the interests of offering deliverable development the agent has indicated that a condition requiring development to commence within 18 months, rather than three years, would be acceptable. A copy of the supplied legal opinion is attached at [Appendix 1](#).
48. The agent states that the proposal will not harm the openness or rural character of the Green Belt to the south west by retaining trees and hedges (wherever possible) to the southern and western boundary along with additional tree and hedge planting. The houses are set back from the site frontages, so that planting, rather than the houses, is the prominent feature when viewing the site from the Green Belt.

Planning Comments

Five-Year Housing Supply

49. The agent has put forward a case for the consideration of this application site as an exception to the presumption against development of this scale and kind outside the village framework which is contained in the Local Development Framework, notably at Policies ST/5 and HG/7. This basis of this case has been elaborated in the submitted

legal opinion at Appendix 1. The main ground of the case is that the Council cannot demonstrate a supply of housing land to match its Core Strategy target up to 2016, and that as a result the Council should heed the guidance in PPS3 and should apply the criteria given at paragraph 69, which may supersede the policies in the existing Development Plan. The agent has provided a case that, when such criteria are applied, the submitted proposal satisfies them fully and so should be granted planning permission. A shorter than normal period for commencement of development would be accepted in order to provide more certainty about the need for further housing allocations in the District.

50. At his meeting of 24 November 2011, the Northstowe and New Communities Portfolio Holder considered the issue of housing land supply in South Cambridgeshire. He noted that, while there remains a commitment to the strategy in adopted development plans, it is recognised that, with factors such as a fragile economic growth and changing demographic pressures, there is a need to keep the strategy under review. This work is in hand, with an Issues and Options Report for the new draft Local Plan consultation planned for the summer 2012. The new plan is anticipated to be adopted by mid-2015 and the democratic plan-making process provides the appropriate means of reviewing the development strategy, appropriate housing target and the sites to provide that housing.
51. In the interim period, the Council has a currently assessed available, suitable and achievable housing supply of 2.9 years for the period 2012-2017, measured against Core Strategy targets. Accordingly, the tests of PPS3 apply, together with those in the development plan. The SHLAA procedure has brought forward a total of 14 sites in and around Cottenham which have been registered for assessment, including the current site, and it remains to be determined whether the current site is favourable when compared to others in terms with conformity with the Development Plan.

PPS3 and Spatial Vision

52. One key concern is that the site does not meet with the Council's spatial vision for South Cambridgeshire in that Policy ST/5 defines Cottenham as a Minor Rural Centre and limits residential development and redevelopment to an indicative maximum scheme size of 30 dwellings. At paragraph 2.19 it is recognised that at Minor Rural Centres there is scope in principle for larger scale windfall development as this would allow larger villages with a reasonable level of services to provide services and facilities for surrounding smaller villages, to achieve more development. However, the overall scale of development should be restricted in recognition of their more limited services. "A maximum scheme size of 30 dwellings is used as a guideline figure to indicate the upper limit of housing development likely to be suitable". As such the proposal is at odds with the Council's spatial strategy.
53. Planning Policy Statement 3, at paragraph 70 states: Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.
54. At PPS3 paragraph 69 it states: "In general, in deciding planning applications, Local Planning Authorities should have regard to:
 - Achieving high quality housing.

- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
 - The suitability of a site for housing, including its environmental sustainability.
 - Using land effectively and efficiently.
 - Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.
55. The proposal fails key considerations of paragraph 69 of PPS3 in particular the need to ensure that development is in line with housing objectives and the spatial vision for the area.
56. The site has been recognised by an Inspector at appeal as forming an important rural setting for this part of the village, and this is reflected in the location of the framework boundary. The majority of the frontage hedgerow, which screens the site, would be lost. The development on the site would be opened to view through the proposed access and three two-storey dwellings would be located on this frontage. The site lies adjacent to the Green Belt and forms part of its setting in a conspicuous location at the approach to the village. The proposal does not conform to policies which seek to protect the countryside and setting of the Green Belt, notably DP/2, DP/3, DP/7, GB/3 and NE/4.
57. It is acknowledged that the development will bring forward infrastructure improvements to meet its impact on the village. The concerns of Cambridgeshire County Council in relation to primary school provision, however, has not been expressed as an objection and could be addressed in the appropriate terms of the necessary accompanying legal agreement.

Other issues

58. The remaining issues raised by consultees and third parties have been assessed carefully but are not considered to amount to reasonable grounds for refusal of planning permission. The applicant has provided evidence that the site is within walking distance of the main facilities and services in the village and is conveniently close to bus routes, and so is in a sustainable location. The concerns about highway impact on the road network have not been supported by the Local Highway Authority in regard of the relevant evidence supplied by the applicant. Other issues raised could be addressed by appropriate conditions to be attached to any planning permission granted.
59. The mix of market housing does not achieve the proportion of smaller units envisaged in Policy HG/2, but in the case of larger sites the policy does not set fixed requirements for housing mix. The agent has emphasised that the site is aimed at a family sector, and that the housing mix has more medium-sized dwellings and fewer larger dwellings to meet current market demands. Officers consider that the circumstances of this fringe-of-settlement site are such as to warrant acceptance of the submitted mix.
60. The density of dwellings is below the requirements of HG/1, however the scheme demonstrates that even with a lower density that attempts to take account of the fringe-of-settlement location, the impact on the countryside setting of the village is very significant.

Recommendation

61. Refusal for the following reason:

1. The development proposal, by virtue of its scale is incompatible with the spatial vision for the area in that it exceeds the indicative maximum of 30 dwellings in a village of good but limited services. It's siting in the countryside and adjacent to the Cambridge Green Belt outside the Cottenham village development framework boundary, would result in the encroachment of the built environment into the countryside and setting of Cambridge Green Belt, resulting in an adverse detrimental impact upon the visual quality of the countryside and Green Belt. The proposal is therefore contrary to Policy ST/5 of the South Cambridgeshire Core Strategy 2007 and Policies DP/2, DP/3, DP/7, GB/3 and NE/4 of the South Cambridgeshire Local Development Framework 2007, which are intended to define the spatial strategy for development and safeguard the countryside and Green Belt setting from development which does not need to be located in the countryside.

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

Circular 05/2005

Government Policy referred to in Paragraph 14

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007

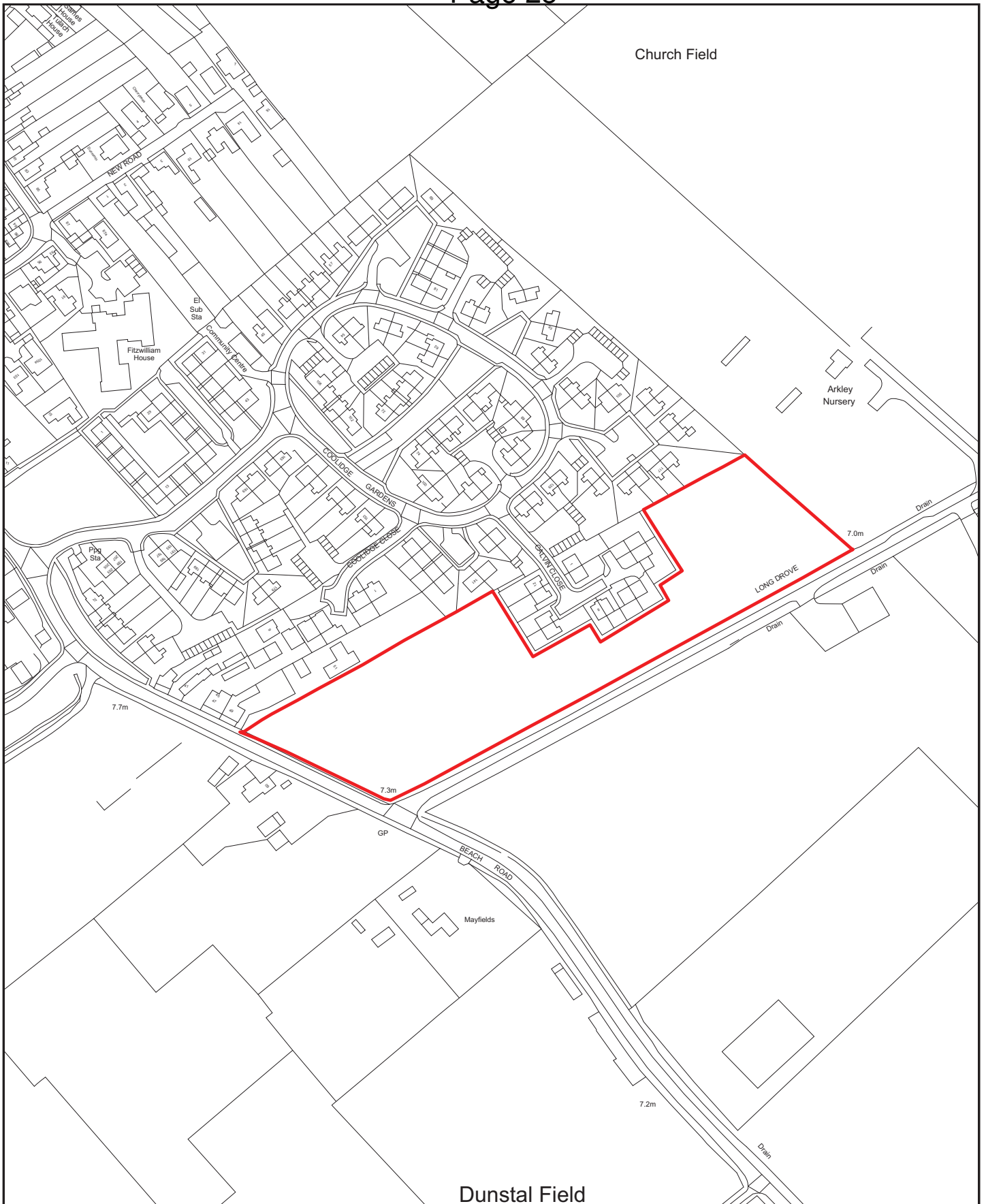
South Cambridgeshire Development Control Policies Development Plan Document 2007
SPD

Planning File ref S/2317/11

Contact Officer: Ray McMurray – Principal Planning Officer

Telephone: (01954) 713259

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/0216/12/FL & S/0232/12/LB**SAWSTON****First Floor Office Extension at 82 High Street for Philip Boswell Ltd.
(Trading as Bright Publishing)****Recommendation: Approval****Date for Determination: 11 April 2012****Notes:**

This application has been reported to the Planning Committee for determination as the officer recommendation conflicts with the recommendation of Sawston Parish Council

Members will visit the site on 3 April 2012

Site and Proposal

1. The site is located within the Sawston village framework. No. 82 High Street is a grade II listed, three storey, commercial building that is set on the back edge of the footpath within the conservation area. The main element of the building has a decorative red brick Dutch gable fronting the High Street. The industrial part of the building to the rear is a two storey, traditional style, pitched roof, gault brick and slate building that extends along the northern boundary of the site. A two-storey flat roof extension continues the building westwards and a single storey flat roof element is situated on the southern side. The premises are used by at least four businesses including a bakery at ground floor level and a publishing office at ground and first floor levels within the rear building and an accountants and taxi firm in the front part of the building. Access is via Portobello Road that runs to the south of the building. It is a narrow single track road. A car park lies on the southern side of Portobello Road that comprises 22 parking spaces.
2. The adjoining property to the south east is a grade II listed building that dates from 1700. It was formerly used as a dwelling but is now used as a shop and dwelling and has a commercial building attached. An office building lies to the north of the site. A service area for the bakery is situated to the west. A hard surfaced area lies to the east. A car park serving the bakery and a listed restaurant building are located to the south
3. This full planning application, received 15 February 2012, as amended, proposes the erection of a first floor office extension over part of the existing single storey element to the south. It would comprise accommodation that measures 74 square metres in area. It would have a double-pitched gable roof design and the same eaves height as the existing building but a lower ridge height. The materials of construction would be bricks for the walls and natural slate for the roof.

Planning History

4. Planning permission and listed building consent were granted for conversion of the offices to a dwelling under references **S/387/08/F** and **S/0298/08/LB**.
5. Planning and listed building applications were withdrawn for the change of use of the offices to two dwellings under references **S/2349/07/F** and **S/2373/07/LB**.
6. Planning permission was refused for the change of use of the offices to five dwellings under references **S/0887/07/F** and **S/1205/07/LB** on the grounds of a loss of employment and the lack of affordable housing provision.
7. Planning permission was refused for an office extension under reference **S/1969/01/F** on the grounds of an increase in the use of a substandard access (Portobello Lane). Listed building consent was granted for the extension under reference **S/1968/01/LB**.
8. Planning and listed building applications were withdrawn for the change of use of the offices to two dwellings under references **S/1795/97/F** and **S/1820/97/LB**.

Planning Policy

9. ***Local Development Plan Policies***

South Cambridgeshire LDF Core Strategy DPD, 2007:

ST/4 Rural Centres

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

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

ET/5 Development for the Expansion of Firms

CH/3 Listed Buildings

CH/4 Development Within the Setting of a Listed Building

CH/5 Conservation Areas

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Development Affecting Conservation Areas SPD - Adopted January 2009

Listed Buildings SPD - Adopted July 2009

District Design Guide SPD - Adopted March 2010

10. ***National Planning Guidance***

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 5 (Planning for the Historic Environment)

11. ***Circulars***

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

12. **Sawston Parish Council** – Recommends refusal on the grounds of the increased use of Portobello Lane of which there are already concerns due to its narrow access and blind corner. The traffic and parking would increase.
13. **Local Highways Authority** – Comments are awaited.
14. **Conservation Officer** – Comments that the proposed extension is to a simple utilitarian building to the rear of a listed building, visible in the setting of the listed building, and views through the conservation area. Its form and design are considered acceptable. Recommends approval (as amended) subject to conditions in relation to materials of construction and details of new windows and doors.
15. **Environmental Health Officer** – Concerned that problems could arise from noise during construction and suggests a condition in relation to the hours of use of power operated machinery. Also requests an informative with regards to the burning of waste on site.
16. **Contaminated Land Officer** – Does not request a condition in relation to contaminated land investigation.

Representations

17. The occupiers of 82B High Street (PW Accountants & South Cambs Taxis) object to the application on the grounds of a loss of light to the courtyard to their premises, poor access to their parking spaces, an increase in traffic using Portobello Lane, a lack of parking, design of the building and its impact upon the working environment, lack of space for contractors parking, and that current staff do not cycle to work.
18. The occupier of No. 84 High Street (Redfort Gardens Restaurant) objects to the application on the grounds of an increase in traffic using Portobello Lane, noise, dust and inconvenience of building work, lack of space for contractors parking, damage to the premises due to narrow access, use of the patio for turning,

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are the principle of the development, and the impacts of the development upon the character and appearance of the listed building, setting of listed buildings, character and appearance of the conservation area, highway safety, and neighbour amenity.

Principle of Development

20. The site is located within the village framework of a 'Rural Centre' where the principle of the expansion of existing employment sites is supported providing it is an existing business that has been based in the Cambridge Area for five years or it provides an essential service for Cambridge and subject to all other material planning considerations. Bright Publishing has been located at the site for four years. Whilst this would not comply with the policy that seeks firms to have been located in the area for at least five years, it is supported by the Council's Economic Development panel as it would result in the retention of an employment site at the premises where planning permission has been granted in the past for change of use to a residential unit due to the lack of any interest for employment uses.

Listed Buildings and Conservation Area

21. The proposed extension, as amended, is considered to have an appropriate scale, form, design, details and materials. The extension would be subservient in height to the existing building, have a traditional form and utilitarian design that reflects that of the existing building, and materials to match the existing building. It would not therefore harm the character and appearance of the listed building itself or damage the setting of adjacent listed buildings, and would preserve the character and appearance of the conservation area.

Highway Safety and Parking

22. The proposed increase in floor space (74 square metres) is not considered to result in a material increase in traffic generation to and from the site that would be detrimental to highway safety through a rise in the use of a substandard narrow access via Portobello Lane with poor pedestrian visibility on to the High Street. The TRICS trip generation database advises that the increase in floor space would result in 18 additional two-way movements per day. However, this is not considered relevant given that the number of staff at the business premises would not increase and could be controlled by condition and the road already serves a number of commercial properties that generate a considerable number of vehicle movements.
23. The Council's maximum vehicle parking standards require 1 space per 25 square metres of floor space for the office use. Therefore, the total floor space of 534 square metres requires a maximum of 22 spaces. The car park to the south of the access has 22 spaces that would therefore comply with the standards. The level of parking is therefore considered acceptable and is not considered to result in on-street parking that would be detrimental to highway safety. It should also be noted that the site is located in central position within the village with good accessibility by walking and cycling. The provision of six formal cycle parking spaces and space for informal parking cycle would encourage staff to travel to work by non-private modes of travel.

Neighbour Amenity

23. The proposed extension is not considered to result in an unduly overbearing mass or significant loss of light that would adversely affect the adjacent business premises at No. 82B High Street. The courtyard is used as a parking area and not an amenity area. The windows to the taxi business are located in the rear elevation at a distance of 17 metres away from the extension where the 25 degree angle of light rule would not be obstructed. The windows to the accountants business would be a distance of 12 metres away from the extension and face north towards the existing building where the 45 angle of view rule would not be obstructed. The relationship between these properties is therefore considered acceptable in amenity terms.

Other Matters

24. Contractors vehicles could park clear of the public highway and turn within the existing car park to the south of Portobello Lane should the applications be granted consent. The patio to the rear of No. 84 High Street is private land and distinguished from the public highway by different materials. It is therefore unlikely that vehicles would use this area for turning, as they would not need to.
25. The application does not specifically designate the use of the hardsurfaced area adjacent the building for disabled parking. However, it would be used for cycle parking. Details of the building would be a condition of any consent to ensure that it would not obstruct vehicles associated with the adjacent commercial properties from entering or exiting the site.

26. The times of use of power operated machinery during construction of the extension could be controlled by condition should the applications be granted consent. This would be limited to normal working hours.

Conclusion

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

Recommendation

32. Approval (as amended by drawing number 012/397-1a date stamped 23 March 2012)

The following conditions and informatives are suggested: -

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: 1:1250 location plan and drawing numbers to be confirmed.

(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 extension 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 sections and elevation drawings at a scale of 1:20 and 1:1 as appropriate that show details of proposed new windows, doors, and cills, including opening arrangements and glazing bar patterns, 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 use of details appropriate to this listed building in accordance with Policy CH/4 of the adopted Local Development Framework 2007.)

5. The extension, hereby permitted, shall be occupied until 22 vehicle parking spaces have been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

6. The extension, hereby permitted, shall not be occupied until at least six covered and secure cycle parking spaces have been provided within the site in

accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

7. The number of employees on the site shall not exceed 27 full time employees.

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

8. During the period of construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 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.)

9. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i) Contractors' access arrangements for vehicles, plant and personnel;**
 - ii) Contractors' site storage area(s) and compounds(s);**
 - iii) Parking for contractors' vehicles and contractors' personnel vehicles;**
- Development shall not be carried out other than in accordance with the approved details.**

(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

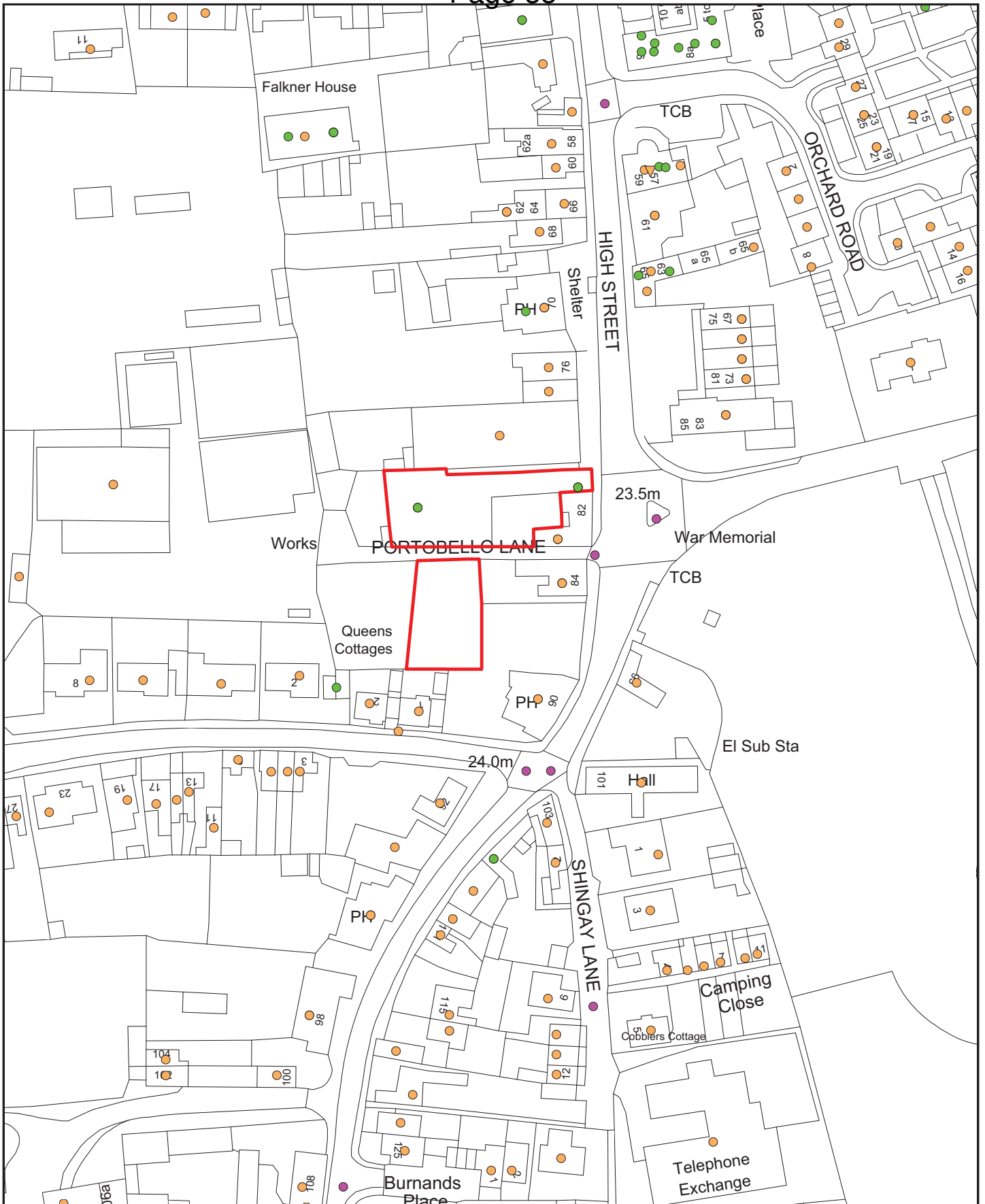
Informatives

1. During demolition and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.
2. See attached Environment Agency advice regarding soakways.

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, and District Design Guide.
- Planning Policy Statements 1 and 5
- Planning File References: S/0216/12/FL, S/0232/12/LB, S/387/08/F, S/0298/08/LB, S/2349/07/F, S/2373/07/LB, S/0887/07/F, S/1205/07/LB, S/1969/01/F, S/1968/01/LB, S/1795/97/F, and S/1820/97/LB.

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



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/2552/11 – STEEPLE MORDEN**Dwelling at Orchard Cottage 58 Hay Street for Mrs Beverly England****Recommendation: Delegated Approval****Date for Determination: 23rd April 2012****Notes:**

This Application has been reported to the Planning Committee, as the Parish Council's recommendation of refusal conflicts with Officers' recommendation.

Members will visit the site on the 3rd April 2012

Site and Proposal

1. The application site measures approximately 0.13 hectares (including track access to main road). The site is located within the village framework, though the eastern boundary is the village framework line. There is a public footpath located to the east that runs in north/south direction. Residential properties can be found to the north, east and south. The residential property to the east is located approximately 95 metres outside the village framework. The public highway and existing property of 58 Hay Street defines the western boundary.
2. The application was validated on the 27th February 2012 (following the submission of amended site plan and certificates). The proposed dwelling is located in the rear garden of 58 Hay Street and will access the main road by the track that is owned by 62 Hay Street. The dwelling is considered to be a four bedroom property, as the ground floor study is of adequate size for a bedroom.

Planning History

3. No planning history on site is considered to be relevant in this case

Planning Policy

4. **South Cambridgeshire Local Development Framework Core Strategy 2007:**
ST/6
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
DP/4 – Infrastructure and New Developments
NE/1 – Energy Efficiency

NE/6 – Biodiversity

CH/5 – Conservation Areas

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

SF/11 – Open Space Standards

South Cambridgeshire Local Development Framework, Supplementary Planning Documents

District Design Guide SPD – Adopted March 2010

Development Affecting Conservation Areas SPD – July 2009

Biodiversity SPD – Adopted July 2009

Open Space in New Developments – Adopted January 2009

Consultations

6. **Steeple Morden Parish Council** – (6th February 2012) The Parish Council recommends refusal. The Parish Council states that it is very concerned about the number of inaccuracies in the expert reports and statements submitted with this application.
7. The Parish Council is of the view that the author of the biodiversity report appears to be unaware that old orchards are National Biodiversity Action Plan Habitats. The Parish Council asks that the Ecology Officer views the application and that any suitable mitigation is agreed with the applicant.
8. The Design and Access Statement has many inaccuracies. Steeple Morden is not a sustainable village and Odsey is a hamlet within Steeple Morden not a neighbouring village. The Parish Council also raises inaccuracies in distances stated between the site and surrounding towns.
9. The Parish Council does not agree with the applicant's assessment of what constitutes backfill and infill is quite bizarre. The photo of Plough Close, this is on the southern edge of the village and not on Hay Street and was a brownfill development. On the west side of Hay Street, numbers 75 and 77 are modern houses but are built on the footprint of earlier properties. On the east side the Parish Council states that the original building line is marked by numbers 40, 46 (Woodland Grange which is built on the footprint of an earlier building) and 80. The remaining buildings on this side of the street are considered as front fill. The Parish Council continues by stating that Craft Way was allowed under a previous planning regime and is not within the conservation area.
10. It is the view of the Parish Council that this application is contrary to design policy and the Supplementary Planning Document. The present character of Hay Street is that houses front the road.
11. **Rights of Way and Access Team** - The Rights of Way and Access Team states that it has no objection to the proposed development. The clearance of existing trees that have fallen across the line of Public Footpath No.13 is welcomed, but any replacement planting must be set at least 2 metres away from the public footpath. The Rights of Way and Access Team also raises points of law relating to public rights of way.
12. **Tree Officer** – (19th January 2012) The Trees are within the conservation area but they are not of a condition to serve a Tree Preservation Order. It is a pity to lose so many fruit trees. Tree protection to be installed as per Acacia report. No objections to proposal.

13. **Ecology** – (8th February 2012) The Ecology Officer states that the fruit trees are not of significant value that would enable an objection to be raised. The trees appear to be of plum or gage and have grown together to form a high canopied cluster of fruit trees rather than a traditional orchard. It is the traditional orchard habitat form that is of particular value where found as the trees tend to be wider spaced enabling them to ascertain a greater girth leading to greater longevity.
14. The Ecology Officer recommends that S106 off site contribution is used by the Parish Council to secure continued management and replanting of the County Wildlife Site (located to the rear and side of Woodland Grange) orchard should any development be allowed.
15. The Ecology Officer makes no objection to the development and accepts that the proposed orchard planting scheme is adequate compensatory habitat provision. However, it is requested that any scheme of landscaping be enforceable for a period of 10 years. A condition will also be required to control the removal of vegetation during the bird breeding period and a separate condition added for the protection of badgers posed by open trenches. A condition for nest boxes is not required on this site if the measures to secure an orchard are achieved.
16. **Landscape Officer** – (8th February and 13th March 2012) The Landscape Officer has some concerns over the current proposed landscaping scheme but recommends approval if a landscape and boundary condition were added. The approved landscaping scheme would need to be maintained for a 10 year period. A condition is also required for the removal of boundary permitted development rights.
17. **Local Highways Authority** – (5th March 2012) Following the amended plans the Local Highways Authority states that conditions be added to ensure that water does not drain onto the adopted public highway and that the driveway is constructed with a bound material. The Local Highways Authority also request informatives to state that work to the public highway requires its consent and that any work effecting utilities is at the expense of the developer.

Representations

No representations have been received

Planning Comments – Key Issues

18. The key issues to consider in the determination of this application are:
 - Principle of Development
 - Visual Impact and Impact on Historic Character
 - Ecology
 - Highway Safety and Parking Provision
 - Residential Amenity
19. **Principle of Development** – The site falls within a Group Village that allows development of up to 8 dwellings. With the proposal being for a single dwelling the development complies with Policy ST/6. The density of the development is 8 dwellings per hectare, but with a significant amount of the site being the access track and that additional dwellings would likely lead to a cramped layout the proposed density is considered acceptable in this case. The site is also within the village framework.

20. The applicant has agreed in writing to provide a commuted sum for off site open space provision and Community Space. The applicant has stated that the appropriate bin provision will be purchased at their own expense. A condition will be required in order to ensure appropriate contributions.
21. The proposal does not lead to any in principle concerns.
22. **Visual Impact and Impact on Historic Character** – The east side of Hay Street in this part of the conservation area is predominantly defined by dwellings fronting the public highway. It is noted to the south of the site that Craft Way residential development, located just outside the conservation area, extends the built form further east than the proposed development would if approved. Woodland Grange located to the north is of a significantly different scale building than what is being proposed within this application and it is hard to make direct comparisons. The developments of Woodland Grange and Craft Way have only been given limited weight in the consideration of this application. However, 60 Hay Street (considered to have been built in the 1970s) is located behind the development site and outside the village framework. The proposed development would provide an infill between 58 and 60 Hay Street and for this reason cannot be considered as backfill development. The proposal does not, therefore, harm the character of the conservation area by virtue of it being within a rear garden.
23. The proposal is a one and a half storey dwelling; which will be constructed out of natural slate roof, stained boarding and red brickwork. The rooflights will be conservation style. A materials condition will be required in order to ensure that the red brick work and stained boarding is appropriate to this locality.
24. The proposed design and scale of the building does not raise any concerns. The scale is considered to be appropriate located on the edge of the village framework on a site between a two storey and single storey dwelling.
25. The applicant has provided a landscape strategy, but at the current time there are some concerns over this submission. These include that the gravel parking court area has been designed for four cars to park and turn. This parking court should be reduced in size to accommodate only two cars and the remaining land to be converted to soft landscaping. An additional tree will also needed to be planted in the front garden of the existing dwelling to make up for the loss of a mature tree in order to allow the vehicular access (see drawing number BE/09/07/L101). A landscaping and boundary conditions can be added to ensure that the above concerns are mitigated and that appropriate level of replacement of orchard plants are secured. The request by the Ecology and Landscape Officers to place a condition to ensure that any agreed landscaping scheme is preserved for 10 years is not usual but in this case is considered appropriate. The 10 year time frame is required in order to ensure that the replacement trees have time to fully establish and to maintain the current character of the area, which is defined by dense mature trees. The ecology reasons for the 10 year period are covered below. The requested condition by the Landscape Officer to remove boundary permitted development rights is considered reasonable. The removal of these permitted rights will strengthen the chance of the tree planting lasting after the 10 year period.
26. **Ecology** – The Ecology Officer's view that the proposed development will not be detrimental to biodiversity is accepted. The replacement tree planting (laying out of a more formal orchard), secured for a 10 year period, will likely lead to benefits to the biodiversity of the local area. The requested condition that there will be no removal of vegetation during the bird breeding period and a separate condition requiring a

scheme for the protection of badgers posed by open trenches are considered to be reasonable.

27. The proposal if appropriately conditioned will not lead to any harm to the local biodiversity.
28. **Highway Safety and Parking Provision** – The Local Highways Authority have considered the amended plans (drawing numbers BE/09/07/L100 and BE/09/07/L101) relating to visibility splays and consider these details to be acceptable in regards to highway safety, this view is supported by the Case Officer. The material details of 5 x 5 metre entrance will be considered under the landscaping scheme in order to ensure that this area is constructed with an appropriate bound surface.
29. The condition requested about surface water run off is considered reasonable in the interests of highway safety and the requested informatives can be added to any consent.
30. The proposed development is providing an over provision of car parking spaces but this can be overcome by use of a landscaping condition as mentioned above.
31. **Residential Amenity** –
32. *52 Hay Street* – With this residential property being located to the south of the development there is no concern over loss of light. The proposal is also suitably set off the boundary in order to prevent there from being any undue overbearing. The proposed development has one 1st floor bedroom window facing No.52, which is set approximately 10 metres away from the common boundary line. This window is likely to cause some loss of privacy to the rear garden of No.52, but this is not considered to be detrimental. This view has been taken, as it will only overlook the end section of the rear garden that is unlikely to be used as amenity space by the occupants of No.52 by virtue of it being set away from the main dwelling and fairly wooded.
33. *60 and 62 Hay Street* – The distance between the development and the residential properties of Nos. 60 and 62 means that there are no concerns over loss of residential amenity.
34. *58 Hay Street* – The proposed first floor windows facing 58 Hay Street are over the proposed balcony and located more than 20 metres from the residential curtilage of 58 Hay Street. It is considered for these reasons that the proposal will have no impact upon the loss of privacy to the existing property of 58 Hay Street.
35. The distance between the development and 58 Hay Street will also prevent any significant loss of light or cause undue overbearing.
36. The proposed development will, therefore, have no significant impact upon residential amenity of the surrounding residential properties.

Conclusion

37. The proposed development is considered to be acceptable subject to conditions to ensure that the proposed development is built to a high standard, that the proposed entrance way is constructed to a safe standard and that local biodiversity is maintained.

Recommendation

Approve, subject to 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: BE/09/07/L102, BE/09/L100, BE/09/07/L101, BE/09/07/L1 P1, BE/09/07/L2 and BE/09/07/L3.
(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 begin until details of a scheme for the provision of Outdoor Playspace and Informal Open Space to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 and SF/11 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 Outdoor Playspace and Informal Open Space in accordance with Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007.)
4. No development shall begin until details of a scheme for the provision of Community Space and waste receptacles in accordance with adopted Local Development Framework 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 Community Space Provision and waste receptacle provision in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)
5. 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.)
6. 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.)
7. 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 ten 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.)

8. 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 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.)

9. 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 Class A of Part 2 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 local area in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)

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

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

11. During the course of the development no trenches or areas of excavation shall be left open overnight.

(Reason: The site has evidence of badger activity across it. Open excavations have the potential to trap animals that may fall into them. The Protection of Badgers Act, 1992, makes it an offence to kill, injure or take a badger, or to cruelly ill-treat a badger and in accordance with policy NE/6 of the adopted Local Development Framework 2007.)

12. The proposed driveway must be constructed so that no water drains onto the adopted public highway.

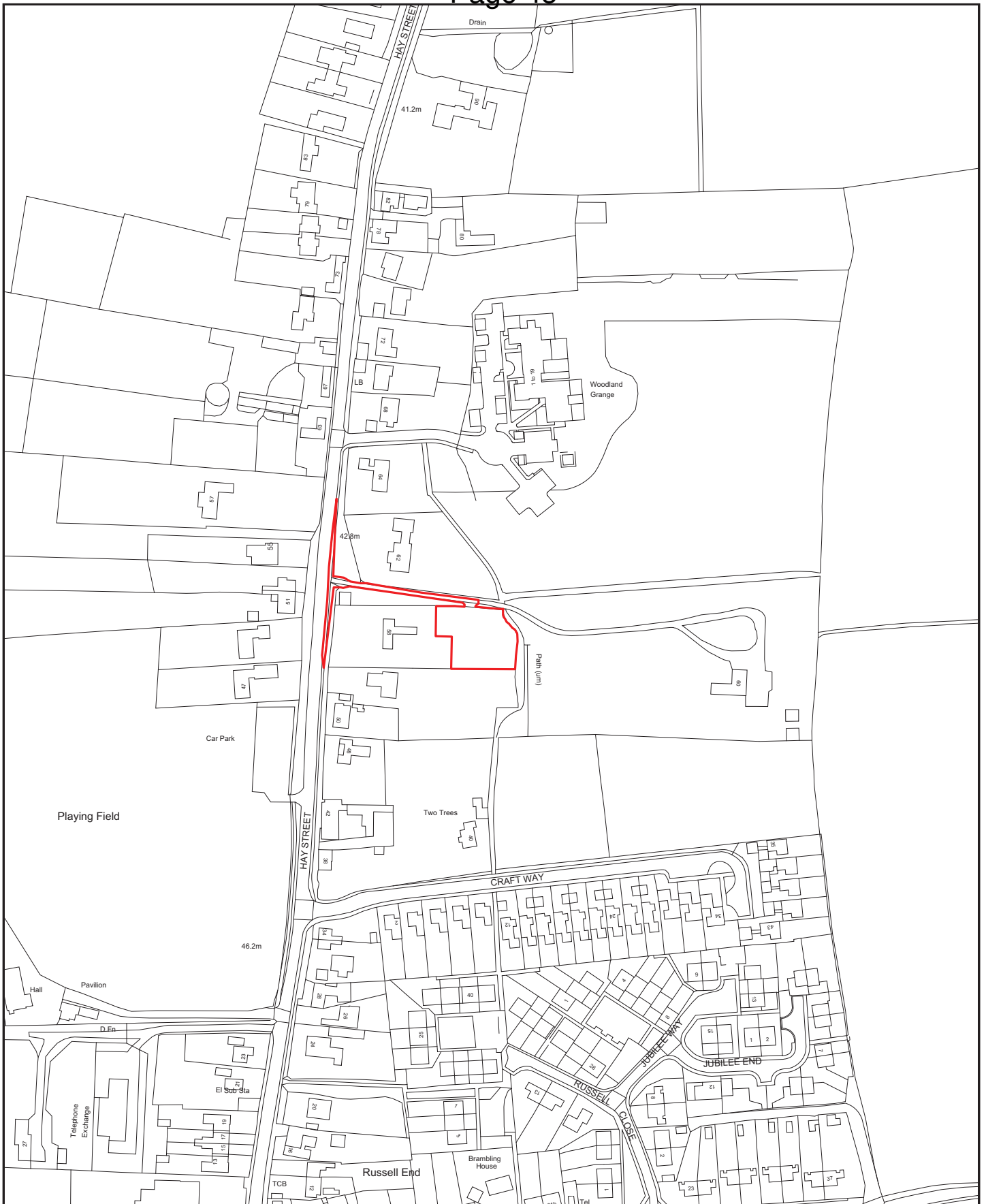
(Reason - For the safe and effective operation of the highway.)

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

- South Cambridgeshire Local Development Framework 2007

Contact Officer: Andrew Phillips, Planning Officer
Telephone: (01954) 713169

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/1708/10 – BASSINGBOURN CUM KNEESWORTH**Part demolition of existing garage and replacement double garage, new access, entrance gates and wall at 37 High Street, for D Chapman Esq****Recommendation: Delegated Approval****Date for Determination: 2nd December 2010****The area is within a Conservation Area.****Members will visit the site on the 3rd April 2012.****Notes:****This Application has been reported to the Planning Committee at the request of a Local Member.****Site and Proposal**

1. The application site measures approximately 0.77 hectares and the site is located within the village framework and conservation area. The building of 35/37 High Street Bassingbourn is a Grade II Listed Building and approximately 3m x 5m of the garage/store that is currently connected to the shop is curtilage listed. On the opposite side of the road is a Grade II Listed Building (34 High Street). The public highway defines the southern boundary. The site is also now within floodzones 2 and 3a.
2. The application was validated on the 7th October 2010 but at a future date the development will require Listed Building consent before works can commence. The development does not need Conservation Area Consent, due to the building being altered not removed. The proposal is to part demolish the existing garage, while preserving the attached older part of the curtilage listed building and replacing with a double garage with new access, entrance gates and wall.
3. The development being considered in this report is the scheme as amended on the 31st January 2012.
4. The previous scheme as amended on the 22nd September 2011 had the support of the case officer, the conservation officer and the Local Highways Authority but was considered by the Interim Head of Planning and Development Control Manager as not being acceptable in regards to impact upon the conservation area. The applicant/agent between 22nd September 2011 and 31st January 2012 came to the Local Planning Authority for pre-application advice and following positive comments by the Development Control Manager submitted the current amendment.

Planning History

5. *Relevant planning history*

S/1399/08/F – Erection of 4 dwellings and garage was refused due to harm to the listed building, conservation area, inappropriate design, density, housing mix, affordable housing and highway safety.

S/1400/08/CAC – The proposal to totally demolish the existing garage/outbuilding was refused due to the harm this buildings removal would cause on the conservation area.

S/0132/77/F – Alteration to barn and garage to form garage and stable was approved. This building is of similar footprint to the existing garage but had a coach entrance with a double gate.

Planning Policy

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

NE/6 – Biodiversity

NE/11 – Flood Risk

CH/3 – Listed Buildings

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

CH/5 – Conservation Areas

South Cambridgeshire Local Development Framework, Supplementary Planning Documents

District Design Guide SPD – Adopted March 2010

Listed Buildings SPD – Adopted July 2009

Development Affecting Conservation Areas SPD – July 2009

Consultations

7. Bassingbourn cum Kneesworth Parish Council –

(22nd November 2010) The Parish Council recommends refusal. It states that the existing garage/outbuilding in its current location is considered to make a positive contribution to the conservation area and streetscene. Its demolition goes against the historic pattern of development in the village.

Concerns over the loss of car parking spaces on the High Street.

(29th March 2011) The Parish Council recommends refusal. The reasons for refusal is due to the virtue of its design, location, scale and form detrimentally affecting the setting of a listed building.

In addition it will neither preserve nor enhance the character and appearance of the conservation area.

The application will exacerbate an already unsatisfactory High Street traffic management/parking issue and therefore significant concerns are raised by this application with respect to the safety of pedestrians bearing in mind the close proximity of a proposed new vehicular cross over to the local village stores.

This application has not given proper consideration to bio-diversity contrary to policy NE/6.

(8th April 2011) The Parish Council recommends refusal. The Parish Council also provides additional evidence including pre-war photograph and neighbour objection letters.

It still considers that the amended plans neither preserve nor enhance the character and appearance of the conservation area.

(10th October 2011) The Parish Council recommends refusal, due to concern over loss of streetscene quality.

(22nd February 2012) – The Parish Council object to the amended application for the same reasons as advised in previous applications. The Parish Council consider that the proposal will neither preserve nor enhance the character and appearance of the conservation area.

The following comments made by parishioners are also supported:-

- Concern on pedestrian safety (SCDC policy objective DCP 2007 TR/g and TR/h).
- Garage makes a positive contribution to Conservation Area (SCDC policy DCP 2007 CH/5).
- Proposal does not comply with SCDC policies (SCDC policy DCP 2007 CH/4)

The Parish Council recommends that a site meeting for the planning committee be arranged so that members can see the proposed impact for themselves.

8. Ecology – The Ecology Officer confirms that there is no biodiversity concern over the proposed development and no need for conditions.
9. Conservation – The Conservation Manager's latest comments are to recommend approval of the planning application with suitable conditions. The Conservation Manager states these conditions will need to include schedule of works, sample panels, details of development (eaves verge, doors, exposed posts and gates), boundary treatment and landscaping.
10. Local Highways Authority (13th February 2012) -

The Local Highways Authority states the following are based on Drawing Number 101 Revision J:

It would request that the proposed new 215mm facing brick wall to the site frontage be 600mm in height and not 760mm as shown on the proposed drawing. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high at all times.

It requests a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the 2.0m x 2.0m and 1.5m x 1.5m pedestrian visibility splays shown on the drawings shall be kept clear of all planting, fencing, walls and the like exceeding 600mm.

It requests a condition requiring the proposed drive way to be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

In addition it requests a condition requiring the proposed drive to be constructed using a bound material to prevent debris spreading onto the adopted public highway.

It requests an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the public highway, and that a separate permission must be sought from the Highway Authority for such works.

Following the provision of the above, the Local Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway

11. (7th March 2012) The Local Highways Authority confirms that the double lines in the vicinity of 37 High Street Bassingbourn Cum Kneesworth are not to be implemented in the foreseeable future.

Representations

12. Representations have been made by the occupiers of 36 High Street, 34 High Street, 2 Playles Yard, 1 Playles Yard, 3 Popular Farm Close and 33 Mill Lane. Some people made comments without providing an address, these comments did not mention any additional material considerations.
13. It should be noted that only the latest representations are provided below. This is in order to provide a clear understanding of the concerns of the local residents.
14. 36 High Street (13th February 2012) The new positioning of the gated entrance to 37 High Street has hardly been altered from that proposed in September 2011, so their objections remain the same.

The occupant states that it is infinitely preferable to keep the garage entrance to 37 High Street where it is, giving adequate parking access to the huge delivery lorries and other vehicles to access the only entrance to the busy Spar Village Shop. Breaking up the parking pattern on the north side of the High Street will only result in more parking on the south side where there is a yellow line on the wide pavements opposite.

The Parish Council has received approval for double yellow lines on the north side of the High Street outside the entrances of various properties, including 37 and 45-49 High Street. The occupant has provided a copy of Cambridgeshire County Council Highways comments on the double yellow lines and associated plan. The moving of the entrance would cause a disadvantage for using double lines as required parking space would be reduced.

The sight line of drivers exiting the proposed new access will in no way be improved as parked traffic will still obscure the drivers vision where they access the road and will have to drive onto the road to check if it is safe to proceed. The occupant currently has this problem on her driveway.

The occupant states that the existing continuous wall of the present garage and store is well established as an integral part of the pleasantly mixed village streetscene.

15. **34 High Street (21st February 2012) –**

The occupant appreciates that the amended applications relate only to a new access for a double garage (now car port), but it has to be noted that it might in the future be used for an access to a number of new dwellings.

The occupant states that whilst the latest amendment might be seen as a step in the right direction the main objections are as follows:

- This is an unnecessary and poorly designed access, which will cause unacceptable danger to pedestrians and other road users and further complication on the already restricted on street parking available.
- The demolition of most of the pleasant red brick building will be a detriment to the visual aspect of the High Street Conservation Area.

The occupant would prefer if the existing carport area is removed to allow better access and turning, as this would preserve the majority of the existing red brick building and minimise traffic/pedestrian conflicts.

16. **2 Playles Yard** (21st February 2012) The occupant has provided very detailed comments, photo (dated circa 1960) and maps (1886, 1947 and 1976).

The occupant states that the replacement of the existing garage with a series of set backs, small outbuildings, low level walls, planters, a raised area, gates etc would not be satisfactory substitute for the effective, unfussy, simple contribution that the existing garage offers to the scene.

The occupant states that by virtue of its design, location, scale and form it detrimentally affects the setting of the listed building.

The occupant also raised biodiversity concerns and that it may lead to a long term litter problem.

The occupant also recommends a similar alternative suggestion to that raised by 34 High Street.

The occupant asks if a Conservation Area Consent would be required in addition to this application.

17. **1 Playles Yard** (30th September 2011) – The occupant makes reference to planning application S/1399/08/F and states:

“The existing garage/outbuilding in its current location is considered to make a positive contribution to the conservation area and streetscene. Its demolition goes against the historic pattern of development in the village”.

States that the current garage presents a single continuous built element hard up against the pavement line, with an appropriate form and scale. This kind of structure being located here since the Victorian period. The proposal by being a series of buildings weakens the character of the streetscene.

The occupant states that the proposal will cause significant increase in highway safety risk and the proposal could harm local biodiversity.

18. **3 Popular Farm Close** (6th April 2011) - The occupant raises concern over vehicle parking and highway safety.

19. **33 Mill Lane** (21st February 2012) – The occupant states that the proposed development will detrimentally harm the character of the listed building and will make

the streetscene look more cluttered. The occupant also raised concerns relating to highway safety.

20. ***Cllr Cathcart (11th February 2012)*** – The Local Member has raised concerns over loss of historic fabric, impact on conservation area, unsuitable development in the curtilage of a listed building and the loss of high street parking that while modest could be crucial when considered in connection with efforts being taken to improve the situation.
21. The Local Member also points out that an alternative proposal that has been suggested would be less intrusive.

Planning Comments – Key Issues

22. It must first be noted that this planning application is for part demolition of an existing garage, with a replacement of a double carport, a new access and entrance gates. The proposed development does not involve the erection of any new dwellings and for this reason any comments relating to the erection of new dwellings are immaterial in the consideration of this application.
23. The key issues to consider in the determination of this application are:
 - Visual Impact and Impact on Historic Character
 - Highway Safety and Parking Provision
24. Principle of Development – The proposed development is a householder application within the village framework, there is no concern over the principle of the development.
25. Visual Impact and Impact on Historic Character – The dwelling element of the Grade II Listed Building defines the western boundary and the proposed store area defined on drawing number 101 revision J is the remaining part of a 19th Century outbuilding. The rest of the garage building is considered to have been rebuilt sometime in the 1970 and 80s but has reused some of the historic material.
26. The proposed development will, therefore, have to preserve the historic material on site. In addition officers are of the same view as local residents that fairly narrow entrances define this part of the conservation area and the linear building form is important within the streetscene. However, the importance of maintaining the replacement garage in principle has not been given such weight by officers. The focus needs to be on the preservation or enhancement of the conservation area.
27. The existing access between garage and dwelling is approximately 4 metres; the proposed openings on the frontage of this site will increase by approximately 1.5 metres. This additional amount of opening is not considered to be detrimental to the conservation area; this seems to be accepted by some local residents who have put in an argument that a better option would be to increase the opening between the garage and dwelling by a similar amount. The main argument, therefore, is the location of the opening and the effects this has on the streetscene.
28. The proposed buildings measure approximately 7.7 metres x 5.4 metres (store building) and 6.5 metres x 5.4 metres (carport). With the existing building having a frontage of approximately 15.5 metres, the loss in built frontage is relatively small. With both buildings having a linear form the streetscene is changed but the principles and character of the conservation area is maintained. In short the enclosure of the streetscene remains.

29. The proposal does not add additional buildings close to the listed buildings in the area, nor does it change any view to the listed buildings. It is for these reasons that the view of the Conservation Manager that the proposal will not have a detrimental impact on the nearby listed buildings is noted and accepted.
30. The conditions suggested by the Conservation Manager would need to be added to any consent to ensure that the development is built to a high standard that is appropriate within the conservation area and setting of listed buildings.
31. In addition the developer has agreed to enter into a S106 Agreement that will enforce that the development from the start of demolition is built in a timely manner. This will prevent any gaps in the built form of the streetscene remaining.
32. Highway Safety and Parking Provision – The existing carport on site has space for two average size cars to park. There is a reversing space of 8 metres, which would allow both cars to enter and leave the site in a forward gear. With the exiting of the site in a forward gear it is possible to see both ways to check for pedestrians, though the extent of this will change slightly on each use of the driveway. It is noted that because of the layout of the garage and reversing space this manoeuvring is not currently easy.
33. The proposal seeks to create an entranceway of 3 metres, widening to 4.5 metres where the double gates are set back from the public highway by 5.5 metres. This arrangement would allow for easier manoeuvring to allow a car to enter and leave in forward gear.
34. The visibility splay on the eastside is slightly below the normal standard but this has been carefully considered with the input of the Local Highways Authority in order to meet the concerns over the conservation area raised by the Interim Head of Planning over the plans stamped amended on the 22nd September 2011. The current visibility splays are considered to maintain highway safety but do not provide a clear improvement over the existing situation.
35. The existing access measures approximately 8.5 metres while the proposed access is 4.5 metres. The proposal will, therefore, lead to 4 metres more additional on street parking provision.
36. There has been a comment raised that the moving of this access will cause problems of the adoption of the double yellow lines on this site but the Local Highways Authority states that it does not see the implementation of these in the foreseeable future. The proposal is, therefore, considered to have no impact on the placement of double yellow lines.
37. A concern raised by local residents is that moving the access closer to the shop is going to cause problems with delivery lorries. The shop has a frontage of approximately 16 metres, which should allow space for a lorry to deliver goods without blocking the proposed access to 37 High Street or any other entrance. It is also noted that a delivery lorry will only be in situ for a short period of time and when not there, the same existing space can be used for the parking of customer's vehicles.
38. A condition will be required in order to ensure that the existing access is closed and put back to an acceptable standard to the Local Highways Authority in a timely

manner. An additional condition is required in order to ensure that visibility splays remain unobstructed of any object over 0.6 metres.

39. The proposed development is considered to have a neutral impact upon highway safety and does not lead to any loss of parking provision. The proposed development is considered acceptable in regards to these matters.
40. **Residential Amenity** – The proposal is in a similar location and is of a similar scale to the existing development on site and does not, therefore, lead to any residential amenity concerns.
41. **Ecology** – The ecology officer comments that the proposal will have no noticeable impact on biodiversity in the local area and for this reason the proposal is considered to be acceptable with regards to ecology.
42. **Flood Risk** – Since the submission of the application, the site has now fallen within flood zones 2 and 3a. With the proposal being for ancillary outbuildings and not including any habitable spaces, this change in constraints is not considered to be significant in the determination of this application.
43. **Other Matters** – The applicant and local residents have raised the issue of litter. It has been noted on site that litter appears within the front garden/carport of the applicant's property. The local residents have put forward an argument to state that the proposed development will lead to a similar level of littering. It is considered that both arguments have equal weight. It is, therefore, considered that the proposed development will not lead to additional littering that could potential detract from the conservation area.

Conclusion

44. The proposed development is considered to be acceptable subject to conditions to ensure that the proposed development is built to a high standard and that the proposed entrance way is maintained to a safe standard.

Recommendation

Approve, subject to conditions as detailed in the report

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

- South Cambridgeshire Local Development Framework 2007

Contact Officer: Andrew Phillips, Planning Officer
Telephone: (01954) 713169

Bassingbourn



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District Council

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/0016/12/FL - LITLINGTON

**Erection of Dwelling - Land Adj to, 1 The Mount, Litlington, Royston, Herts,
SG8 0QG for Mrs Jenny Wootton**

Recommendation: Approve

Date for Determination: 10 April 2012

Notes:

This Application has been reported to the Planning Committee due to contradictory recommendations between Officers and the Parish Council

Site and Proposal

1. 1 The Mount is an end of terrace dwelling that appears to date back to the later half of the 20th century. The dwelling is of two storeys and is finished externally in buff brick with a brown pan tile roof.
2. The Mount is a prominent terrace of four units on Silver Street set on slightly raised land from the level of the highway with a spacious frontage to each of the dwellings. The site of the terrace is generally bounded by soft landscaped hedges and this is particularly so with regard to no.1 to which substantial hedges form the boundaries of the plot. No.1 is served by a shared parking and turning area to the rear of the site.
3. Surrounding development is predominantly residential of a mix of age and form. In the immediate vicinity of the application site there is a pleasing mix of 17th, 18th and 19th century dwellings that strongly inform the character of the area. Indeed the site falls within the Litlington Conservation Area and a number of buildings in the vicinity are afforded statutory protection.

Planning History

4. None of relevance.

Planning Policy

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
 DP/4 Infrastructure in 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/2 Renewable energy
NE/6 Biodiversity
CH/4 Development within the Curtilage or Setting of a Listed Building
CH/5 Conservation Areas
TR/1 Planning for more Sustainable Travel
TR/2 Car and Cycle Parking Standards

6. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**

Listed Buildings SPD - Adopted July 2009
Conservation Areas SPD - Adopted July 2009
Design Guide SPD - Adopted March 2010
Recreation Study - June 2005

Consultations (no representations received)

7. **Litlington Parish Council** – Recommends refusal.

“Overdevelopment of site – lack of car parking provision”

The Parish Council confirms that having regard to the justification for non-compliance with standard charges documentation submitted it would look for a section 106 Agreement.

8. **Environmental Health Officer** - No objections. Recommends standard conditional requirements pertaining to working hours during construction and a pile driven foundations informative.

9. **Local Highways Authority** – Advises that the applicant should confirm the right to access the existing parking area to the rear of the site.

10. **Conservation Officer** – “the site appears too small and awkward to form a workable building plot without causing visual detriment to the character of the Conservation Area. The site's prominent location could also have an impact on the setting of a cluster of listed buildings in the vicinity”

11. **Lands Officer** - "I confirm that as a vehicular right of way has been granted to 1 The Mount over the Council's access road, the new dwelling can benefit from this legal easement. An easement goes 'with the land' and is not personal to the owners of the property but the owners of the new dwelling would be liable to pay a fair proportion of the costs of repair and maintenance of the roadway. So from the point of view of the Council as landowner, we have no objections to the proposal"

Planning Comments – Key Issues

12. The key issues to consider in the determination of these applications are:

- The principle of development
- The impact upon residential amenity
- The impact upon the character and appearance of the Conservation Area and setting of listed buildings
- Highway Safety and parking
- Planning obligations

Principle of Development

13. The site falls within the Litlington Development Framework Boundary. In such location residential development is acceptable in principle subject to detail. A single dwelling on the site equates roughly to 40dph, which is accordance with the Council's housing density policy HG/1.

Residential Amenity

14. The proposed dwelling, due to its scale and close proximity to the common boundary, overbears upon the rear garden area of no.1 The Mount. The applicant presents the case that the front garden offers the existing occupier a level of amenity space that is more associated with a rear garden. Having regard to the fact that the front garden serving no.1 is raised from the natural ground level, has no vehicular access and does not suffer from any adverse overlooking this is considered a valid point.
15. The proposed dwelling is not considered to overbear, significantly overshadow, or afford a loss of privacy to the front garden area of no.1 The Mount and as such it is considered that residential amenity is not unduly affected by the proposals.

Character and Appearance

16. Whilst the comments of the Conservation Officer are noted and respected they are, in this instance, not particularly assertive and do not form a sound base for refusal of the scheme.
17. It is considered that the proposed dwelling is designed to reflect a late 19th century Victorian dwelling. There are examples of this architectural idiom in the existing street scene along with older dwelling types from the 17th and 18th century. The character of the dwelling proposed is considered to sit comfortably in this context.
18. The location and orientation is considered complimentary to the existing pattern of development in the area. The Parish Council's views concerning overdevelopment are acknowledged but this is a relatively high-density part of the village and the proposals are in tune with this. In addition the location proposed will, to a certain degree, screen existing unflattering views of the western elevation of no.1 The Mount.
19. The block plan submitted shows that the frontage hedge would be removed and indicates that a fence would be erected in its place. Officers are not convinced that this would be the appropriate treatment for the boundary, a fence may be appropriate but only of suitable design and buttressed by a

substantial hedgerow. To this end a condition to control soft landscaping and boundary treatments is deemed reasonable and necessary.

20. The proposal is considered to enhance the character and appearance of the Conservation Area, but quality material choice will be important and as such a conditional requirement to agree these details is considered reasonable and necessary.

Highway Safety and Parking

21. The comments of the Parish Council regarding lack of parking provision are acknowledged. The proposals provide one parking space to serve the two-bedroom dwelling. This is in accordance with the Council's maximum parking standards, which seek a maximum of 1.5 spaces per unit. Furthermore this level of provision is considered appropriate given the small size of the dwelling and the on-road parking available in the vicinity.
22. The LHA requests that the applicant confirm right of access to the proposed parking space. Access to the parking space proposed is proposed via an existing vehicular access owned by this authority. The Council's Lands Officer has confirmed that the proposed new dwelling would benefit from a right of access to the proposed parking space and the existing parking area to the rear.

Planning Obligations

23. The application is accompanied by a document entitled 'justification for non-compliance with standard charges' – this can be summarised as stating that financial contributions in lieu of on site provision of public open space will not be deemed acceptable to the applicant unless justified by the Local Planning Authority. The Parish Council has advised that it would wish to see contributions in this instance.
24. Having regard to the Audit of Outdoor Sport and Play Space (June 2005) and The Community Facilities Assessment 2009, which both demonstrate a shortfall in utility provision in the village it is considered reasonable and justified to seek a contribution in lieu of on site provision of open space in this instance. To this end the application has entered into a S106 agreement and at the time of writing this is being progressed by the Council's Lawyers. An update concerning this matter will be provided.

Conclusion

25. 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

26. Approve subject to the following conditions

Conditions

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**

(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. **The development hereby permitted shall be carried out in accordance with the following approved plans: SC-01 (amended 17th Feb 2012), 3 & 4.**

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

4. **No development shall take place until 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 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.)

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. **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.)

7. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 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

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/1383/11 - CALDECOTE

**Change of Use to Touring Caravan Park, 20 Spaces at Land Adjacent to Casa de Fosea, St Neots Road, Highfields Caldecote for Mr Nelson O'Connor
Recommendation: Delegated Approval**

Date for Determination: 14th November 2011

Notes:

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

Site and Proposal

1. The 1.52ha site is located to the north east of Caldecote outside of the village boundaries and close to Parish boundaries of neighbouring Hardwick. Currently the land is unkempt countryside with minimal vegetation internally. It is bound on all boundaries by hedges and trees. To the north, which runs parallel with St Neots Road is a varied and unmanaged mixture of coppiced ash trees and field hedge, to the west the boundary comprises a thick but broken line of conifer trees and neighbours Casa de Fosea a single residential unit. To the east the site is bounded by an unmanaged native predominately hawthorn hedge beyond which a track separates this area from the rest of the dwellings along St Neots Road and finally to the south is an intermittent hedgerow beyond which a mixed woodland area screens views to Caldecote. There is a small pond, not in the ownership of the applicant; this is surrounded by what appears to be dumped soil and other plant debris. Access on to the site is currently at the most northeastern corner of the plot.
2. The proposed scheme is to change the use of the land to a touring caravan park with space for up to 20 plots. A new access road will be located along the northern boundary on to St Neots Road. An internal road will allow access to 20 individual plots, each with space for a caravan and pulling vehicle. A small informal play area is proposed in the southeast corner of the plot. A services building is proposed to be centrally located in the plot. This will comprise a single storey building with male and female washing facilities, a laundry area, staff toilet, office, store and refuse area. Additional planting is also proposed around and within the site as part of the scheme.
3. The full planning application date 30 June 2011 was submitted with a landscaping, ecology and Highway report. Protected newts species are known to have been located on site.

Planning History

4. S/1708/09/F – Erection of 4 bungalows with double garages – Refused and dismissed at appeal.
S/0265/83/D – Erection of Bungalow – Refused
S/1112/81/F – Erection of House and Outbuildings – Refused.

Planning Policy

5. South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/6: Group Village
6. South Cambridgeshire LDF 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
NE/6: Biodiversity
NE/15: Noise Pollution
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Open Space in New Developments – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
8. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
9. 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

10. **Caldecote Parish Council** – Recommends refusal for the following reasons
11. The site has been the subject of a previous application (S/1708/09/F). Although the previous application was for permanent dwellings, it is believed that reasons 1 and 3 of the original refusal are valid in this instance, namely that it is contrary to the aims of Policy DP/7 of the adopted South Cambridgeshire Local Development Framework which restricts development in such locations to that required for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside. The site would also not minimise the need for travel or reduce car dependency (Policy DP/1) and would in fact increase traffic movement in the area. Mitigation and compensation measures for the habitat for GCN are also believed to be insufficient and it is unclear whether the mitigation is located within the boundaries of the site.
12. Touring caravans can be up to 7 metres in length. The plans allow for 20 pitches on the site with hard standing of 7 x 7 allowing for 1 caravan and 1 car per plot. The density of the pitches is too high, with no amenity space and inadequate space for awnings. The density of the pitches means that the internal roads servicing the site are too narrow (some are 5 metres in width) and provide inadequate turning and reversing space.

13. There is no provision for additional parking (for visitors, service providers, etc) with the exception of a small parking bay by the toilet/office. There is also the assumption that each caravan pitch will have only one car.
14. The materials for the internal roadways have not been specified. If the roads are gravel then there will be a significant noise impact. There are also concerns of noise and disturbance to neighbouring properties in general.
15. Surface water drainage is a concern. The site is regularly waterlogged and the information as to disposal of water is not supported by a survey, which shows that the land will drain into the ditch fronting the property. Inadequate surface water drainage would affect the working of septic tanks and if connection to the main sewer is intended then there are capacity issues with the local pumping station.
16. There are no restrictions as to the opening hours for the site on the application and there is a concern that the site may attract permanent residents. There is no indication that membership of an accredited association or club will be required for site operation.
17. Should permission be granted, conditions should be applied on the following during construction
 - No work should be carried out before 8am and should finish by 6pm (1pm Saturdays).
 - No work on Sundays or bank holidays
 - Any spoil removed should not be used to raise ground levels and create neighbouring flood problems.
 - Parking and compounds should be provided on site if possible to ensure that disturbance to nearby properties is kept to a minimum
 - Roads used by any site traffic should be kept free of mud and if necessary regularly swept. Wheel washing facilities should be used.
 - Planting plans should be agreed before any construction is started to ensure existing planting is preserved if possible.
 - Water harvester should be included.
18. **The Ecology Officer** – As you know, last week I was objecting to the proposed means of clearing great crested newts from this site and the loss of habitat. This objection rested on the fact that I believed there would be many more newts on the site than the applicant's ecologist did. I asked for a site visit to assess the current condition of the site and to look for great crested newts. I undertook a detailed hand search of every available feature within the proposed development area. I lead the search, and personally undertook all hand searching. The applicant's ecologists simply followed me. To my surprise I found no newts. However, 5 smooth newts and 1 great crested newt were found in the area proposed to be retained as newt habitat.
19. In 2010 when I first inspected the site I was finding newts across a wide part of the development area. At that point in time the area had just had its scrub cleared. We reported the damage of great crested newt habitat to the Police, and the CPS decided not to take any action over the matter. Since then the site has been largely left alone (I found materials that I had previously searched and found newts in). It is my view that excessive rabbit grazing combined with drying of the land following the scrub clearance has resulted in the development area becoming largely unsuitable habitat for newts to spend time in (it is likely that they still travel across it). As I do not

believe the site to be of value to great crested newts at this moment in time I cannot insist that the applicant's ecologist secure a license to remove any great crested newts, nor to object on the basis that the development area is removing habitat.

20. I have been able to secure commitment to the provision of a new pond and additional refuge piles within the area of land retained as terrestrial great crested newt habitat. The applicant is to submit an amended landscape plan showing the long grass margins around the development area and the location of the pond and refuge piles. I view this as biodiversity gain given that the current pond is suffering from non-native invasive pond plants with poor terrestrial around it now.
21. As such I now remove my objection to this development with regard to its impact upon the local great crested newt population. We should not progress any approval until we are in receipt of the new information that I have requested.
22. **The Environmental Health Officer – Contaminated Land** – No objections
23. **The Local Highways Authority** – No objections in principle subject to the applicant providing plans to show that suitable inter vehicle visibility splays are achievable along St Neots Road before the application is determined. It also requires conditions to address the movements and control of muck away lorries, contractor parking for both phases all such parking should be within the site and not on the street, movement and control of all deliveries and the control of dust, mud and debris. Additionally it requires control of water drainage, bound material for the hard standings and an informative regarding works in a highway.
24. **Landscape Officer** – With reference to the landscape plan, Lesley Dickinson Ltd Drawing no. LD11 432 A: The amendments to the landscape strategy are welcome. As the individual plots are not to be physically separated I should like to see a number of individual hazels planted as specimens or in small groups along the St. Neots Road side in the grass area within the site. These should remain unpruned to form their natural size and shape. This will provide a further layer of informal screening at an intermediate height, between the managed front hedge and the taller trees within that hedge. I have no objection to hazel being used elsewhere in the site in place of the fruit trees if desired. Landscape conditions should be applied, including a management plan covering the establishment of this planting and the maintenance operations required to ensure that the landscape features are secured into the future. Boundary treatment should be conditioned to secure the post and rail fencing at the front of the site.
25. **Tree Officer** – Boundary treatment is important to the screen the site, this should be conditioned – No objections.

Representations

26. There have been three representations received regarding the proposed development. The following concerns have been raised:
 - What controls can be put in place to ensure this development is not permanent?
 - 3 Bungalows on this site would be more acceptable.
 - This could lead to a travellers settlement
 - Promotes use of the private car
 - Detracts from rural character
 - Density of caravans is too high

- The site is wholly unsuitable for permanent or semi permanent units
- The village as a whole should be notified about new settlements like this.
- Great Crested Newts are on the site.

Planning Comments

27. The main areas of concern regarding this application are the principle of development, the impact it will have on the character of the area, impact on residential amenity, highway safety, and ecology and landscape issues.

Principle of the development

28. LDF Policy DP/7 specifically refers to development outside urban and village frameworks. It states that only development for agriculture; horticulture, forestry, outdoor recreation and other uses, which need to be located in the countryside, will be permitted. In this instance the proposed touring caravan application is considered as outdoor recreation. It is a use more likely to be located in the countryside or on the edge of village boundaries than inside a built up/urban area. It is considered that the proposed development is acceptable in this instance.
29. Additionally ET/10 Tourist Facilities and Visitor accommodation promotes the tourism industry in the District and actively supports change of use as part of the policy wording. Overnight visitor accommodation is supported outside of the village boundaries and considered as a vital part of the rural economy providing the countryside is protected from inappropriate development. Policy wording also goes on to state that development permitted under these policies must be carefully controlled to ensure housing policies restricting development in the countryside are not compromised. It is not unusual for a condition to be put in place to ensure stays are short term only and officers are of the view that this can be achieved here also.

Impact on the character of the area

30. The proposed development benefitted from pre-application advice where the main area of concern was with regard to the wider impact of the development on the surrounding area and its rural character. The proposal for 20 touring caravan plots was considered to be quite high in number. It was suggested by the applicant that the viability of the development would be lessened if the number were decreased. Viability was not a consideration at this point but linked more to the impact the density would have on its surroundings and the character of the area.
31. However, it has been demonstrated through ongoing negotiation with the landscape and ecology officers that there is adequate scope to improve boundary treatment, to replace diseased and damaged trees on the boundary edges and to retain and enhance a good level of screening on all of the application boundaries. This will go some way in retaining the rural nature of the site but will also enhance the biodiversity. The landscaping plan has been adapted through negotiation with the Landscape/Ecology consultants to include a specific area for play and an enhanced newt mitigation area. The front boundary is to be planted with new trees and native hedging. It is considered that this will greatly improve what is currently an unused and poorly maintained piece of land. It is also noted that during certain times of the year the numbers of visitors to a site such as this will decrease.
32. It is considered that the proposal will have minimal impact on the character of the wider rural area and that appropriate and controlled management of the site will enhance it visually over time.

Residential amenity issues

33. The development will bring with it an intensification of use. From a site with nothing on it, it will change to a site with comings and goings, people activity and other such associated noise and disturbances. There are two immediate neighbours, those at Casa de Foseta to the west and Nimitabel to the east. Whilst noise has not been raised as an objection from any of the residents it is a material consideration that needs to be adequately addressed. At the time of writing the report no comments had been received from the Environmental Health Manager with regard to a viewpoint on noise and site management/licensing implications. Members will be updated accordingly.

Highway safety

34. The comments of the Local Highway Authority are noted and the details regarding the required visibility splays have been requested. It is likely that the splays can be adequately achieved due to the ownership of the land and the straightness of the road. Members will be updated accordingly.

Ecology and landscape issues

35. With the Landscape details amended in accordance with the recent discussions with the Landscape officer these are considered to be acceptable. A landscape management plan is still required and can be conditioned accordingly, if not received and agreed before determination.
36. The Council's Ecology Officer has raised concern about the protection of newts on the site, but following a site visit where findings were limited, it was agreed that some changes to the site could help aid the retention of newts on site, more specifically in the area where newt mitigation is proposed. In response to this, it is proposed that another pond, in the applicants ownership, is included as part of the development with the inclusion of additional refugia as well as enhanced foraging habitat as part of a wider site management strategy.
37. It is confirmed by the applicants' ecology consultants that the access road will be porous and the remainder of the site will be grass. In addition to the proposed newt area local newt populations will still have access to the remainder of the site. The east and west boundaries are proposed as close-boarded but will have a 25mm gap retained between the bottom of the gravel board and the ground surface to allow movement for amphibians and small mammals. Existing boundaries will be strengthened and no curbs, gully pots or other drainage that could potentially trap newts is being proposed. Boundary treatment can be appropriately conditioned.
38. It is claimed that the development will have very little impact on the existing habitat and more than compensated by the provision of a dedicated newt area, improved terrestrial habitat across the site, including enhanced wildlife corridors and appropriate site management.

Other Matters

39. Permanence of caravans – The site proposes a touring caravan site that can hold up to 20 touring units – equating to one caravan and one towing vehicle. The facilities building is proposed to be available to users of those staying on site and the office open between the hours of 9-5 daily and on Bank Holidays. It does not refer to the

provision of static caravans, the storage of caravans, tents or for the use of the travelling community. As a tourist facility it can and will be conditioned accordingly to ensure the appropriate use of the site. The permanence of living accommodation on the site would not be in accordance with the requirements of the LDFDCP 2007 and would not be supported by officers.

Conclusion

40. With appropriately worded conditions, an agreed landscaping and ecology scheme and a robust site management plan to ensure the protection of the wider countryside and neighbouring residents the proposed use is in accordance with the abovementioned policies and can be recommended for approval.

Recommendation

41. Approval: Subject to the following conditions, which will be included in full in the update report
- Time Limit – 3 years
 - Approved Plans
 - Materials for the surfaces of the internal roads
 - Materials for the facilities building
 - The facilities building shall at no time be used as overnight accommodation
 - Surface water/foul water details
 - Touring caravans, motor homes and trailer tents only - No static caravans or mobile homes to be stationed on the land
 - Restrict no. of touring units or tents to no more than 20 at any one time
 - No storage of caravans on site
 - No outside storage
 - Prior to development a scheme to be submitted for external lighting to be submitted and agreed
 - Prior to development a scheme for the management of visitors to the site to be submitted and agreed.
 - Prior to development scheme for the management of the ecology to be submitted and agreed
 - Prior to development scheme for Landscaping to be submitted and agreed
 - Landscaping implementation
 - No arrivals or departures of caravans or trailer tents outside the hours of 08:00 hrs to 19:00hrs.
 - All LHA conditions as requested

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

South Cambridgeshire Local Development Framework (LDF) 2007

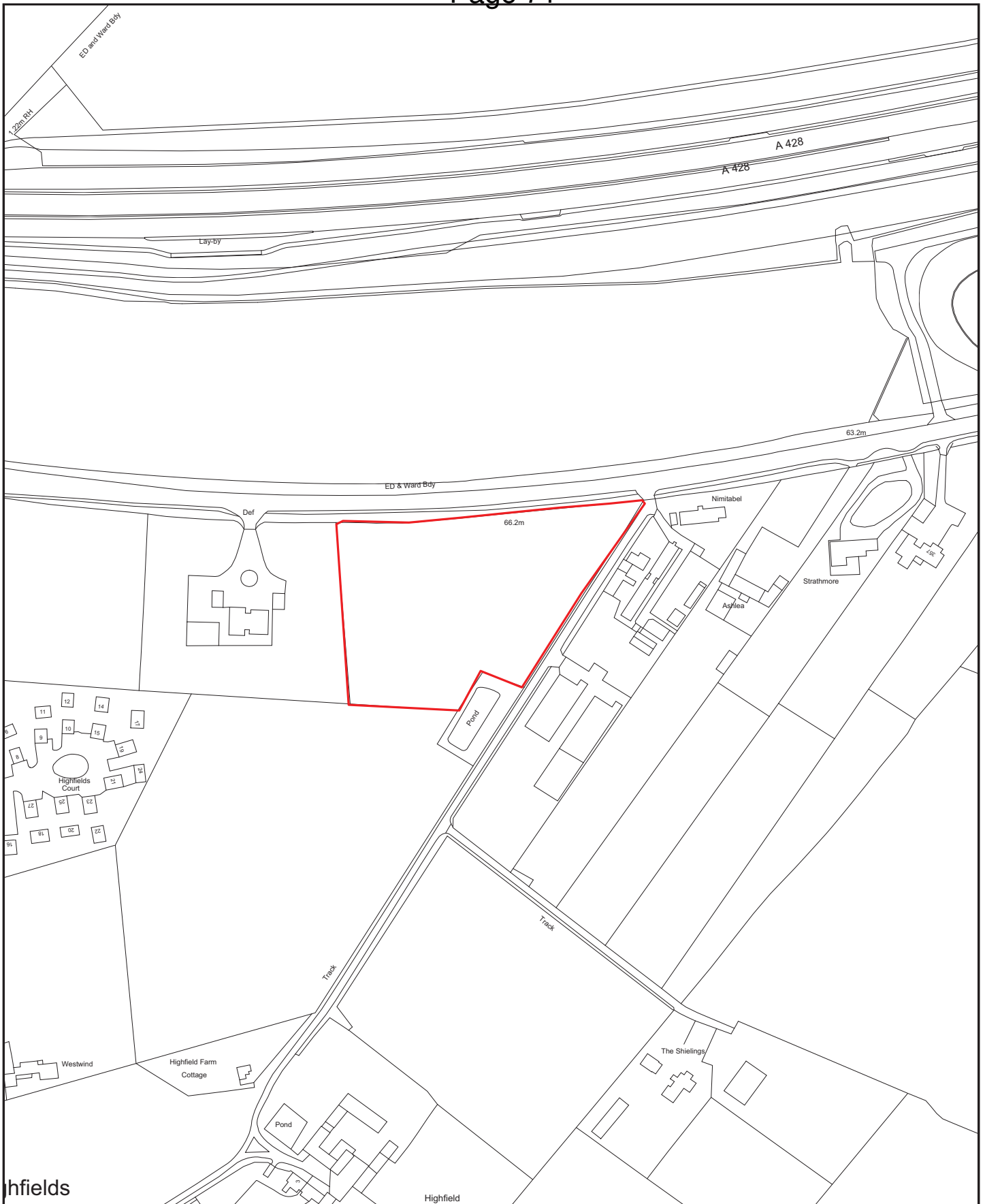
Circular 05/2005 – Planning Obligations

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

Planning application references: S/1383/11

Contact Officer: Saffron Garner– Senior Planning Officer
Telephone: (01954) 713256

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hfields

Highfield



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Cambridgeshire
District Council**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/2484/11 - ICKLETON**Two-storey detached dwelling and garage – site r/o Norman Hall, Church Street, Ickleton, Cambridgeshire, CB10 1SL****Recommendation: Refusal****Date for Determination: 7th February 2012****Notes:**

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

Members of Committee will visit the site on Tuesday 3rd April 2012

Site and Proposal

1. The application site is located on the south side of Mill Lane and comprises the eastern part of the grounds of Norman Hall, a Grade II listed detached dwelling of 15th century origin located at No.21 Church Street. The site lies within the Ickleton village framework and Conservation Area, and also forms part of a larger parcel of land that is designated as a Protected Village Amenity Area. The proposed plot is bounded on three sides by high walls, including a 3m high brick and flint wall along Mill Lane. It also includes a number of mature protected trees, particularly towards the southern and eastern boundaries. Norman Hall is served by a vehicular access from Church Street, whilst there is a second existing gated access serving the site via Mill Lane. On the east side of the Mill Lane access, and to the north of the main site area, is a barn that has been converted to residential use.
2. The full application, received on 13th December 2011, proposes to erect a detached five-bedroom dwelling on the site. The proposed dwelling would be a two-storey (approximately 7.5m high) property that would be sited at the eastern end of Norman Hall's garden, with vehicular access being obtained via the existing access point off Mill Lane. The dwelling would be oriented in an east-west direction, with its principal/front elevation facing towards Norman Hall. It would be based on a traditional cruciform barn, comprising oak weatherboard walls under a clay plain tile roof, and incorporating very low eaves and hipped ends to the roof. To the front and rear, the design includes centrally positioned two-storey forward projecting gables, whilst a number of conservation-style rooflights are proposed in all elevations in order to provide light to the first floor accommodation. The application also proposes the construction of a single-storey outbuilding, consisting of garaging, bin and cycle storage, adjacent to the northern boundary of the site.
3. The application has been accompanied by Design and Access, Heritage and Planning Statements. This supporting information explains that the application seeks

to address the reasons for refusal of the previous scheme by reducing the footprint, scale and mass of the dwelling and by adopting traditional design principles consisting of an oak framed building under a large expanse of clay tiled roofing. Worthy trees would be retained, thereby maintaining their public amenity value, with further planting proposed in order to enhance the landscape. Sections have been submitted showing the extent to which the dwelling would be visible from Mill Lane and the other boundaries. It is argued that the site is sufficiently far from the dwelling to preserve its setting and that it would not be prominent in public views of the site.

4. The supporting information explains that the evidence put forward within this application, as well as within the previous proposal, was not available to the Inspector in 1997, and that this represents a material difference that needs to be taken into consideration. The statements include evidence that the site upon which it is proposed to erect the dwelling was historically separated from the immediate garden to Norman Hall by a brick wall and outbuildings, and was partly occupied by farm buildings. In the enclosure map of 1814, the dwelling had a small garden immediately to the rear/east, then a wider curtilage defined along its south and eastern boundaries by farm buildings. Functional land lay beyond this to the east and south. At the time of listing (in the 1960's), the garden was clearly defined by an east bank and wall (the former barn complex had been demolished leaving a north-south wall dividing the curtilage of the house from the east grounds), and by a south wall and outbuildings. Beyond, lay the north paddock, Mill Lane wall and east grounds, the remains of a large parcel of farm land that was split up by 1867. The assessment states that the east grounds do not form part of the curtilage of the dwelling but have provided a setting since 1867 and that the presence of several mature trees are of historic value. The southern lime screen is associated with the division of the 2 acre parcel of farmland that was attached to the house at enclosure. The northern part of Norman Hall's grounds formed a separate conveyance to the dwelling in the 1930's. The 'northern paddock' is now within the ownership of Norman Hall and comprises a tennis court, whilst the wall to Mill Lane has largely been rebuilt in recent years. Part of a former range of farm buildings in the north-eastern corner is under separate ownership and has been converted to a dwelling. The heritage value of Norman Hall is argued to reside mainly in its position in the street and in its interior structure. Its garden and west flint wall are argued to make a considerable contribution to its significance, with the east grounds and north paddock being part of its setting but contributing little to its heritage significance.

Planning History

5. S/0704/11 – An application for a two-storey detached dwelling and garage was refused for the following reasons:

“The application site lies within the Ickleton Conservation Area on land historically associated with Norman Hall, a Grade II Listed Building. By virtue of the scale, design and form of the proposed dwelling, the development would intrude into the open and natural setting of Norman Hall, thereby adversely affecting the setting of this Listed Building, and adversely affect the special character and appearance of the Conservation Area. Consequently, the proposed development would be contrary to Policy CH/4 of the South Cambridgeshire adopted Local Development Framework 2007, to the Listed Buildings Supplementary Planning Document, and to Policy HE10 of Planning Policy Statement 5, which resist development that would adversely affect the setting of listed buildings, and to Policy CH/5 of the adopted Local Development Framework 2007, to the Conservation Areas SPD, and to Policy HE9 of Planning Policy Statement 5, which state that development will not be permitted if it would harm the architectural or historic character and appearance of the Conservation Area.

The site forms part of a larger parcel of land designated as a Protected Village Amenity Area. By virtue of the harm to the character of the Conservation Area and the setting of the Grade II listed Norman Hall, the erection of the proposed dwelling on the site would be contrary to Policy CH/6 of the adopted South Cambridgeshire Local Development Framework 2007, which states that development will not be permitted within Protected Village Amenity Areas if it would have an adverse impact on the character, amenity, tranquility or function of the village.”

6. S/2214/07/F – Alteration and rebuilding of boundary wall and erection of tennis court fencing – approved subject to a condition stipulating that the temporary access shall not be created unless for construction of the tennis court and its fencing.
7. S/2213/07/LB – Alterations to Mill Lane boundary wall to create temporary access and subsequent rebuilding of wall to original height in flint – approved.
8. S/1562/07/LB – Alterations to Mill Lane boundary wall to create access with a pair of timber gates. Refused on the basis that the works would result in harm to the historic curtilage listed brick and flint wall as a result of the installation of timber gates, thereby harming the setting of the listed building’s historic enclosure and the character and appearance of the Conservation Area.
9. S/1563/07/F – Access gates and tennis court fencing – refused on the basis that the works would result in harm to the historic curtilage listed brick and flint wall as a result of the installation of timber gates, thereby harming the setting of the listed building’s historic enclosure and the character and appearance of the Conservation Area.
10. Application references S/1562/07/LB and S/1563/07/F were subsequently allowed at appeal, with the Inspector commenting that the works would be located in an area of wall that has been unsympathetically rebuilt, and that there would be significant visual improvement by remedial works to either side of the gates that would result in some enhancement.
11. S/0102/97/F - Application for a dwelling and garage (a 3-storey 8.6m high house) in the garden area – refused due to the impact on the open and natural setting of Norman Hall, and due to the loss of part of the high wall along Mill Lane, resulting in harm to the setting of the listed building and to the character and appearance of the Conservation Area.
12. S/0103/97/F – Application for a dwelling and garage (a 2-storey 9.3m high house) in the garden area - refused due to the impact on the open and natural setting of Norman Hall, and due to the loss of part of the high wall along Mill Lane, resulting in harm to the setting of the listed building and to the character and appearance of the Conservation Area.
13. S/0212/97/LB – Application for listed building consent for demolition of walls to gain access to the site – refused.
14. S/0213/97/LB – Application for listed building consent for demolition of walls to gain access to the site – refused.
15. The above 4 applications were subsequently dismissed at appeal. The planning applications proposed two substantial detached dwellings within the eastern part of the curtilage of Norman Hall. The Inspector commented that the Council accepted the site was quite distinct in character to the garden of Norman Hall, which was self-

contained with views between the site and listed building being very limited due to the existence of trees on the boundary and within the rear garden. The Inspector stated that the site was historically associated with the listed building and, being enclosed by high brick and flint walls, remained an important and integral part of its setting. He acknowledged that the site has a different character to that of the formal gardens at the rear of Norman Hall but stated this would have been the case prior to the land being divided into separate ownerships. He expressed concern regarding the scale of the dwellings and the impact on the listed building, and considered that the dwelling on plot 2 would be widely visible from Norman Hall. Also, he was not convinced that the roofs of the dwellings would not be seen from Mill Lane, and considered that the development would erode the existing open setting of Norman Hall, and result in the urbanisation of the open land within the historic walled garden, and would therefore fail to preserve the setting of Norman Hall. The Inspector considered the provision of a 5m wide access to be acceptable in principle (without the requirement for 2m x 2m visibility splays requested by the Local Highways Authority) but did consider the insertion of a further opening in the boundary wall to be harmful.

Planning Policy

16. **National Policy Guidance:**
PPS5: Planning for the Historic Environment
17. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/7: Infill Villages
18. **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
HG/1: Housing Density
NE/1: Energy Efficiency
NE/6: Biodiversity
CH/2: Archaeology
CH/4: Development Within the Curtilage or Setting of a Listed Building
CH/5: Conservation Areas
CH/6: Protected Village Amenity Areas
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
19. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Development Affecting Conservation Areas – Adopted January 2009
Open Space in New Developments – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Listed Buildings – Adopted July 2009
District Design Guide – Adopted March 2010
Landscape in New Developments – Adopted March 2010
20. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

21. **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

22. **Ickleton Parish Council** - Recommends approval subject to the following conditions:

- The site lies in an area of high archaeological potential and a programme of archaeological investigation should be undertaken before commencement of development.
- The applicants should enter into a Section 106 agreement under which they would undertake not to apply for any further development within the PVAA, in order to protect the remainder of the PVAA, the conservation area and the setting of Norman Hall.
- The applicants should enter into a Section 106 agreement under which they would undertake not to apply for further openings in the wall into Mill Lane, to protect the integrity of the flint wall, the conservation area and the setting of Norman Hall.

The Parish Council also comments that the majority view was that the current design was far more appealing than that refused last year. The currently proposed dwelling was significantly smaller and the design additionally reduced the visual impact on its surroundings. There was a strong feeling that a contemporary design would simply not be complimentary in this location and be most unwelcome. Concerns about the impact on the setting of Norman Hall and on the Conservation Area were considered to be over-stated. There is considerable separation and screening in place, with further improvements planned, between the proposed dwelling and Norman Hall, and considerable screening of the dwelling when seen from the public highway. It was felt that the breaching of the flint wall that took place (by permission on appeal) some years ago was the major intrusion to the setting of Norman Hall and the Conservation Area. Given the current condition of the grounds of Norman Hall and the conservation area, and the fact that the possibility of development on the site has not been ruled out, the current proposals were considered to be acceptable on balance.

23. **The Conservation Manager** – Recommends refusal. The proposal is a response to the refusal of the previous planning application and involves a change of design attempting to reflect a traditional threshing barn and a reduction in height to 7.5m at the ridge, about 0.5m lower than the previously refused scheme. The applicant has made further strong representation in respect of the curtilage of Norman Hall and that it is their view that the site should not be considered as curtilage being historically in separate ownership. The Conservation Team and Inspector in the 1997 appeals both disagree with this argument, citing the integral nature of the house and its enclosing wall and evidence of the whole being sold together historically in sales particulars. The most recent sales particulars from 1951 refers to a feature of the property being the garden and orchard enclosed by a high brick and flint wall. It is considered that the site forms part of the curtilage of Norman Hall, a view reinforced by the extent of structural tree planting that clearly runs through to the eastern end of the site. However, the curtilage issue is not decisive in dealing with the issue of setting. The setting should be considered in the context of the listed building, and the integral nature of the wall and Norman Hall is defining in respect to setting. This very oversized single dwelling would be unrelated to the development pattern of the village and the scale and massing of the surrounding built form. As a result, its impact on the

integral relationships between Norman Hall and the enclosing listed wall would be very harmful to the significance of this open relationship.

In addition, the design looks to replicate a threshing barn, but is so domestic in character, its precedent with the low eaves appearance, is more towards an Arts and Crafts dwelling. Either way, it is contrived and unconvincing, and does not reflect a functional agricultural building's simplicity of form. Its major feature is the roof, which is a confusing multitude of gables, half-hip roofs, rooflights and a central chimney stack. The roof is predominantly to eaves at ground floor level. In addition, large areas of glazing to the ground floor elevations, including a contrived central gable with heavy mullioned openings, do nothing to provide clarity of design. It may have been preferable to start with an honest, contemporary domestic precedent to the design. It is recommended that the application be refused on the grounds that the proposed dwelling, by reason of its scale, proportions and design, would intrude into the open and natural setting of Norman Hall, thereby having a detrimental impact on the setting of this listed building and the character of the Conservation Area.

24. **The Trees Officer** – Raises no objections, providing all tree protection is installed prior to any construction activities. In the previous application, it was recommended that the footprint of the proposed dwelling be moved further away from the lime trees, and the current proposal achieves this.
25. **The Local Highways Authority** – Raises no objections stating that no significant effect upon the public highway should result from this proposal should it gain the benefit of planning permission. In order to avoid displacement of loose material onto the highway, no unbound material should be used in the surface finish of the driveway within 6m of the highway boundary.
26. **The County Archaeologist** – States that the site lies in an area of high archaeological potential and that any permission should be subject to a condition requiring a programme of archaeological investigation to be undertaken before commencement of development.

Representations

27. The Ickleton Society at No.63 Abbey Street raises no in-principle objections but states that:
 - There should be a full archaeological survey and excavation of the site as a number of Roman remains have been found on land to the east of the site.
 - A number of trees have been felled in the in the grounds of Norman Hall in recent years and there should be a blanket TPO on the grounds of Norman Hall in order to ensure the preservation of the remaining trees.
 - The gate that will provide access to the site was inserted into the flint wall along Mill Road in recent years. A condition should be added to any consent to require the integrity of the flint wall to be maintained.
 - The site is part of the curtilage of Norman Hall and it is believed it was only in separate ownership for a very short period in the latter part of the 20th century. A new house will inevitably have some impact on Norman Hall and requires careful consideration.

28. No.16 Mill Lane expresses concern that a large tree has fallen at the site of the proposed dwelling. This has resulted in significant damage to telephone lines, a neighbour's wall and to a building within the curtilage of No.16. How will planning ensure this does not happen again given that the proposed building works may well undermine a number of other trees?
29. District Councillor Martin requests that the application be referred to Planning Committee. Ickleton PC supported the proposal with 7:2 vote in favour. This reflects much stronger support than the previous application. Further, whilst the conservation officer suggests that the size and style of the building does not fit within the Ickleton conservation area, there are similar barn like buildings on Butchers Hill and a significantly larger modern house on the land immediately east of the site. If it is now accepted that the pieces of land can be considered as separate entities, there should be no reason to stop development of this piece of land. However, in order to determine the most appropriate development, it is important that the Planning Committee visit the site to gain a further understanding of this unique site.
30. The applicant's agent has responded as follows to the comments made by the Conservation Officer:
- The Conservation Officer tries to establish a link between the two curtilages, whereas the access to the house has never gone beyond the bank at which the garden finishes.
 - The bank rises much more than 1m. The former barns are clearly shown on the 1814 map.
 - The design does not seek to resemble a barn. The mass is taken from a traditional aisled barn and designed as an arts and crafts house around the basic framing structure the form provides.
 - The courts have ruled that applicants are entitled to refer to historic material to determine matters of curtilage. The rear land has always been distinct from the house and does not serve the purposes of the house in a necessary or useful way.
 - The tree belt is of no significance to consideration of curtilage and just follows the south wall of the eastern plot. It does not link Norman Hall and its curtilage to the eastern plot. The former orchard and pig sties no longer exist. The eastern plot is not, and has never been, in the curtilage of the dwelling.
 - Conservation comments do not take any account of hierarchy of significance of heritage impacts. The wall referred to is of differing ages. The church and the street are the primary aspects of setting and not the grassed area at the eastern end of land under single ownership.
 - Concerns regarding the development pattern of the village fails to take account of the importance of farmhouses and their backland barns located in Ickleton (eg – at Butcher's Hill, Priory Farm and Abbey Farm). Backland barns of considerable size and converted to other uses are a defining feature of Ickleton.
 - Comments regarding the design are subjective.

- The Heritage Impact Assessment (HIA) clearly addresses the character of the Conservation Area and the role the proposed house would play in it.
- The comments make no attempt to analyse the significance and hierarchy of the heritage assets, nor to acknowledge analysis in the HIA. This contravenes HE7.1 of PPS5.
- The comments fail to heed the scale and massing unique to Ickleton. The setting to Norman Hall is not defined by its relationship with a wall. It is more complex than this, the church, street and farmhouse context being much more important in its heritage significance.
- The recommendation of refusal fails to identify and analyse the setting of the heritage assets or the character of the Conservation Area so the conclusion is unfounded.

Planning Comments

Impact on setting of Listed Building, character of Conservation Area and openness of Protected Village Amenity Area

31. The site is located inside the Ickleton village framework, within the Conservation Area and in a Protected Village Amenity Area. It is also within the grounds of Norman Hall, a Grade II listed building located on Church Street.
32. The site has an extensive planning history. In 1997, applications proposing the erection of two substantial detached dwellings facing Mill Lane and located on a larger parcel of land (equating to the size of the current PVAA) were refused, partly on the grounds that the development would harm the open and natural setting of Norman Hall, and the character and appearance of the Conservation Area. These applications were then dismissed at appeal. The Inspector considered that the site was historically associated with the listed building and, being enclosed by high brick and flint walls, felt it formed an important part of its setting. He acknowledged the site had a different character to that of the formal gardens of Norman Hall and that this would have been the case prior to the land being divided into separate ownerships. He concluded that the development would erode the setting of Norman Hall and result in the urbanisation of the open land.
33. Since the appeal decision relating to the 1997 applications, the site has been designated as a Protected Village Amenity Area (PVAA). Policy CH/6 of the Local Development Framework states that development will not be permitted within or adjacent to PVAAs if it would have an adverse impact on the character, amenity, tranquillity or function of the village. The supporting text to this policy states that PVAAs have been designated on sites within village frameworks in order to safeguard those areas of undeveloped land within villages that are important to retain. It states that PVAAs include land that has an important amenity role in providing a setting for buildings, and can include land that may be enclosed or semi-enclosed. There is no specific information available regarding the reason behind the inclusion of this site as a PVAA, and it appears that it was designated as such following the 1997 appeal decision. In this instance, Officers have come to the view that the main role and purpose of this PVAA is to protect the open setting of the east side of Norman Hall, in the interests of preserving the setting of this Listed Building as well as the character and appearance of the Conservation Area. As such, if any proposed dwelling was considered to be sympathetic to the setting of Norman Hall and to the character of the

area, Officers consider the PVAA designation need not preclude the principle of development of the site.

34. The supporting information submitted with the application shows that the land has historically been divided from Norman Hall by ranges of outbuildings that lay between the immediate garden curtilage of the house and the farmland/eastern grounds beyond. Whilst these outbuildings have since been demolished, their original line is still defined by walls/banks. The information provided (which was not available at the time of the 1997 appeals) seems to give compelling evidence that the curtilage of Norman Hall comprises the line of the eastern and southern outbuildings that lay beyond the immediate formal garden associated with the dwelling. From the evidence available, Officers consider that the land beyond to the east (of which the application is part) is not part of this curtilage. Nevertheless, it does form part of the open setting of the east side of the dwelling, and the evidence provided suggests that, other than the north-eastern corner (which historically comprised barns in a courtyard arrangement), the land has historically remained open and undeveloped.
35. The current application proposes a substantial detached dwelling facing towards Norman Hall, with the design being dominated by a large expanse of roof, with centrally positioned gables to the front and rear. When compared to the previously refused scheme, the height, scale and massing of the dwelling has been reduced, and the design revised to a traditional barn-style property. The Conservation Officer has advised that the scale and massing of the dwelling would be out of keeping with the character of the area. In addition, the design, consisting of a multitude of gables, half-hip roofs, rooflights, large areas of glazing and a central chimney stack, would be contrived and unconvincing, and would not reflect the simple character of a functional agricultural building. The proposed dwelling would be sited around 90m from Norman Hall itself and approximately 38 metres away from Mill Lane. The application has been accompanied by cross-sections that purport to demonstrate the proposed dwelling would not be visible from Mill Lane and would be sited sufficiently far from Norman Hall to result in harm to its setting. However, the Conservation Officer considers this detail highlights the incompatibility of the design, scale and proportions between Norman Hall and the proposed dwelling. With regards to the view from Mill Lane, the boundary with this road is defined by a 3 metre high wall. The section drawings indicate that, given the narrow width of the road and the height of the wall, the dwelling would not be readily apparent in views from directly outside the access point. However, due to the scale and size of the proposed dwelling, the presence of a building on the site would be evident in more oblique views from further along Mill Lane as well as from the curtilages of residential properties on the north and south side of Mill Lane. The proposal would represent an intrusion into a presently open area of land and would therefore be unacceptable, eroding the setting of Norman Hall and resulting in harm to the character and appearance of the Conservation Area.
36. Planning and Conservation Officers met with the applicant and architect in order to discuss possibilities for the development of the site. In this meeting, Officers indicated that support may be given in principle to a single-storey building in a courtyard arrangement. However, the applicant has since advised that such a form of development would compromise the family's preferences and requirements, and has therefore requested that the application be determined in its current form.

Residential amenity

37. The site is surrounded by a number of residential properties including Norman Hall itself, some 70m to the west, and No.10 Mill Lane (to the north-east). Given the substantial size of the plot, the proposed dwelling would not result in harm to the

amenities of occupiers of adjoining properties by reason of overlooking, overshadowing or loss of light. It should be stressed that none of the responses received from local residents have raised any concerns regarding the impact of the development upon their amenities.

Impact on trees

38. The site includes a number of mature trees. During the consideration of the previously refused scheme, the Trees Officer requested that the dwelling be resited in a position further away from the lime trees. These concerns have been addressed in the current application, as a result of which the Trees Officer has raised no objections to the proposal subject to works being carried out in accordance with the submitted arboricultural assessment.

Highway safety

39. The existing access and gates were allowed on appeal in 2007. The proposal seeks to utilise this existing access, and the Local Highways Authority has therefore raised no objections to the proposal.

Archaeology

40. The County Archaeologist has advised that the site lies in an area of high archaeological potential and that any permission should be subject to a requirement for investigative works before commencement of development. The applicant's agent has indicated the applicants agreement to undertake such works and this does not therefore form part of the reason for refusing the application.

Density

41. The site measures approximately 0.26 hectares in area. The erection of one dwelling on the land would equate to a density of approximately 4 dwellings per hectare and the proposal would therefore conflict with the requirements of Policy HG/1 of the Local Development Framework, which requires new residential developments to achieve a minimum density of 30 dwellings per hectare, unless material considerations indicate a different density of development would be more appropriate. In this instance, given the sensitivity of the location and the constraints affecting the site, the erection of any more than a single dwelling on the site would compound the impact upon the character of the area and upon the setting of the Listed Building.

Infrastructure requirements

42. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. For the 5-bedroom dwelling proposed, this amounts to £4,258.90, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor community facilities (£718.78), together with additional costs relating to the provision of household waste receptacles (£69.50), Section 106 monitoring (£50) and legal fees (minimum £350). The applicants' agent has confirmed, in writing, his clients agreement to such payments and this does not therefore form part of the reason for refusing the application.

Recommendation

43. Refusal:

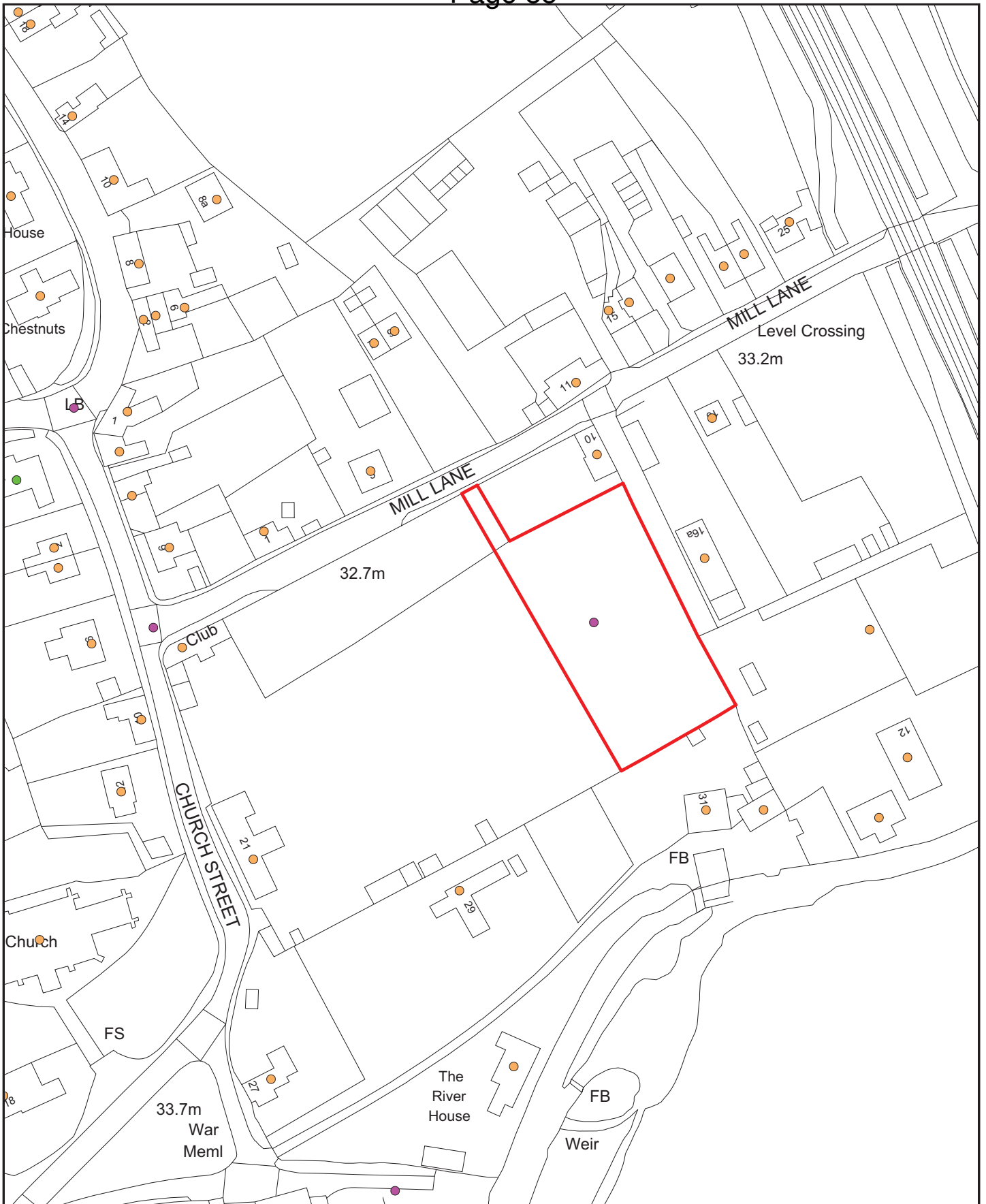
1. The application site lies within the Ickleton Conservation Area on land that forms part of the open setting of Norman Hall, a Grade II Listed Building. By virtue of the scale, proportions and design of the proposed dwelling, the development would intrude into the open and natural setting of Norman Hall, thereby having a detrimental impact upon the setting of this Listed Building, and adversely affecting the special character and appearance of the Conservation Area. Consequently, the proposed development would be contrary to Policy CH/4 of the South Cambridgeshire adopted Local Development Framework 2007, to the Listed Buildings Supplementary Planning Document, and to Policy HE10 of Planning Policy Statement 5, which resist development that would adversely affect the setting of listed buildings, and to Policy CH/5 of the adopted Local Development Framework 2007, to the Conservation Areas SPD, and to Policy HE9 of Planning Policy Statement 5, which state that development will not be permitted if it would harm the architectural or historic character and appearance of the Conservation Area.
2. The site forms part of a larger parcel of land designated as a Protected Village Amenity Area. By virtue of the harm to the character of the Conservation Area and the setting of the Grade II listed Norman Hall, the erection of the proposed dwelling on the site would be contrary to Policy CH/6 of the adopted South Cambridgeshire Local Development Framework 2007, which states that development will not be permitted within Protected Village Amenity Areas if it would have an adverse impact on the character, amenity, tranquility or function of the village.”

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: Development Affecting Conservation Areas, Open Space in New Developments, Trees and Development Sites, Listed Buildings, District Design Guide, Landscape in New Developments
- Circular 11/95 and 05/2005
- Planning File References: S/2484/11, S/0704/11, S/2214/07/F, S/2213/07/LB, S/1562/07/LB, S/1563/07/F, S/0102/97/F, S/0103/97/F, S/0212/97/LB, S/0213/97/LB.

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/2377/11 – LITTLE GRANSDEN

Proposed 2 storey dwelling with associated parking for Tom Stroud

Recommendation: Approval

Date for Determination: 28th February 2012

Notes:

This Application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the response of Little Gransden Parish Council.

Site and Proposal

1. The site is located within the Little Gransden Development Framework, it sits very close to this framework edge and is approximately 130m from the restored Great Gransden Windmill. This is a grade II* building and not within the District boundaries. It is not within the designated Conservation Area. The site is currently unused and unkempt land that has an existing agricultural access that allows access to the field beyond. Two mature trees have since been removed from the northeast boundary but the remainder of the site is reasonably well screened by a mixture mature hedgerow and boundary fencing. An established hedge fronts Primrose Hill other than at the point of access. Open countryside is located to the north; a paddock is located to the northeast and residential development to the south and west.
2. The planning application dated 25th November 2011 proposes one detached two-storey dwelling, comprising 3 bedrooms. It proposes a modern design and is submitted with a Design and Access Statement and a Code for Sustainable Homes Assessment.

Planning History

3. S/1138/10/O – New Dwelling with Garaging and Access – Approved.

The outline consent saw the development scale no higher than 6m to the ridge, similar to that of No 47, which is a 1.5 storey dwelling with room in the roof space. Such a scale of dwelling was considered appropriate as future development would be subservient or the same height to the neighbouring property and could be designed to avoid overlooking.

Planning Policy

4. South Cambridgeshire Local Development Framework Core Strategy 2007: Policy ST/7
5. Local Development Framework Development Control Policies 2007 (LDF) policies:

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
DP/6: Construction Methods
DP/7: Development Frameworks
HG/1: Density
SF/10: Outdoor Play space, Informal Open Space and New Developments
SF/11: Open Space Standards
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

6. South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 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.

8. 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

9. **Little Gransden Parish Council** – recommends refusal for the following reasons:

- Inadequate provision for sewerage – dwellings further down the hill have been adversely affected by blockages caused by newer developments that have linked into the existing sewer system
- The proposed design does not fit in with the village
- The proposed finish of the building would be too high
- There were concerns about the glass frontage
- There were concerns about potential glare from the glass frontage adversely affecting oncoming vehicles, particularly those emerging from Windmill Close onto Primrose Hill
- Councillors registered their disappointment that an oak tree and other mature trees had already been removed from the plot and requested that replacement trees be planted.

10. **Trees Officer** – No objections. The hedge should be retained other than the point of access. Landscaping conditions to be included if minded for approval.

11. **Environmental Health Manager** – No objections have been raised however, conditions regarding the operation of machinery on site and driven pile foundations have been requested and informatives regarding construction, bonfires and the burning of waste included on the decision notice if minded for approval.
12. **The Local Highway Authority** – Following a site visit the LHA can confirm that the existing access is for agricultural use only and will therefore need to be constructed to an appropriate standard for the proposed dwelling. It requests that conditions are included to ensure the appropriate visibility splays are in place, that ground levels do not add to surface water run off into the public highway, bound material should be used for the access and that any works in the highway will require prior permission.
13. **Huntingdon Conservation Team** – No objections

Representations

14. Three letters of representation have been received. The concerns raised are as follows: -
 - The mature trees that were located to the right of the site should have been afforded some protection but have since been removed, even before the application has been determined. These should be replaced.
 - The design of the property is not in keeping with other properties or the local area.
 - At outline the scheme was approved subject to height restrictions. The height of the proposed unit is higher than that of neighbouring units.
 - The reflection from the glass will be very intrusive from my property that is opposite the application site, especially as this is the south facing elevation.
 - This reflection could be a danger to road users when existing onto Primrose Hill in the dark or in the daytime.
 - The sewer system is not adequate for an additional property.
 - General acceptance of development if suitable to its surroundings.

Planning Comments

15. Little Gransden is categorised as an infill village under policy ST/7 of the South Cambridgeshire Local Development Framework Core Strategy 2007. As such new residential development is restricted to not more than 2 dwellings comprising a gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining. Having already granted outline planning consent on this site for one residential unit officers consider the site is suitable for one new dwelling. It is not considered suitable for any more than one unit.
16. Housing density policy HG/1 is applicable in this instance and this seeks a minimum density of between 30-40 dwellings per hectare, depending upon sustainability. The developable area in this instance is approximately 0.03ha, hence the development of a single dwelling equates to a density of approximately 33 dwellings per hectare (dph). In this instance it is considered that a development of a higher density would be contrary to the character and appearance of the surrounding patterns of development and would likely have a further adverse impact upon the wider setting of the windmill and neighbouring properties.

17. The proposed unit is outside the scale parameters permitted at Outline stage and therefore this application is a new and 'Full' planning application, rather than a 'Reserved Matters' one. The application benefitted from pre-application advice and the principle of development for a unit on this plot was established through the historic Outline consent listed above.
18. The main concerns with regard to this scheme are the impact of the design and character on its surroundings, landscaping, neighbour amenity and contributions for a development of this scale.

Character of the Area

19. Existing development along Primrose Hill is of mixed character. Towards the proposal end of the street the site is surrounded by 1.5 storey and single storey properties of similar design to each other. At outline application stage, submissions are short on detail, however scale parameters are put in place to ensure any forthcoming proposal be designed to work well with its surrounding character. That is not to say that the dwelling design should be a pastiche, rather that an appropriate alternative design may also be acceptable.
20. The location of the property on the plot is predominately in the developable area in line with the outline scheme, albeit the shape and form of the proposed unit is very different to the neighbouring properties, it was agreed at the pre-application stage that replicating neighbouring units in this manner was not considered essential and by no means an enhancement to the local area.
21. The proposed dwelling is very different to its neighbouring units in terms of design but it also aims to provide a more modern 3-bed property that will achieve a Level 4 Code for Sustainable Homes (CFSH) rating.
22. The new ridge height of the proposed dwelling is closer to 6.8m rather than the agreed 6m at outline and whilst the property is set back slightly from the main building line, the increase in height, albeit by 0.8m raises concern with the residents and the Parish Council. At pre-application stage further discussion suggested that this height could be brought down slightly and the onus was on the architect to convince officers that street scene views and wider context would not be adversely impacted by the proposed development. Due to the plot shape, the proposed design features, its location and potential impact on the wider street context, the proposal is different in character but it is not considered to be adverse. Rather, it increases the interest in the street scene and provides a modern and environmentally friendly approach to 21st Century house building in a rural area. The 0.8m increase in ridge height is not considered to be immediately apparent when compared to its neighbours and therefore the height is not considered to detract from the character of the area. It is relevant to the design of the proposed unit and how it will sit in its surrounding context.
24. The scale reflects well in the wider built form and is not considered to adversely impact on the character of the wider rural area. The large openings, particularly on the front elevation, are not reflective of any building in the near vicinity but the building is considered as a whole, both in design terms and in that as a modern property the purpose of this is for the absorption of solar energy. The proposed 'green walls' will soften the impact the large glazed areas and reduce potential glare, particularly on the front elevation. It is the view of officers that the impact on the wider character is acceptable in this instance.

25. The materials proposed are a sand coloured clay roof tile for the main roof, oak timber boarding on the external walls and a Cambridge stock brick for the ground floor plinth, Anthra zinc roofing and cladding for the single storey element, wooden framed high performance glazed windows and painted white barge boards. These are very different to the neighbouring red brick built buildings but not totally at odds with the overall character of Primrose Hill, where towards Main Road, the dwelling types vary in materials and design. Whilst details of the proposed garden/bike store have not been submitted it is clear this would not affect neighbouring amenity or the character of the area due to its location in the rear garden. Full details can be agreed by condition.

Landscaping

26. Landscaping plays an important role in enhancing the appearance of any built development and the site at present comprises substantial landscaped elements. The screening at the front of the site should be retained other than the point of access as indicated in the comments from the Tree Officer as it is evident that the removal of other trees on the site will have to take place. Removal of these should be replaced with other species on the site to enhance the long-term biodiversity of the site.
27. Concern was raised by both by residents and Parish Council with regard to the loss of trees on site. The trees were not afforded any statutory protection and therefore there was no control over their retention. However, discussion with officers has raised concern with regard to the siting of the property and the proximity of the property to the northeast boundary. It was suggested to the agent that the property be moved away from the boundary edge to allow for further planting and better screening of this boundary due to its proximity to the village edge. It was agreed by the agents that this could be achieved and amended plans were submitted. Amended drawing no. 0305/D/0/110/2 franked 8th March 2012 shows the property moved away from the northeast boundary and provision for a 2m high hedge comprising field maple, hawthorns, crab apple, wild hedge roses, guelder rose, holly, hazel, elder, wild cherry, hornbeam and mountain ash. Whilst the amended plan provides details regarding species and maintenance it has not benefitted from comments from the landscape officer at the time of writing the report. Additionally the proposal to provide space for planting is considered necessary as part of the wider development, a condition for a landscaping scheme is still required to agree the content of the proposed hedging to ensure its proper establishment.
28. The mix provided is not considered to be achievable. Further landscaping would be beneficial from both a visual and biodiversity viewpoint.

Neighbour Amenity

29. In accordance with policy **DP/3** the proposed development should be sited and designed so as to ensure that there is not a significant loss of privacy to neighbouring dwellings arising from any proposed windows. Similarly the development should be sited so as to preclude any significant overshadowing and overbearing to the adjacent dwellings.
30. In this instance it would appear that the most sensitive neighbouring dwelling would be no.47 itself. The application dwelling has been designed to address issues such as overlooking and the majority of openings are located on the 3 alternative elevations. The only openings on the southwest elevation at first floor comprise 3

roof lights. All 3 could be raised to 1.7m from internal floor level and address overlooking from them. Two are for the bathroom and one is for a secondary window to Bedroom 2. It is considered this is easily achievable. It is not considered that residential amenity would be adversely affected in this instance, subject to appropriate conditions.

Infrastructure

31. This development would be required to contribute towards public open space infrastructure within the village in accordance with Policies **DP/4**, **SF/10** and **SF/11**. Financial contributions are index linked and calculated on the number of additional bedrooms created and would be secured by a legal agreement known as a Section 106 Agreement (S106). The provision of a four-bedroom dwelling on the site would attract a financial contribution of approximately £4258.90.
32. In order to meet the increased demand resulting from this development, the Council would also seek to secure a contribution towards community facilities space within the village. This would be secured by legal agreement (S106). The provision of a four-bedroom dwelling on the site would attract a financial contribution of approximately £703.24.
33. You may also be required to contribute towards the costs of providing refuse bins for the site, currently £69.50 per household.
34. On 5th November 2009, this Council agreed to introduce an additional monitoring fee to be applied in relation to the completion of all Section 106 agreements. This amounts to £50 per dwelling. As part of the supporting Planning/Design and Access Statement, you would need to confirm your client's agreement to the payment of this sum.
35. The applicants' agent has confirmed, in writing agreement to such payments.

Conclusion

36. The scheme proposes a development that is in line with HG/1 density requirements, it proposes a modern environmentally friendly family sized house within the village framework, there is scope for further landscaping and it is not considered to have an adverse impact on the neighbouring listed Windmill located in outside of the District. There is no adverse impact on the neighbouring occupiers and the agent and applicant are aware of the required contributions towards public open space and community facilities. Design is not considered suitable to all tastes but it is considered that this is a subjective matter that officers are divided on. On balance it is considered that there are no material planning considerations with regard to this scheme that would warrant a recommendation for refusal. For the above reasons the scheme is recommended for approval subject to being built in accordance with the amended plans and the following conditions.

Recommendation

Approval as amended plans franked 5th March 2012

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: 0305/D/0/110 Rev 2, 0305/D/0/100 Rev 1, 0305/D/0/101 Rev 1, 0305/D/0/201 Rev 1, 0305/D/0/200 Rev 1, 0305/D/0/203 Rev 1, 0305/D/0/202 Rev 1, 0305/D/0/300 Rev 1 and 0305/D/0/301 Rev 1 franked 5th March 2012. (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 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.)
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details

Surface Water Drainage

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

Foul water drainage

(Reason – To ensure satisfactory drainage of the site)

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

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

6. The existing hedge on the front boundary of the site shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

(Reason - To protect the hedge, which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

7. During the period of construction no power operated machinery shall be operated on the site before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason – To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction in accordance with the requirements of Policy NE/15 of the adopted Local Development Framework 2007)
8. No development shall begin until details of a scheme for the provision of recreational, community facilities, and household waste receptacles infrastructure, to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4, SF/10 and SF/11 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 adequate infrastructure is available to support the development in accordance with Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)
9. Visibility splays shall be provided on both sides of the proposed new access and 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. The new dwelling, hereby permitted, shall not be occupied until the proposed new vehicular access, and parking and turning areas have been provided in accordance with the details . The access, parking and turning areas shall thereafter be retained in accordance with the approved details.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. The access 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, in consultation with the Local Highways Authority.
(Reason – To prevent surface water discharging to the public highway, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. The proposed first floor windows in the southwest roof slope of the building, hereby permitted, shall be situated no lower than 1.7m measured internally from the finished floor level at first floor.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

13. 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 southwest elevation or roof slope 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.)
14. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.
(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

Informative

This development involves work to the public highway that will require the approval of Cambridgeshire County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. It is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

South Cambridgeshire Local Development Framework (LDF) 2007

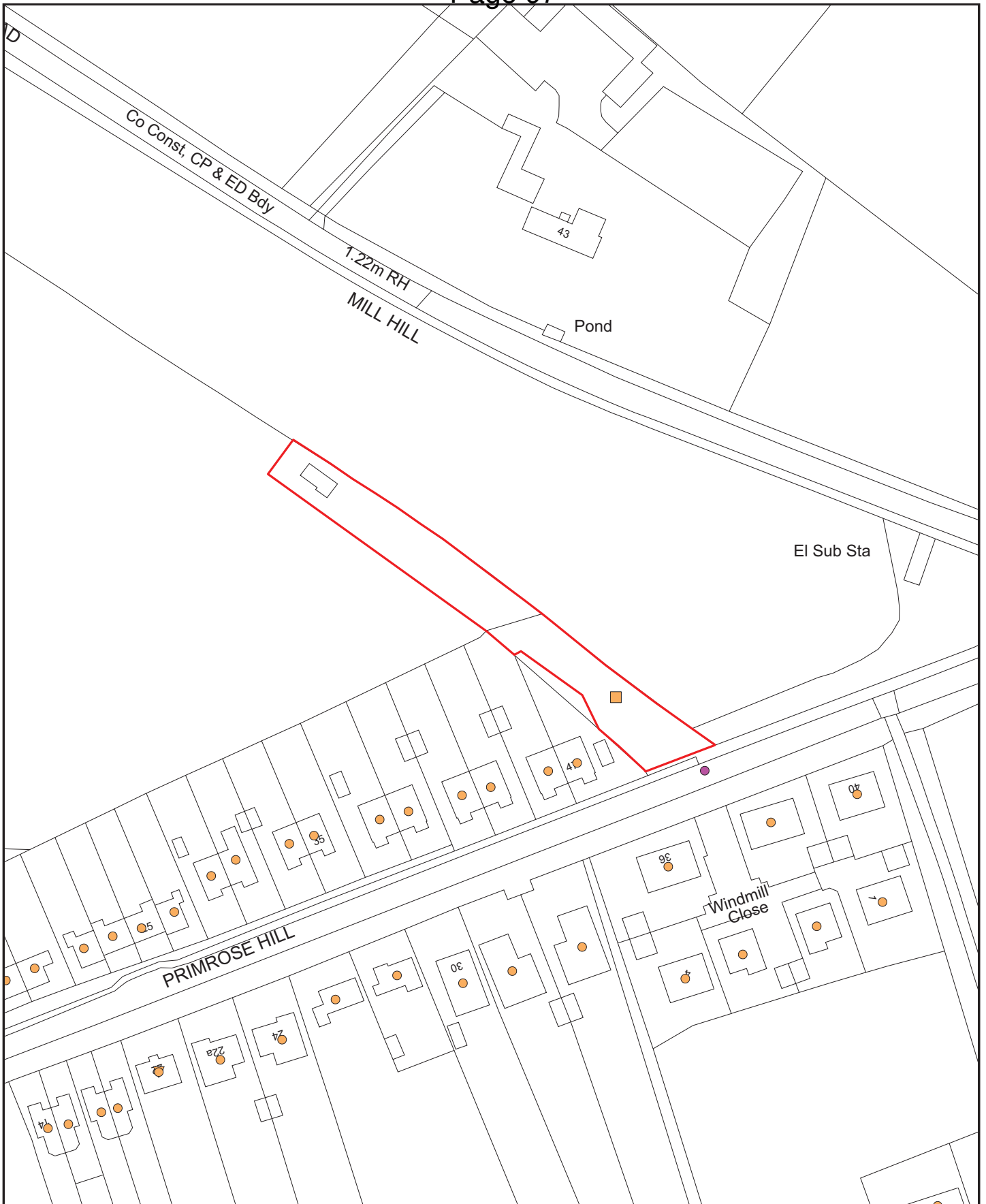
Circular 05/2005 – Planning Obligations

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

Planning application references: S/2377/11

Contact Officer: Saffron Garner– Senior Planning Officer
Telephone: (01954) 713256

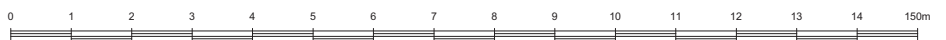
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S2564/11 – Gamlingay**Installation of one 330kw wind turbine (53.7m to tip), access track and crane hardstanding, Castle Farm, Hatley Road, for Gamlingay Community Turbine****Recommendation: Delegated Approval****Date for Determination: 23 February 2012****Notes:**

This Application has been reported to the Planning Committee for determination as a director of the applicant company is the spouse of a Member of the District Council and the officer recommendation of delegated approval is contrary to the recommendation of Wrestlingworth and Cockayne Hatley Parish Council

Members will visit this site on 3 April 2012**Site and Proposal**

1. The full application, received on 29 December 2011, proposes the erection of a single 330kw wind turbine on land at Castle Farm, Gamlingay.
2. Castle Farm is located to the south east of Gamlingay, south of the Hatley Road. The proposed turbine is within an agricultural field approximately 500m to the south of the main buildings on the farm, and approximately 380m to the north of Potton Wood, a Site of Special Scientific Interest. The land rises away from Hatley Road towards Potton Wood.
3. The proposed turbine is an Enercon E33 designed by leading architect Sir Norman Foster. It has a hub height of 37m and a blade length of 16.5m, giving a total ground to tip height of 53.7m. The turbine has a traditional three bladed design and a rotational speed of between 18 and 45 rpm. The turbine mast will be galvanised steel, finished in pale grey, with graduating green coloured rings on the lower portion of the mast. The nacelle and blades are also finished in pale grey.
4. A 142m length of new access track will need to be constructed to link the turbine location with the existing access track which runs alongside Castle Farm. The existing track will need to be reinforced to accommodate turbine construction and delivery vehicles. The existing access track off Hatley Road into Castle Farm will be used and no additional access point is proposed.
5. A 16m x 20m crane pad and hardstanding is proposed for use during construction, maintenance and decommissioning.
6. It is proposed that the turbine will connect to a transformer adjacent to the three-phase overhead power cable, which is 380m to the west via an underground cable.

7. Public Footpath Gamlingay 5 runs from Mill Hill to Potton Wood, 400m south west of the site, with other rights of way leading from the south into Potton Wood. There is not a formal right of way which leads north from Potton Wood to Hatley Road, although there is an access track which is used by walkers.
8. The application documentation states that the project is being funded entirely by the local community both through individual investors and local companies, with no funds being sought from district or national government or borrowed from banks, so return of investment will also be to the community's benefit through its stakeholders. It is stated that the applicant company will donate over £200,000 to the community
9. The application is accompanied by a Design and Access Statement and a comprehensive Environmental Appraisal, which includes a bat report.

Planning History

10. There is no relevant planning history.

Planning Policy

11. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/7 Development Frameworks, NE/1 Energy Efficiency, NE/2 Renewable Energy, NE/4 Landscape Character Areas, NE/6 Biodiversity, NE/15 Noise Pollution, NE/16 – Emissions, CH/1 Historic Landscapes, CH/2 Archaeological Sites, TR/2 Car and Cycle Parking Standards.**
12. **South Cambridgeshire LDF Supplementary Planning Documents (SPD) - Biodiversity - adopted July 2009, Landscape in New Developments - adopted March 2010, District Design Guide - adopted March 2010**

Consultation

13. **Gamlingay Parish Council** makes no recommendation. "Council considers the application with no recommendation requesting rigorous examination of the issues of noise levels, ecology with respect to bird and bat populations, visual impact and effect on local aviation."
14. **Hatley Parish Council** makes no recommendation. "Councillors expressed concerns about the visual impact on the countryside and discussed without conclusions the least obtrusive colour for such turbines. Chair would like to attend SCDC Planning Committee when application is discussed."
15. **Wrestlingworth and Cockayne Hatley Parish Council** states that after careful consideration it recommends refusal.

"In summary, our key points of objection are:

The proposal has factual errors and lacks proper consideration of all parties affected.

The proposal is sited amongst protected wildlife and represents a very real danger to their welfare.

The proposal is too close to local residents and will create unacceptable noise pollution, health risks, light/shadow flicker, vibration, and sub audio disturbance.

The proposal will blight the green belt, is out of keeping with the rural landscape and will be too obtrusive.

The proposal will cause a fall in local property values, will be subsidised by locals via government subsidies, is not sustainable in its own right and brings negligible economic benefit to the community.

The proposal's carbon saving credibility is highly questionable.

Better technology is available.”

A full copy of the Parish Council's comments can be found at Appendix 1.

16. **Potton Town Council** makes no comment.
17. **Central Bedfordshire District Council** raises no objection.
18. The **Landscapes Officer** comments that the proposed wind turbine will have a significant impact on the landscape locally to Gamlingay. The landscape around Gamlingay lies in the Bedfordshire and Cambridgeshire Claylands Landscape Character Area. It is open, rolling and rural in character, and features many small woodlands locally, several of which are of SSSI status. The landscape is particularly open to the east of Gamlingay where the turbine will be situated, with long views possible to the turbine.
19. It will be clearly seen from several local roads (Gamlingay Road, Potton Road, Long Lane etc) and from local footpaths and rights of way (e.g. footpaths to the west of Potton Wood and from the SSSI woodland itself. On many routes to the south and east of Gamlingay the turbine will be visible above the skyline for long periods – it will be constantly visible rather than intermittently.
20. At 53 metres to blade tip, it will be the tallest feature in the area, which currently features only timber power lines and farm buildings. The tallest local feature to be seen in context with the proposed turbine is the mature Ash/Maple woodland at Potton Wood – with the tallest trees being approximately 20 metres.
21. The movement of the turbine will also add to its visual prominence, as will its position alone and unconnected with any buildings or other landscape features. Further significant views will be apparent from land controlled by neighbouring authorities e.g. views to the north west from Cockayne Hatley.
22. Some of the viewpoints describing the turbine do tend to underplay the landscape affects by positioning it behind trees etc (e.g. viewpoints 9 and 11), when moving the viewpoint a few metres to either side a better representation of the turbine in the Landscape could be achieved.
23. The turbine will cause some degree of harm to the landscape in that it will introduce a large, moving, industrial scale object into a rural setting. However, while it is felt that the turbine will be a very prominent feature, it will remain a feature within the wider landscape rather than dominating and suppressing the local landscape character, as a large turbine or group of turbines would do.
24. No landscaping is proposed for this development, however it is requested that occasional tree planting alongside roads and pathways so that the turbine will be

seen in conjunction with other significant landscape objects rather than standing alone on the horizon. Hatley Road and the footpath from Mill Hill are areas where planting would be possible.

25. The **Environmental Health Officer** has no objection in principle subject to the imposition of conditions for operational noise and shadow flicker. It is concluded that the potential for noise impact has been assessed in accordance with best practice/guidance and standards. It has been demonstrated that noise from the proposed turbine can be controlled to within acceptable noise level limits, determined in accordance with ETSU-R-97. It is therefore considered that noise from the turbine once operational would be minor and not significant. No significant adverse impact is envisaged and an adequate level of protection against noise to protect amenity can be secured through conditions. Shadow flicker is unlikely to cause any significant adverse impact.
26. Whilst the wind turbine is wholly within SCDC, there are villages to the south such as Cockayne Hatley that are within the neighbouring district boundary of Central Bedfordshire. It is understood that some residents of Central Bedfordshire have expressed concern in relation to possible noise and shadow flicker impacts. As the closest properties to the wind turbine are dwellings in SCDC, only the direct impact at these properties has been considered however it can be confidently concluded that the impacts would be even less significant and probably imperceptible at these locations due to a greater separation distance. The noise predictions have been modelled in all directions. In addition, any conditions that have been recommended to protect amenity are considered equally robust enough to protect residents outside SCDC
27. A full copy of the EHO comments can be found at Appendix 2.
28. The **Conservation Manager** comments "The proposed turbine is within the settings of Gamlingay & East Hatley Conservation Areas, the Registered Park & Garden at Hatley and a number of listed buildings in both villages, of which the closest are at Merton Grange (Grade II). The site is significant as part of the countryside and fields along the valley edge, with the valley leading views towards the hilltop village of Gamlingay, giving long views across and within it, and being within the settings of numerous historic scattered farmsteads.
29. Because of the topography, views from East Hatley are mostly obscured apart from views from the meadows in the valley floor, from which the turbine is seen in conjunction with the designated Park and the village and Conservation Area, including the Church. The siting, being more easterly than anticipated, gives less prominence to the turbine from this direction.
30. From Gamlingay, the views are limited and from the easterly edge of the village, the rest being obscured by the valley edge and modern development. The Church is surrounded by other development and is not prominent from beyond the eastern side of the village, so any impact would be minimal.
31. The turbine would be visible to and from Merton Grange and from the Gransden Road. The submitted viewpoint is not as requested but the more easterly siting of the turbine means that part is obscured by the modern factory units, making the difference between open countryside and modern development less marked.

32. Whilst there are views along the valley from the east, the valley edge curves northwards, obscuring longer views from the nearest villages on the north-east, and the nearest listed buildings are screened by trees.
33. There would be some harm to the setting of the East Hatley, including to its Church and Registered Park & Garden, and to the isolated farmsteads and listed and curtilage listed buildings at Merton Grange, and lesser harm to listed buildings along the eastern edges of Gamlingay. Under PPS1, this harm should be balanced against the public benefit of the turbine and in this case I would consider that the benefit outweighs the harm.
34. I understand that some harm has been identified to villages south of the turbine, which are outside our District. This has not been considered under the conclusion above and advice should be sought of the relevant Local Authority. If found to be harmful, the cumulative harm within both Districts should be balanced against the benefit.
35. **The Council's Team Leader (Sustainable Communities)** comments:
36. "This application is an exemplar of best practice in bringing forward community based renewable energy generation. It is a genuine and very well developed example of local sustainability in action, bringing together and specifically delivering on the three essential elements of:
37. *Protecting our environment (reducing emissions of carbon dioxide and other pollutants associated with energy generation from fossil fuels whilst ensuring it is at a scale that respects the value of the local landscape)*
38. *Contributing directly towards the well-being of the local community (establishing an income linked revenue stream for community benefit use) , and Supporting the local economy (Using local investment to generate local returns).*
39. It is clear that great care and professional attention has been paid to ensuring that the application not only delivers on the Council's Renewable Energy Planning Policy NE/3 and Sustainable Development Policy DP/1 but also respects the design, landscape and development criteria policies DP/2, DP/3 and NE/4 (et al).
40. The project also strongly reflects and supports the wider Council priorities of securing the transition to more sustainable energy use and self-reliance across the District, especially as taken forward through the work of the South Cambridgeshire Sustainable Parish Energy Partnership.
41. The application is therefore fully supported.
42. The generation of renewable and very low carbon energy from wind in South Cambridgeshire has on occasion been a controversial topic. Whilst the Council has fully recognised and supported the importance of bringing forward renewable and low carbon energy development, generation from wind turbines has proved problematic under certain conditions. Difficulties have essentially centred upon the scale of development alongside the balance between the landscape impact and the benefit to the hosting village-based communities.
43. The Gamlingay Community Wind Turbine proposal, however, has paid tremendous care and attention to overcoming both of these potential impediments. The project stands as a region-leading exemplar of how wind power, as a very significant clean

energy technology, can be successfully brought forward to directly serve and benefit a local community whilst delivering at a scale of development that is appropriate to the South Cambridgeshire landscape.”

44. The **Local Highway Authority** has no objection. It requests that conditions are included in any consent requiring the submission for approval of a traffic management plan for all large loads associated with the construction of the development, together with proposals to control and manage traffic using the agreed route and to ensure no other local roads are used by construction traffic; and ensuring that the vehicular access, where it crosses the public highway, is laid out and constructed in accordance with County Council construction specification.
45. The **Environment Agency** has no objection in principle to the proposal but requests that informatives and comments are included in any consent.
46. The **Ecology Officer** has no objection to the proposed wind turbine as he does not believe its impact to be of any great significance on local wildlife. This view is supported by Natural England with regard to bats who have written:
Natural England has advised that the turbine is likely to represent a low risk to bat populations due to the low level of bat activity in the vicinity of the turbine which was limited to species thought to be at a low risk from wild turbines.
47. The questions of colour attraction and the emission of high UV reflectivity is a point that is currently much harder to evaluate. Whilst there may be an attraction to yellow, white or grey colours to pollinating insects it is not clear to how this should be suitably mitigated, nor if the likely impact upon a locally important invertebrate such as the golden hover (See Natural England's' comments below) is so great that specific measures should be sought to avoid harm. The Ecology Officers feeling is that the golden hover fly, being an insect that seeks out ivy to feed upon and rot holes in wood to lay its eggs in, is unlikely to be significantly attracted to a wind turbine. As such it is not felt that this development poses a risk to this species (unless significant parts of the turbine are yellow in colour).
48. The **Wildlife Trust** is pleased to see that the application is accompanied by a thorough ecological assessment and bat survey, and agrees with the general conclusions of the ecological assessment that there is unlikely to be a significant ecological impact from this single turbine.
49. It emphasises, however, the findings of the bat survey, that there is a good diversity of species in the area, including the nationally rare Barbastelle. The site is also within the West Cambridgeshire Hundreds Living Landscape project area; this project is based around a cluster of ancient woodland sites, which include Potton Wood, and is seeking to link together the ancient woodlands and habitats to creates a landscape richer in wildlife. It is stressed that although this individual turbine, should it be granted planning permission, would be unlikely to have significant ecological effects, any future applications for turbines within the same area (particularly for multiple turbines) should be considered very carefully, and include an assessment of possible cumulative effects.
50. It is important to follow the EUROBAT/Natural England guidance for siting of turbines i.e. at least 200m away from the woodland edge and 50m away from the nearest linear feature. The current proposal follows these guidelines and is almost 400m

from the edge of Potton Wood. The extra buffer distance is particularly important in this case given the concentration of bat activity recorded along the woodland edge.

51. **Natural England** comments that the site is in close proximity to the Potton Wood, Buff Wood and Gamlingay Wood Sites of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, it raises no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites. It comments that this should not be interpreted as a statement that there are no impacts on the natural environment and other bodies and individuals may be able to make comments that will help the Local Planning Authority to fully take account of the environmental value of this site in the decision making process
52. It comments that in addition to considering the legal protection given to bat roosts it has also assessed possible risks from the turbine to bats in flight. Whilst some high risk and rare species (noctules and barbastelle) were recorded along the wood edge and hedgerow leading from the wood these are several hundred metres from the turbine. Activity at the turbine location was low and limited to low risk species i.e. pipistrelles. The surveys therefore suggest that there would be a low risk to bat populations from the proposals.
53. The application may provide opportunities to incorporate features into the design which are beneficial to wildlife.
54. Subsequent to its initial consultation response, Natural England has supplied a copy of a letter which it has sent to a resident of Cockayne Hatley, in which it responds to a claim that the *golden hoverfly*, which although not protected species under the Wildlife and Countryside Act, or any other legislation, is a very rare species within the UK and is classed as a Red Data Book species, is present at Potton Wood. Natural England has advised that in order to fulfil its duty to 'have regard ... to the purpose of conserving biodiversity' under Section 40(1) of the Natural Environment and Rural Communities Act, the Local Planning Authority should explore options to reduce or avoid potential impacts of the proposal on this species. Options could include specifying a colour for the turbine, which is less likely to attract insects or siting of the turbine and/or screen planting to reduce its visibility from Potton Wood.
55. **Cambridgeshire Archaeology** comments that the site should be the subject of an archaeological investigation, which can be secured through a negatively worded condition.

Representations

Support

56. 83 letters have been received in support of the application from a total of 55 residential properties in Brockwood Close, Chapel Field, Church End, Church Lane, Church Street, Dutter End, Fairfield, Green Acres, Hatley Road, Heath Road, Little Heath, Mill Street, Rowan Gardens, School Close, Station Road, The Cinques, The Maltings, Waresley Road and West Road, Gamlingay, Mill Road, Gt Gransden, East Hatley, Everton Road, Potton and Gamlingay Road, Waresley. Also included in the total of 82 are letters of support from Unit 6 and KMG Systems, Station Road, Forward Gamlingay and the Gamlingay Environmental Action Group.
57. The reasons for support include:

- Application in line with PPS22 as it will provide a new source of renewable energy in a remote area where all the energy would be used. By generating 6% of Gamlingay's domestic electricity there will be a significant reduction in its carbon footprint. Even if carbon reduction is small it has to be good
- Will reduce emissions of greenhouse gases and will support economic growth and local employment in doing so. Green energy is the way forward. Gamlingay is a proactive village in this respect, and this project, along with the EcoHub is something that residents can be proud of.
- Sustainable energy project which follows the SCDC initiative of the Sustainable Parish Energy Project.
- Scheme will be 100% funded by the community, with no recourse to public funds and will result in a tithe donation and reinvestment in the village. It will provide continuing support of local environmental projects and the Company has pledged to donate 10% of the net income to the local community.
- The Ecological Impact Assessment considered the effect of the turbine and site on wildlife, habitats, noise levels, shadow flicker etc. The turbine has been sited sufficiently outside the village on the far side of the industrial estate such that any noise and shadow flicker often associated with wind turbines will be so low as to be insignificant. The turbine has been sited further away from bat routes. Recent studies show that the greatest impact of a turbine on wildlife are during the construction phase. These turbines do not have gear boxes and are therefore quieter than other turbines, they are also reliable.
- Closest footpath is 400m from the turbine. Nearest house is twice that distance.
- Better than providing nuclear power stations. Will reduce load on the feeder network to Gamlingay, making power cuts less likely.
- Create 2 part time jobs for more than 20 years
- Appearance is pleasing, having been designed by Sir Norman Foster, and is sized appropriately for its location. It will be a thing of beauty that will enhance the attractive countryside. Visual impact will be small in a well-established working landscape with many structures visible including electricity pylons, grain silos, a water tower, radio and microwave antenna, a crane and the Sandy Heath transmitter mast. The water tower at Cockayne Hatley may have been considered an eyesore when first constructed, now it is part of the landscape.
- Play an important role in the diversification of the rural economy in accordance with PPS7. It will help ensure a local farming business is sustainable. Wind turbines divert very little land away from agricultural production.
- Supports national and global aims of reducing greenhouse gas emissions,
- Benefit to local schools by having a practical example of renewable energy that children can feel part of and learn from.
- Unlikely to be a hazard to aircraft.
- There will be minimal ground disturbance.

- Letter of support from occupiers of Castle Farm – grave concern about noise when first proposed but these were allayed having visited a similar, but larger, turbine in Swaffham.
- It can be completely removed and the land returned to its original use after the lifetime of the turbine.

Objections

58. 30 letters of objection have been received from the occupiers of 24 residential properties, namely 25 Cinques Road, 35, 37, 47, 49, 50, 51 54, 58, 62, Chapel Field, 4, 6 Hatley Road, 4 North Lane and 104 Station Road, Gamlingay; The Flat, Hatley Park and Church Farm, Hatley, 45 East Hatley, Home Farm, The Stables, Woodview, 6, 7 Village Road, Cockayne Hatley, and Greenman Farm, Drove Road, Tetworth. A letter has also been received from the West Cambridgeshire Hundreds Group.
59. The reasons for objection include:

General

- No advantage to the village. No benefits locally or nationally to justify approving the application.
- No benefit to community at Cockayne Hatley, and the process has ignored this community, having only collected data from Gamlingay. Viewpoints are Gamlingay orientated. Will have a massive adverse impact on this quiet peaceful village. No consultation with residents of this village.
- Environmental benefits of turbines minimal. Do not provide a reliable and secure flow of electricity, which is one of the key objectives of Government energy policy. The EA shows wind speed at 45m is 5.8m/s which is very low and below the level most wind farm operators consider worthwhile. It is questioned whether the turbine chosen will be effective at the suggested wind speeds and these issues together raise serious issues around the estimated electricity output claimed. No anemometer has been deployed so any assumed wind speeds are theoretical. The estimated load factor is 23%, which can be compared to the total load factor of all installed wind farms in the UK in 2010 of 21.4%. Therefore in the area of lowest wind speed in the country it must be expected that the load factor here would be below the average. The Burton Wold site at Kettering with 100m turbines registered 20.7% and given this information it is clear that the projected load factor of 23% is a complete exaggeration and is more likely to be 15%. The electricity production could therefore represent less than that consumed by 92 houses – 6% of the number of dwellings in Gamlingay.
- Reduction of carbon footprint by the 330k turbine is over estimated by the applicants according to some experts, and at best would only benefit approximately 10% of households in Gamlingay. If the business use of electricity is added the percentage drops to 6%. Choosing PV panels to reduce Gamlingay's carbon footprint would be just as efficient and would not have a negative impact on the countryside.

- If the Government reduces feed in tariffs for turbines it will have a dramatic effect on the predicted income and will in turn reduce the amount of return to the village for community projects.
- Put forward as a 'community turbine' in order to get support from the village, however the minimum investment of £500 probably precludes significant percentage of villagers from investing. The real reason to invest in the project is to make money from the generous feed in tariff. The suggestion that 10% of the net income would be donated to the community is a diversion to mislead people who do not realise how wind energy subsidies are financed. Amount of money that could be donated to the community is unsubstantiated and therefore cannot be used as a definitive basis to assess a material consideration to weigh against any harmful impact of the proposal.
- Level of CO2 offset is unsubstantiated and therefore cannot be used as a definitive basis to assess a material consideration to weigh against any harmful impact of the proposal.
- Danger from collapsing blades and turbines and from "ice-fling". An Enercon turbine completely failed in Lincolnshire and metal fatigue has been identified at the cause of the accident. There is much factual evidence demonstrating that turbines fail in high wind despite manufacturer's reports to the contrary.
- Rotating blades could be distraction to drivers on the Hatley and/or Station Road, and cast a shadow over the road.
- Maps with the application are misleading and do not give a full impression of the impact of the proposal.
- Reduction in the prices of houses.
- Will not generate enough electricity to be a substantive part of the solution for the UK.
- Will set a precedent for further turbines
- The ZTV shows impact over a 10km radius.
- Lack of wind testing data – how can GCT Ltd be sure it has the right site and that it will produce the energy and results stated in the application?
- Site close to a proposed nature trail near the Station Road housing estate.
- Contrary to the Government's aims in PPS7 of the protection and enhancement of the countryside, which carries through in both the Regional Spatial Strategy and East of England Plan, which still has weight in the determination of this application. Contrary to the aims of LDF policies DP/2, DP/3, NE/2, NE/4, NE/7 and CH/1.
- PPS22 recognises that wind turbines are the most intrusive form of development visually. The impact of rotating blades is magnified in this instance by the increased speed of the rotation of the blades on the Enercom E33 (45 rpm as opposed to the norm of 19 rpm).

- No evidence that the District Network Operator has confirmed that the connection is viable in the stated location.
- The applicant has failed to properly explain that the photos provided should be printed in colour, on A3 paper and each viewed at a different fixed distance. Insufficient photomontages have been produced to assess the potential impact of the turbine, and do not show the potential impact from the village. Additional photographs should be taken in winter when trees and hedges are not in leaf to show how the impact will change with seasons
- Strong chance of adversely affecting even digital TV reception, and may also affect radio and mobile phones.
- In determining a planning application for a 16m high crane in Potton Road, the Council insisted that that height should not be exceeded “to minimise its visual impact on the surrounding area in accordance with the aims of Policies.DP/2 and DP/3. The consent was made temporary. The proposed turbine is in open countryside, 3 times the height and will be there for more than 20 years.
- The EA says “the local community is behind the project”. This is based on selective data.
- Negative effect on local economy as people would not want to come and visit the area, or to move to the area
- The very modest amount of low carbon electricity produced will be outweighed by the harm caused.
- Will a small company have the funds to decommission properly or pay for routine maintenance.
- The archaeological survey does not cover sufficient percentage of the area that will be affected.
- Possibility of Council Tax reductions for local residents if this development proceeds.

Wildlife

- The proposal will result in harm to wildlife.
- Inadequacy of ecological study which was performed in just three hours on one day. The survey did identify two ‘red listed’ bird species and 20 grazing corn buntings and a male yellow hammer. It does not allow for migration of birds at different times of the year, for example the flocks of Graylag geese in the autumn. Buzzards and kestrels fly over the site. The survey needs to be more comprehensive
- Impact on bats. Bats fly around the estates at the edge of Gamlingay village and probably fly across from the woods. Any threat to this protected species is unacceptable. The survey identified barbastelles in the area along with other bat species. Tracking and identifying the movement of bats between Cockayne Hatley wood and Hayley Wood to the east, is one of the projects of the West Cambridgeshire Hundred’s project, with early indications that barbastelles might

be flying between them when foraging. This highlights the risk of placing a wind turbine here. Bats can be affected by a condition known as Barotrauma, where the moving blades of a turbine lower pressure and cause the delicate lungs of a bat to suddenly expand, bursting the tissue's blood vessels.

- Owls are known to breed in Potton Wood, and these will hunt over the adjacent arable areas around the proposed turbine
- The concrete foundation and tracks required for access will cause irreparable damage to the local eco-system and disrupt wildlife
- Survey did not state how many garlic plants are present.
- Turbine would be a serious step backwards in the time, effort and money of a number of conservation organisations, farmers and landowners into making this rural environment richer in biodiversity and generally a richer ecosystem for both wildlife and local people.

Landscape

- Adverse impact on the landscape – industrialisation of the unspoilt landscape. No buildings of this magnitude in the area, and no amount of tree planting will mitigate the massive visual effect this structure will have. It is out of proportion with anything else in the area and would remain prominent for many miles in all directions. Will destroy the views enjoyed by persons walking the footpaths. Whilst not designated as an Area of Outstanding Natural Beauty, the area is currently a well-known beauty spot.
- It would be the dominant feature when approaching the village and from the village towards Potton Wood.
- At least six ancient woodlands surround the site with a close radius, mostly SSSI's, which provide a home to many rare plants and animals and create a special ecological 'corridor' which helps many of these species to thrive. This landscape should not be destroyed.
- The West Cambridgeshire Hundreds Project provides clear evidence of the importance of the area in terms of its landscape character. The vision of the project is for landowners and their neighbours to work together and in partnership with conservation organisations to enrich and enhance the visual and biodiversity character and quality of the rural landscape within the project area.

Noise

- Impact of noise to anyone living with 1km of the turbine. Can result in sleep disturbance leading to mental and physical health problems. The turbine is approximately 0.8km from housing and some local businesses, 1.1km from a care home and 1.3km from a school. It is also only 300m from The Clopton Way Footpath and 1km from the proposed Gamlingay Nature Trail.
- CGT Ltd state that the turbine will generate up to 103dB(A) of noise at any time of the day or night. The village is very quiet through the day and night so there is a high chance that the turbine will be heard, particularly by the houses at the edge of the village. This close proximity poses a risk with regard to the rhythmic noise

produced by turbines which can lead to health problems such as depression and anxiety. In addition to the sound of the blades cutting through the wind there are also mechanical noises.

- It is noted that Appendix C of the EA deals with wind speeds of up to 10 mps. Why does it stop there when the optimum output is achieved at around 13 mps?
- Amplitude Modulation (AM) is of the upmost importance as it will affect the health of residents and is the change in volume of the sound as the blades rotate and can be heard as a swishing sound. The noise report quotes research evidence to show that AM will be no more than 3dB(A), which it says will not cause problems. A communication from the Environmental Health Officer, submitted as part of the application background documentation shows that further research has been carried out in which the same source quotes AM as 9.5dB(A), a value which is said not to be acceptable.
- It is disputed that no background noise surveys need to be undertaken. The noise impact statement uses discredited methods, in particular the ETSU-R-97, which bears no resemblance to standards used for other industrial developments. Other renewable energy developments have to meet much stricter standards. It is the only standard where the permissible nighttime level is higher than the daytime figure.
- The predictive noise model provided by the applicant does not fully assess the extent of potential noise that will be produced by the turbine, and may have even underestimated the sound levels at various receptors. It appears that the applicant has chosen not to directly assess the issues raised by the EHO.
- Residents will not be able to sleep with windows open.
- Construction work will produce noise, dust, exhaust and other emissions, and traffic would increase during this period, with many more HGV's which would cause disruption and dangers to local residents. There is no evidence submitted to demonstrate that the proposed delivery route has been assessed as a viable route, or to demonstrate the effect it will have on the road and residents of Hatley

Shadow flicker –

- The siting of the turbine means that everyday, as the sun rises behind it, the village will experience shadow and flicker to varying degrees. It will be particularly bad on clear days during winter months when the sun is low in the sky for longer. At these times the trees will be bare subjecting more residents to this unpleasant experience, including the village college. There will also be lunar flicker. The impact of shadow flicker on people in Cockayne Hatley has not been considered.

Aviation

- Concern about safety of aircraft using Little Gransden Airfield as the turbine is sited on the flight path to the airfield. If flight paths have to be moved there could be more planes flying over the village, increasing noise levels. Concern about the impact on low flying military aircraft and other planes that cross the area. Same applies to Cambridge Gliding Centre.

Residential amenity (including visual impact)

- Turbine is less than the SCDC minimum recommended distance of 2km, passed by resolution at Council in February 2012. Half the village is within 2km, as is the conservation area
- The application acknowledges that the turbine would have a medium to high adverse affect on two houses in Chapel Field, whereas in reality it would be many more than two which would have a 'principle view'. The EA has therefore failed to properly assess the visual impact on Chapel Field. Pictures are submitted to demonstrate this.
- The "Wind Turbines (Minimum Distances from Residential Premises) Bill is currently before the House of Lords, which says that a turbine 50m to 100m high must be located not closer than 1.5km from the nearest dwelling or regularly habited place of work. The proposed turbine does not conform to this.
- Only 800m from 4 Hatley Road, with views from five rooms in the cottage as well as the garden. Similar impact on 6 Hatley Road.

Cultural Heritage

- The turbine would be viewable from listed buildings in the village i.e. The Emplins, Church, Baptist Chapel, The Manor House, Merton Grange, Hatley Park, and many houses in Church End. Hatley Park is Grade II* and not Grade II as described in the application. The EA has not properly assessed this impact.
 - The application contains an incomplete map of Gamlingay Conservation Area, with the eastern most section (nearest the proposed turbine) omitted, and therefore the applicant has failed to properly assess the impact on the Conservation Area.
 - Impact on St John the Baptist Church in Cockayne Hatley. The turbine would be viewed on the skyline over the Church.
60. In addition to the above letters have been received from the operators of Little Gransden Airfield, Cambridge Gliding Centre, CPRE Bedfordshire and Cllr Adam Zerny (Central Bedfordshire DC).
61. **Little Gransden Airfield** objects stating that the turbine would present a number of hazards to the users of both Little Gransden Airfield (LGA) and the neighbouring Gliding Club at Gransden Lodge, who use LGA as an alternative in case of precautionary landings, and to the safe operations at LGA.
62. The increasing number of wind turbines being planned and built throughout the UK are of considerable concern to light aircraft movement because they can be a significant hazard if sited close to an airfield such as Little Gransden. This concern is recognised by the CAA in a recent publication.
63. The site of the proposed turbine is within 2.8km of the threshold of the 010 (west to east) runway and is directly underneath the flight tracks of the agreed airfield operating map (routes are approximate), which was fully agreed by SCDC and the Planning Inspectorate at the Airfield Public Inquiry in 1999. The turbine being so close to the aerodrome and agreed and established circuit pattern and entry/exit routes would present a severe danger to any aircraft using the airfield.

64. Legally pilots are not allowed to fly within 500ft of these structures with the result that pilots landing at, or taking off from LGA would be forced to veer to one side or the other of the pylon. It could be said that distance should be 1000ft over the tip of the turbine if deemed by the CAA that Rule 6 applied (flight over built up area). The approach from the southwest would thus be overhead Gamlingay, which will lead to an increase in aircraft noise and inconvenience over that village whenever that route is used.
65. In bad weather and/or poor visibility the height and the sweep of the turbine blades will present a severe physical hazard to aircraft using the aerodrome at a time when the pilots workload is already substantial. These dangers are well documented.
66. In the 32 years experience of the writer pilots will never fly over an obstacle and thus lose sight of it but always around it. Flying over the top can cause panic and further distraction. A large number of aircraft with retractable undercarriage use the airfield and distractions cause pilots to land wheels up causing damage and injury. It is most likely that the turbine will not be marked on CAA charts so pilots not familiar with the airfield will be surprised to find such a thing with potential for distraction.
67. Although it is often asserted that turbulence caused by wind turbines only extends downwind for 16 times the diameter of the blades, there is an increasing body of evidence that wind shear and tip vortices can substantially increase this minima distance, sometimes for an extent of several kilometres, which if correct the presence of a turbine at Gamlingay will present a significant hazard to aircraft using LGA, given that the proposed site is within the existing established circuit pattern and agreed entry/exit lanes wherein aircraft would be flying at lower levels and speeds in preparation for landing.
68. Very light aircraft such as gliders, microlights, gyroplanes, hang-gliders, paragliders and paramotors are particularly susceptible to turbulence and in certain circumstances can cause loss of control that is impossible to recover from.
69. In some circumstances localised fog can be triggered by wind turbines (photos supplied). If correct a fog at Gamlingay would extend to the circuit for LGA preventing landings.
70. Wind turbines are known to interfere with radio transmissions, radio waves and navigation equipment of aircraft, and there could be a safety hazard if pilots using LGA were unable to communicate effectively with each other, especially during busy time, during air shows, or when Cambridge Gliding Centre is launching large numbers of gliders.
71. The airfield was previously licensed for flying training, which afforded a standard "air traffic zone" (ATZ). This is no longer held as training can now be carried out from unlicensed airfields. One of the purposes of the ATZ is to offer aircraft a form of 'protection' from hazards in that all aircraft need to use the radio whilst in the ATZ. The site is within the previous ATZ, this now not being marked on charts negates a person listening to the VHF radio and thus no one would be monitoring to advise air traffic of obstacles.
72. If planning is granted it is requested that the obstruction has the necessary permanent red light affixed in accordance with ICAO regulations.

73. **Cambridge Gliding Centre** states that the applicant has sought to overcome concerns expressed at the pre-application stage with the assistance of an aviation consultant, and since this input has largely achieved this the Gliding Centre would have little ground for sustained objection to the application.
74. There remains concern that the erection of this wind turbine on the approach to 028 runway at Little Gransden Airfield will present an additional hazard to an aircraft or glider seeking to land there but that this hazard will be relatively minor and not grounds for a sustained objection.
75. The **Council for the Protection of Rural England (Bedfordshire)** objects. The need to reduce greenhouse gas emissions and energy consumption is recognised, along with the need to exploit the potential for a range of renewable energy sources, including wind power. The proposal for a community turbine for Gamlingay taken in isolation may be seen as a laudable attempt to meet some of these environmental principles, however what would be the situation if very parish in England decided to take a similar line?
76. National government policy is slowly shifting on the contribution that renewables such as wind and solar make to our energy requirements. The very low contribution that wind energy makes will inevitable become viewed as a distraction from the main debate where the bulk of our energy will come from etc, and it seems possible that many turbines erected in the past, and potentially the near future, could soon lie idle.
77. CPRE will support renewable energy projects in certain cases, but they should not come at the expense of the countryside. In this case the technical information in support of the application is in general Cambridgeshire centric, and appears to take little account of impact on Bedfordshire residents.
78. It is located on elevated ground in open countryside next to Potton Wood and beyond doubt will represent a major visual impact on the local countryside due to its height. The photomontage is somewhat Cambridgeshire centric and appears to demonstrate little concern for the perspective from Bedfordshire, with the county boundary only 500m or so away. The turbine will dominate views from and over local Bedfordshire natural features such as Potton Wood.
79. The turbine is proposed in a tranquil area where noise will be more apparent. Flicker is also an assault on tranquillity and will be an intrusion for residents in and around Cockayne Hatley.
80. **.Alistair Burt MP** (North East Bedfordshire) states that he has been made aware of this application by Wrestlingworth and Cockayne Hatley Parish Council who are concerned about the application and its location on a site where rare and protected bats roost nearby. It is understood that there are also very rare insects living in the same canopy.
81. He states that he remains unconvinced about the merits of onshore wind turbines, and supports the Parish Council's concerns in relation to the possible disturbance of local wildlife and wishes his objections to the application to be noted.
82. **Cllr Adam Zerny** requests that the concerns of the residents of Cockayne Hatley are highlighted.

83. The plans do not take account of the impact of wildlife in Central Beds, especially Potton Wood, which is an SSSI. An independent study of the effects that the turbine may have on local bats has not been provided.
84. Light flicker and noise in the Cockayne Hatley direction, particularly with regard to the houses to the north of the church.
85. There is insufficient independent support for the economic benefits of one wind turbine.

Applicant's Representations

86. The applicant has submitted a number of representations in response to matters raised during the consultation process. Copies of letter submitted by the agent can be viewed at Appendix 3 and a letter from the GCT Ltd at Appendix 4.

Aviation

87. The applicant's Aviation Advisor states that he has studied the proposed site of the turbine alongside the relevant CAA regulations, and has also looked at the proposed site from the point of view of a flight safety officer. He states that he has acted as the safety committee for the flying displays at Little Gransden on four occasions, and can see no risk or hazard to aviation by the erection of the turbine at the proposed site.
88. A copy of the full letter, which deals with each point raised by Little Gransden Airfield can be viewed at Appendix 5.
89. A further letter has been submitted commenting on the possibility of fog formation stating that while there have been occasions when fog has been associated with large scale offshore wind farms these are rare, and will only occur if weather conditions are marginal for fog formation, otherwise fog would not form or would exist whether the wind farm was present or not. No account has been found of fog associated with an onshore wind farm. Fog formation would be harder to initiate by a wind turbine onshore due to the way fog is formed.

Load factor calculations

90. An extract from a submission commenting on the concerns expressed regarding the methodology used to estimate the predicted energy yields and hence CO2 offset used by the applicant can be found at Appendix 6.

Community donations

91. GCT pledges a community donation of 10% of net income (income from sales of electricity and Feed in Tariff less all outgoings) for the first 15 years of operation. The money would be spent on community projects in accordance with the wishes of the community. The decision on which projects to spend the funds on would be decided by a committee with representation from Gamlingay Parish council, local charity Forward Gamlingay! and GCT.
92. GCT estimates that over this 15 year period the tithe donation would be more than £200,000; this sum represents about 60 times the size of community donation that commercial wind farms are asked to contribute to their community on a £/kW of generating capacity. GCT's preference would be for these funds to be put towards other environmentally friendly local projects such as supporting community transport,

offering support for enhanced insulation installations or introducing renewable energy into public buildings e.g photovoltaics on schools etc.

93. GCT decided to offer this as a tithe of net income over the first 15 years rather than a tithe of profits over the lifetime of the project as it recognised the benefit for this early investment into the community rather than waiting until the project was into profit, which could be 8-10 years into operation.
94. The project would be of huge benefit to the rural economy, as it would provide significant sustained reinvestment over a long period. £25,000 has already been spent in getting the project to the planning application stage. 2 part time local jobs will be created for the duration of the project, and it is intended to employ local individuals and firms in as much of the construction, and decommissioning as possible.
95. The tithe donation would be given to the local community for local investment, and the ground rent for a local farm would help them with diversification and ensure the family business is sustainable.
96. As the project would be funded wholly from the local community then any residual returns would be fed back into the local economy. The local Enercon service centre is at St Ives, so whilst service costs would not be reinvested in the immediate locality they would still be retained in Cambridgeshire.
97. GCT estimates that between £1,750,000 and £2,250,000 will be reinvested locally over the next 22 years.

Golden Hoverfly

98. A letter submitted in response to the concern about possible impact on the Golden Hoverfly can be viewed at Appendix 7.

Planning Comments – Key Issues

99. The key issues for Members to consider with this application are the impact of the proposal with regard issues of sustainability, landscape character and visual impact, noise, shadow flicker, aviation, residential amenity, ecology/biodiversity and highway safety.
100. The motion passed by Council on 24 February 2011 in respect of wind farms, and the minimum distance of 2km between a dwelling and a turbine, relates to proposals for 2 or more turbines, and therefore is not applicable to this application.

Sustainability

101. In accordance with Policy DP/7, outside urban and village frameworks only development for agriculture, horticulture, forestry, outdoor recreation and other uses, which need to be located in the countryside, will be permitted. Although the proposed turbine is outside the village framework officers are of the view that it could not reasonably be sited within a village framework, and does not therefore constitute a departure from Policy DP/7.
102. Policy NE/2 states that the District Council will grant planning permission for proposals to generate energy from renewable sources, subject to proposals according with the development principles set out in Policies DP/1 to DP/3. The

proposed development is considered to accord to Policy NE/2 as it would meet the following criterion:

103. The proposal would be connected efficiently to the national grid infrastructure;
104. The proposal and its ancillary facilities can be removed and reinstatement of the site achieved, should the facilities cease to be operational;
105. Policy NE/2 states that individual or small groups of wind turbines may be appropriate and that the District Council seeks to reduce the use of fossil fuels, opportunities to increase the proportion of energy, especially electricity, generated from renewable sources will be permitted unless there is clear adverse impact on the environment or amenity of the area.
106. The Government aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, and to maintain reliable and competitive energy supplies. The development of renewable energy is considered to be an important part of meeting this aim and as such, there has been greater emphasis on 'positive planning', which facilitates renewable energy developments.
107. One of the key principles of Planning Policy Statement 22: 'Renewable Energy' is that "renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily". It also states that "the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission."
108. The Council's Team Leader (Sustainable Communities) supports the application stating that it represents an exemplar of best practice in bringing forward community based renewable energy generation.
109. In light of the above it is considered that subject to the other material considerations discussed below the proposed development whilst being outside the village framework, would not harm the principles of this policy.

Landscape character and visual impact

110. The site is within the Bedfordshire and Cambridgeshire Claylands Landscape Character Area and is open and rural in character. It features several small woodlands in the locally, some of which are SSSI's. Policy NE/4 states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located.
111. The applicant has provided an assessment of landscape and visual impact as part of the EA, which includes a Zone of Theoretical Visibility over a distance of 10km, and identifies a number of viewpoints from which 12 photomontages and wireframes have been produced. These show that the turbine will be clearly visible from Clopton Way, Hatley Road, Chapel Field, sections of Potton Road (B1040), Long Lane (although a point further to the east of that selected would show clearer views), and the road from Potton to Cockayne Hatley (although not the base), but views that will be obtained are by no means restricted to these specific areas. Extensive views of the turbine will be obtained from large sections of the south east of Gamlingay.

112. The significance of the effect on visual amenity from close range along Clopton Way (620m) is described in the application as being major, and from Hatley Road, adjacent to the closest non-associated residential property (790m) as being major/moderate. From south east Gamlingay (1.2km), from the edge of Chapel Field the effect on visual amenity is described as being moderate/major.
113. The Landscapes Officer has commented that the landscape is particularly open to the east of Gamlingay, where the turbine will be situated, with long views of the turbine being obtained from several local roads, including Hatley Road, Long Lane and Potton Road. The turbine will also be viewed from several rights of way in the area. However, whilst it is considered that it will cause some degree of harm to the landscape, and will be a very prominent feature, it will remain a feature within the wider landscape rather than dominating and suppressing the local landscape character.
114. Additional information has been submitted by the applicant outlining in more detail the views of the turbine that might be obtained from Chapel Field in particular, and the structure will be very visible from that point, at a distance of 1.2km.
115. However, when viewed from the majority of viewpoints, the turbine, due to its scale, will often only take up only a small portion of a total views, which in the opinion of officer reduces the significance of its impact.
116. PPS22 advises that in assessing planning applications it should be recognised that the impact of turbines on the landscape will vary according to the size and number and the type of landscape involved, and that these impacts may be temporary if conditions are attached to planning permissions which require future decommissioning of turbines.
117. The applicant has submitted additional information which attempts to demonstrate that due to the relative ground levels, height of trees in Potton Wood, and the angles of view from Cockayne Hatley, that the turbine will not be visible from this particular area. I have asked the Landscapes Officer to confirm this opinion.
118. The Landscape Officer's suggestion for planting will be taken up with the applicant and provided this will be on land which is within the same ownership as the site of the proposed turbine officers are of the view that it could be secured through the planning permission.
119. Officers note the concerns expressed by the West Cambridgeshire Hundreds Project.

Cultural Heritage

120. The Conservation Manager has assessed the information submitted with the application and has concluded that there will be some harm to the setting of Hatley, including the Church at East Hatley and the Registered Park and Garden, and to the isolated farmsteads a listed and curtilage listed buildings at Merton Grange, and lesser harm to listed buildings along the eastern edges of Gamlingay. However it is considered that the harm does not outweigh the public benefit in this case.
121. In the additional information submitted by the applicant further photographs are supplied from within the village showing potential views out to the turbine, however many of these are masked from public viewpoints.

122. In response to comments that the application does not address the possible impact of the turbine on St John the Baptist Church at Cockayne Hatley, officers are aware that the applicant sought advice from Central Bedfordshire District Council at the pre-application stage in an attempt to agree suggested viewpoints from within that District which should be submitted with the application, but that no response was received. The applicant has submitted additional information which attempts to demonstrate that due to the relative ground levels, height of trees in Potton Wood, and the angles of view from Cockayne Hatley, that the turbine will not be visible from this particular area. As stated under *Landscape* above I have asked the Landscapes Officer to confirm this opinion.
123. Officers are of the view that there would be insufficient grounds to reject the application on this point.

Noise

124. The Corporate Manager Health and Environmental Services has considered the noise report submitted by the applicant and has concluded that the potential for noise impact has been considered in accordance with best practice/guidance and standards, and that it has been demonstrated that the noise from the proposed turbine can be controlled to within acceptable noise level limits, determined in accordance with ETSU-R-97. It is therefore considered that noise from the turbine once operational would be minor and not significant. No significant adverse impact is envisaged and an adequate level of protection against noise to protect amenity can be secured by conditions.
125. In terms of construction noise, an assessment of the activities has demonstrated that calculated noise levels generated at the nearest residences (with no financial interest in the project) during construction and demolition are below the threshold of significance when assessed against best practice guidelines. Any impact would be temporary but the Corporate Manager Health and Environmental Services has suggested a condition restricting the hours of works, including collections and deliveries.
126. Members should refer to the assessment of noise undertaken by the Corporate Manager Health and Environmental Services at Appendix 2. The comments point to both PPS22 and ETSU-R-97 which refer to a 'simplified assessment method', which states that 'for single turbines or wind farms with very large separation distances between the turbines and nearest properties, a simplified noise condition may be suitable. If the noise is limited to a LA90, 10min of 35 dB(A) up to wind speeds of 10m/s at 10m height, then this condition alone would offer sufficient protection of amenity, and background noise surveys would be unnecessary.'
127. It is accepted that it has been demonstrated that predictions indicate that at all residential properties not having a financial interest in the turbine noise levels will be below a LA90, 10min of 35 dB(A) up to wind speeds of 10m/s at 10m height calculated at the turbine site. For those properties identified as having a financial interest, where levels can be higher, noise levels will be below a LA90, 10min of 40 dB(A). This approach is more conservative and stringent than the fixed limits proposed by ETSU-R-97, and should afford higher protection.
128. The Corporate Manager Health and Environmental Services has considered the phenomenon of amplitude modulation, but having regard to the site specifics, government research, and the fact that this is a single turbine, it is considered that its occurrence is extremely unlikely and warrants no further consideration.

129. Safeguarding conditions that control noise are suggested.

Shadow Flicker

130. Shadow flicker can occur when the sun passes behind the rotors of a wind turbine and casts a shadow over neighbouring properties. When the blades rotate the shadow flicks on and off within buildings and can cause the 'shadow flicker' affect. PPS22 advises that the effect diminishes with distance, and that such effects have been proven to occur only within ten rotor diameters of a turbine. Due to the trajectory of the sun, effects only occur within 130 degrees either side of north relative to the turbine.
131. Based on this guidance, the Corporate Manager Health and Environmental Services has advised that shadow flicker for the proposed turbine can only realistically occur at distances of up to approximately 334 metres away. Castle Farm is the closest property, and is approximately 500m NNE, and therefore officers are of the view that based on the separation distance alone shadow flicker is very unlikely to cause any adverse impact in this case. Shadow flicker should not occur in the Cockayne Hatley direction due to the relative location of the turbine.
132. It is suggested that as a matter of normal good practice a condition should be attached to any consent which would allow the Local Planning Authority to assess any future concerns regarding shadow flicker from the operating turbine and, if proven to be justified, require suitable mitigation which would normally be cessation of operation of the turbine during relevant periods.

Ecology

133. Concern has been expressed locally about the potential impact of the proposal on ecology and wildlife which is presently found in the area, particularly the impact on bats and the SSSI at Potton Wood, but also other species such as migrating birds that are found in the area and the golden hoverfly. There has also been concern that the Phase 1 habitat survey carried out was not extensive enough to identify all the potential impact that the proposal will have.
134. The application has been assessed by Natural England, the Wildlife Trust and the Council's Ecology Officer and each of these conclude that given the proposal is for a single turbine, the location of the turbine, and its distance from Potton Wood, that any impact is not likely to be significant.
135. Additional advice has been received in respect of the information submitted in respect of the Golden Hoverfly which again concludes that given the distance of the turbine from Potton Wood any impact will not be significant.

Aviation

136. The possible impact of the proposed turbine on existing aviation activities in the area is a material consideration. Although the flight paths set out in the airfields Standard Operating Procedure Plan are not controlled by conditions attached to the planning consent that covers the airfield, they are important in ensuring that aircraft taking off from and landing at the airfield do not overfly adjoining villages wherever possible. Any proposal which causes aircraft to deviate significantly from these flight paths could give rise to additional noise problems, particularly for residents within Gamlingay and Hatley villages.

137. In response to the concerns raised by LGA the applicants aviation consultant has argued that the distance of the proposed turbine from the airfield is such that the height of an aircraft at that point would be such that it were not affected by the location of the turbine, and that the position is in fact 0.5km to the west of the designated flightpath, such that planes should not have to divert.
138. The applicant's aviation expert also suggests that the turbine is not close enough or high enough to cause increase in the workload of pilots to be a danger.
139. A copy of the letter from the applicant's aviation consultant has been sent to the operators of Fullers Hill and officers will report any further comments at the meeting. Cambridge Gliding Centre has not objected and its comments consider that any hazard to planes or gliders attempting to land at LGA will be relatively minor and not grounds for a sustained objection.
140. Having reviewed the concerns about the possible formation of fog associated with wind turbines officers are of the view that there is no evidence to justify an objection on these grounds
141. I have not received any comments from other aviation bodies. The Local Planning Authority does not have expert knowledge in aviation matters however from the information currently provided by both parties officers are minded to the view that there would not be sufficient grounds to object to the application.

Highway Safety

142. The Local Highway Authority has not objected to the application and will have considered in principal the issue of construction traffic and its implications for the surrounding road network. It has requested that a condition be included in any consent requiring the submission for approval of a traffic management plan for all large loads associated with the construction of the development, together with proposals to control and manage traffic using the agreed route and to ensure no other local roads are used by construction traffic.
143. There will be an impact during the construction period on traffic levels and amenity, however this will be for a temporary period. The applicant indicates that this will involve approximately 45 vehicle trips, totalling 90 vehicle movements, which will occur intermittently over a period of eight weeks.

Other Matters

144. Reference has been made to Bills currently before the House of Lords regarding the proximity of turbines to dwellings. This is a private Member Bill introduced in the House of Lords which has only been through the first two readings in that house, and is still in its early stages, therefore officers do not consider that it is a material consideration in the determination of this application.
145. Although there have been isolated incidents where turbine failure has occurred, such incidents are rare. The applicant has pointed out that the turbine has been sited so as to comply with current guidance on safe siting practice which recommends that wind turbines should be sited tip height plus 10% from all highways and public rights of way.

146. The applicant states that it has only ever been the intention to install a single turbine, however each application must be assessed on its individual merits.
147. It is the applicants view that the chosen turbine is the most appropriate available for the location.
148. The applicant has confirmed that the District Network Operator has agreed connection to the grid with up to 500fW at this point.
149. The applicant sought a screening opinion from the Council as to whether it considered that the proposed development constituted EA development. The Council opined that the development did not constitute EA development and a copy of its decision can be viewed as part of the background papers.

Conclusion

150. PPS22 states that Local Planning Authority should not refuse a planning application for renewable energy technology on the grounds that the particular contribution it would make towards a regional target would be small. Any potential adverse impacts of a proposal will need to be considered alongside the wider environmental, economic and social benefits that arise from renewable energy projects.
151. The Draft National Planning Policy Frameworks sets a presumption in favour of sustainable development. Although arguments have been submitted both supporting and questioning the sustainability of the proposal in coming to a decision Members will need to balance the various views.
152. In coming to a recommendation of delegated approval officers have had regard to fact that neither the Landscapes Officer, Conservation Manager, Corporate Manager (Health and Environmental Services, Ecology Officer or Natural England have raised an objection to the proposal, having considered the impacts upon respective areas of expertise. The proposal is strongly supported on sustainability grounds by the Team Leader (Sustainable Communities).

Recommendation

153. Subject to the receipt and satisfactory resolution of any further comments in respect of aviation matters that delegated powers are given to approve the application, subject to safeguarding conditions.
154. These will be set out in detail in the update report but will include the following:

Time limits
Noise
Shadow Flicker
Landscaping
Decommissioning
Archaeology

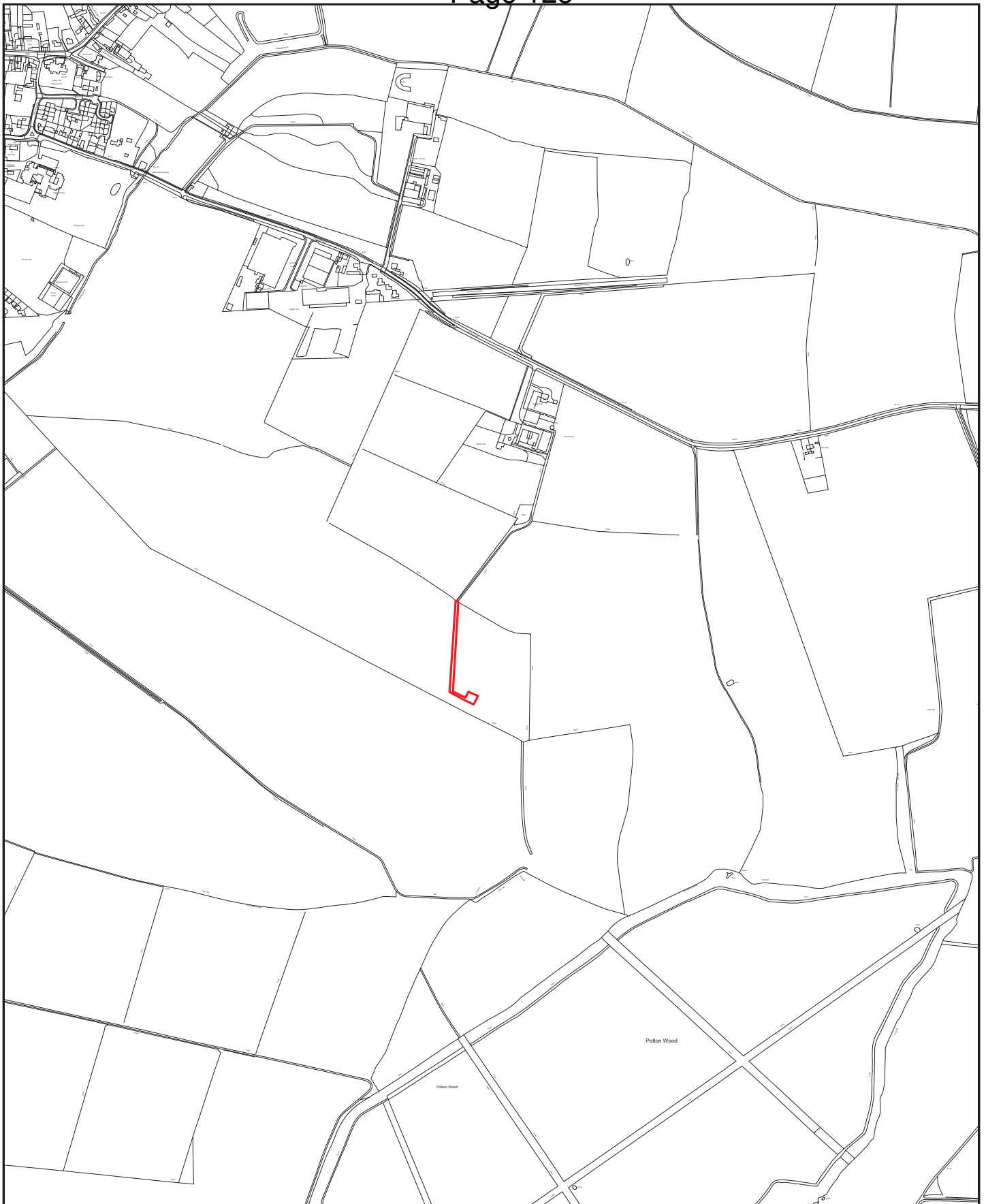
Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/2564/11

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

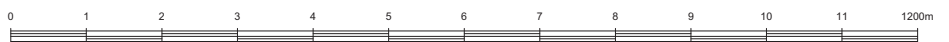
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/0272/12/PO – MELDRETH

**Application to Modify Planning Obligation of Planning Permission ref.
S/0903/19/O – 43 Chiswick End, Meldreth, Royston, SG8 6LZ for Mr & Mrs M K E
Prime**

Recommendation: Refuse

Date for Determination: 11 April 2012

Notes:

This Application has been reported to the Planning Committee as officers do not have delegated powers to determine applications for modification to planning obligations

Site and Proposal

1. 43 Chiswick End is a modest detached single storey dwelling of pleasant character. The dwelling is sited towards the far south western extent of Chiswick End at roughly the point where the metalled road surface makes a transition to a more informal surface. Chiswick End is a narrow lane with no vehicular through-access.
2. Adjacent to the south west of the dwelling in question is a commercial scrap yard that is enclosed by a fence comprising profiled metal sheeting. This scrap yard was regularised under an application for certificate of lawfulness ref.S/0413/93/LDC which confirms that the use for the business of a commercial scrapyards including the breaking of cars on site subject to the use being 'restricted primary to the breaking of cars (i.e. no vans or lorries)' and that the stacking of vehicles is not more than two high.
3. It is apparent that in 1991 (after the scrap yard was operational but before the LDC application) an application for a new residential bungalow was approved by the Council subject to a legal agreement that essentially ties the occupation of the bungalow to the scrapyards business adjacent i.e. the bungalow cannot be occupied by anyone other than a person or persons carrying on the business of a scrap merchant at the yard (or spouse, widow, widower or family etc). This bungalow is of course the dwelling known today as 43 Chiswick End and the application under consideration seeks to break this occupation tie with the adjacent scrap yard.

Planning History

4. S/0903/91/O - Erection of Dwelling - Approved subject to S106
S/2045/91/D - Erection of Dwelling (reserved matters) - Approved

S/0413/93/LDC - Use for a scrapyard (lawful development certificate) -
Certificate issued

Planning Policy

5. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**

DP/3 - Development Criteria
NE/15 - Noise Pollution
NE/16 - Emissions

Consultations (no representations received)

6. **Meldreth Parish Council** – Recommends refusal, commenting:

"The building is tied to the business and the Parish Council can see no reason why it should be split. Only one party appears to have requested that the schedule is taken out".

7. **Environmental Health Officer** - Recommends refusal, relaxation of the occupancy tie would result in potential harm to any occupant of no.43 through noise and disturbance and potentially odour and fumes. The Environmental Health Officer advises that a request for relaxation of the occupancy would only be supported where an application demonstrates a substantial noise insulation scheme and that the Council can be satisfied that restricted hours of use of the scrap yard can be enforced.

Planning Comments – Key Issues

8. The key issues to consider in the determination of these applications are:

- The impact upon residential amenity

Residential Amenity

9. The existing dwelling was only granted planning permission in lieu of the fact that the S106 agreement (ref.A228) was sufficient to satisfy the Council that any occupant of the dwelling would have a tie to the adjacent scrap yard business. In this respect any potential occupant would be in a position where he or she is fully aware of the noise and disturbance associated with the adjacent use and potentially be in a position of control in this regard.

10. Officers note from a site visit that the scrap yard may not be operational at present. However this is not a material consideration of the application at hand as clearly the lawful development certificate shows that the scrap yard use is lawful and operation could be intermittent.

11. Having regard to the comments of the Environmental Health Officer it is clear that a relaxation of the occupancy tie without any remedial measures proposed to increase sound insulation at the property or limit the hours of operation of the scrap yard would have the potential to significantly impact upon the residential amenity of any occupant of no.43 Chiswick End.

12. The applicant is not in a position to control the use of the scrap yard. This includes its hours of operation.
13. Whilst it may be possible to provide a noise insulation scheme. It is difficult for officers to conclude that a scheme could be effective without unduly harming the visual amenity of the area (i.e. a very high acoustically insulated fence). This must also be applied to a scheme for fume and odour mitigation.

Conclusion

14. 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 not be granted in this instance.

Recommendation

15. Refuse

Reason for Refusal

Removal of the occupancy tie that currently binds the occupation of no.43 Chiswick End to the operation of the adjacent scrap yard is considered to create the potential for significant harm to the residential amenity of any occupant of no.43 from noise and disturbance and fumes/odour from the adjacent commercial site. No measures to demonstrate that the occupants of the bungalow would be adequately protected from noise, disturbance, fumes and odour arising from the use of the scrap yard are proposed as part of or in addition to the application. To this end the proposals are considered to be contrary to policies DP/3, NE/15 & NE/16 of the South Cambridgeshire District Council Local Development Framework Development control Policies DPD 2007 that seek to ensure that development proposals do not result in significant adverse harm to residential amenity from noise and disturbance or air bourn emissions.

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 4 April 2012
AUTHOR/S: Executive Director (Operational Services)/ Corporate Manager (Planning and New Communities)

S/1911/11 – Meldreth

Demolition of existing house and erection of 22 x 2,3 and 4 bedroom social houses and ancillary works, 15-17 Whitecroft Road for Jephson Homes Housing Association

Recommendation: Delegated Approval

Date for Determination: 4 January 2012

Notes:

This Application has been reported to the Planning Committee for determination as the application is a major development for an exception site for affordable housing, where the Development Control Manager considers that the application should be presented to Committee for decision.

Major Development

Members will visit this site on 3 April 2012

Site and Proposal

1. The full application, as amended by drawings received on 15 March 2012, proposes the demolition of an existing two-storey house and the erection of 22 affordable dwellings, on a 0.7ha area of land at 15-17 Whitecroft Road, Meldreth.
2. The site comprises No 17 Whitecroft Road, a detached 19th Century house and its residential curtilage in the narrower front part of the site, with the land opening out into the wider and larger rear section, previously used as a smallholding.
3. To the north west is a detached house, No.19 Whitecroft Road, set back from the road. A tall leylandii hedge forms the boundary of this property and its associated land for the majority of the length of the application site. Planning consent exists for the erection of a new detached house to the rear of No.19. That consent is extant but has not been implemented.
4. To the south west is No.13 Whitecroft Road, a detached bungalow, the boundary with the application site being formed by a tall leylandii hedge. The remainder of the north east boundary of the site abuts the rear gardens of other properties in Whitecroft Road. To the south east the site are the rear of commercial units off Station Road. There is existing planting on the boundary.
5. Opposite the site in Whitecroft Road is a detached house and the entrance to Oakrits, a development of 28 properties served off Whitecroft Road. There is no public footpath on the south west side of Whitecroft Road in the vicinity of the application site.

6. To the rear of the site is former orchard land in the ownership of the applicant.
7. The proposal involves the demolition of the existing house and the erection of new two-storey dwelling fronting Whitecroft Road, but served off the new entrance roadway which is to form to its north west. The roadway continues along the north west boundary of the site, with two bungalows proposed adjacent the side boundary of No.13 Whitecroft Road, before turning across into the main body of the site to serve a further 19 two-storey units.
8. The development comprises 10 x 2-bedroom, 9 x three-bedroom and 3 x four bedroom properties. Two of the 2-bedroom properties, Plots 2 and 3 in the front part of the site, are bungalows. 18 properties are to be rent and 4 for shared ownership.
9. A 375m² area of public open space is provided against the south west boundary of the development, which will be overlooked by houses on Plots 13-16 and 17-19.
10. Materials proposed are brick and tile. An access way is provided to the land at the rear to the north west of the proposed area of public open space. A new section of footpath is proposed in the grass verge along Whitecroft Road, from point of the new access road serving the development, running south east across the frontage of No.13 Whitecroft Road, with a dropped kerbed and tactile paving crossing being provided to allow access to the footpath on the opposite side of Whitecroft Road.
11. The village framework boundary runs along the north east boundary of the application site with the rear of the gardens of Nos 7, 9 and 13 Whitecroft Road, and continues on the same line across the rear of the narrower section of the application site. No.17 Whitecroft Road and its garden are therefore within the village framework, whilst the remainder, and the majority of the site, is outside.
12. The density of the scheme is 31.4dph
13. The application is accompanied by a Design and Access Statement, Housing Needs Statement, Archaeological Evaluation, Noise Survey Transport Statement and Speed Survey, Drainage Statement, Remedial Strategy (Contamination) and Bat Survey

Planning History

14. S/0985/04 – Extension – Approved
15. S/2055/02 – Bungalow – Approved
16. S/0942/83 – Mobile home (renewal) - Approved

Planning Policy

17. **South Cambridgeshire Local Development Framework Core Strategy Development Plan Document: ST/6 – Group Villages**
18. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/4 Infrastructure and New Developments, DP/7 Development Frameworks, HG/1 Housing Density, HG/3 Affordable Housing, HG/5 Exceptions Sites for Affordable Housing, SF/10 – Outdoor Playspace, Informal Open Space, and New Developments, SF/11 – Open Space**

Standards, **NE/1** Energy Efficiency, **NE/3** Renewable Energy Technologies in New Developments, **NE/4** Landscape Character Areas, **NE/6** Biodiversity, **NE/9** – Water and Drainage Infrastructure, **NE/10** Foul Drainage – Alternative Drainage Systems, **NE/11** Flood Risk, **NE/12** Water Conservation, **NE/15** Noise Pollution, **NE/16** – Emissions, **CH/2** Archaeological Sites, **TR/2** Car and Cycle Parking Standards.

19. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)** - Open Space in New Developments - adopted January 2009, Public Art - adopted January 2009, Trees and Development Sites - adopted January 2009, Biodiversity - adopted July 2009, Landscape in New Developments - adopted March 2010, District Design Guide - adopted March 2010

Consultation

20. **Meldreth Parish Council** makes no recommendation with comments.

“The Parish Council is minded to approve, based on the need for the need for extra social houses as evidenced by the latest housing register which shows over 52 families with Meldreth connections in need of better housing and our own survey which shows over 75% of former social housing is now in private ownership, but has major concerns about certain issues.

The application is incomplete as the Surface Water Plan is missing (Jephson says it will be ready in 3 weeks)

The Parish Council would like to see a Foul Water report dealing with the capacity of the pumping station and the sewer in Whitecroft Road and whether it would be able to cope with the extra 22 houses.

A report by CCC Highways of the safety of the junction of Whitecroft Road with Station Road, as traffic coming from Melbourn direction does not slow to take the bend, making crossing from the proposed development to access the village facilities dangerous.

Will pedestrian safety be addressed and can a footway from the development to Station Road be provided?

What is the housing split between rental and equity share homes? The application states all rented but Jephson has informed the Parish Council that there would be 4 shared equity houses.

Existing landscaping to the site will be retained but some of the trees are dead or dying. The Parish Council would like a condition to provide full landscaping plan with tree survey to ensure that the neighbours' privacy is maintained.

The Parish Council would like to see an amended application with the Surface Water plan and the correct rented/shared equity split.

There is major concern over the traffic issues through this particular part of the village especially with the junction of Whitecroft and Station Road. At present this is seen to be a dangerous junction and the increase in vehicular and pedestrian movement is a real concern, along with the lack of a footway to access the railway bridge and local shops.”

In respect of the drainage statement provided by the applicant the Parish Council welcomes the strategy of absorbing water on site, rather than discharging to drains, ditches or watercourses and states that as far as it knows the site has contained the rain falling on it in the past. It comments that there appears to be an adequate number of soakaways and trenches for the roads and houses on the back of the site although experts will still need to confirm this, however soakaways appear to be missing from the 3 houses at the front of the site, although the road is catered for.

The drainage statement refers to "chalk being an appropriate medium for an infiltration based solution", however, the geotechnical investigation conformed to a Marley chalk, which to the understanding of the Parish Council does not absorb water as quickly as chalk. The Parish Council states that no doubt Building Control would require an infiltration test to confirm the suitability of the soakaways to absorb water quickly enough?

There is mention of using the proposed open space for temporary storage of storm water. The Bloor Homes site further along Whitecroft Road has used this approach and it is hoped that this will be considered to avoid flood risk in extreme weather.

21. The **Housing Development and Enabling Manager** comments that the proposed site in Meldreth sits outside the development envelope and is considered an exception site for the provision of affordable housing only. As such it must be demonstrated that there is a genuine need for affordable housing in the locality. The number of homes provided on a rural exception site should be no greater than the level of local need identified. The local need in Meldreth taken from the Housing Register in October 2011 is 52. Therefore the proposed 22 units do not exceed the total need and therefore this aspect of the scheme is acceptable.

The application proposes 18 rented dwellings and 4 shared ownership dwellings. The tenure mix is in line with local need and is therefore acceptable. A total of 10 two-bedroom, 10 three-bedroom and 3 four-bedroom dwellings are proposed and this mix of dwelling size is in proportion with the local need, however, there is also a significant demand for one-bedroom dwellings in Meldreth, and so any amendments to include some of these units would be supported.

22. The **Local Highway Authority** has considered the proposal and the transport statement submitted by the applicant. Having sought revisions to the transport statement, including the application of modifiers to ensure that the figures in it are traffic neutral as the survey was not carried out in a traffic neutral month it has no objection to a roadway in the position proposed. It comments that the speed survey was carried out during times when there would be free flowing traffic, which is appropriate, and that the number of movements that this development will generate is unlikely to have significant impact on the adopted highway.

The traffic speed survey requires the provision of 2.4m x 4.3m visibility splays to Whitecroft Road. It supports the provision of the section of new footpath along Whitecroft Road. 2.0m x 2.0m visibility splays should be provided within the curtilage of each dwelling. The proposed access should be constructed such that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

It states that the level of parking within the site is for the Local Planning Authority to determine and it has no objection to the principle of visitor parking being within the adopted highway, however the bays originally shown would obstruct the accesses to private off-street spaces.

The use of a dropped kerb with tactile paving to allow residents of the new estate to cross Whitecroft Road to access the existing footway is acceptable, but thought should be given to avoid pedestrian conflicts with traffic entering and leaving Oakrits.

It is requested that permitted development rights should be removed from Plot 1 to prevent the possibility of a future access being opened onto Whitecroft Road.

23. The **Environment Agency** originally commented that the application states surface water drainage is to a sustainable drainage system, however there is no information regarding the proposed surface water drainage and how it will comply with PPS25, and therefore the application fails to demonstrate that it is viable as proposed.

In the absence of a surface water strategy the Environment Agency objects to the application as although the site lies with Flood Zone 1, the scale of development may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed.

Notwithstanding the above objection the Agency has further concerns regarding potential ground contamination for this site, which overlies a principal aquifer. The applicant should be aware that infiltration surface water drainage may not be permitted at this site dependant upon the level of contamination found.

Following the receipt of the Drainage Statement the Environment Agency has removed its objection and states that it is satisfied that the proposed development can be allowed in principle, although the applicant will need to provide further information relating to the proposals to an acceptable standard to ensure that the proposed development can go ahead without posing an unacceptable flood risk and/or risk of pollution to the water environment.

It therefore requests that conditions are included in any consent requiring the submission of a detailed surface water scheme based on sustainable drainage principles; a scheme for ground contamination investigation and remediation. It also requests that a number of informatives are included.

In respect of the Ground Investigation Report the Environment Agency has considered its findings and concludes that it is unlikely that the levels of total petroleum hydrocarbons (TPH) present in the groundwater would impact the surface water bodies and therefore accept the conclusion of the report that a risk assessment is not warranted.

24. **Anglian Water** comments that the foul drainage from the development is in the catchment area of Melbourn STW that at present has capacity for the proposed flows, and the sewerage system currently has capacity for these flows. The preferred method of surface water disposal would be to a sustainable drainage system (SUDS), with connection to the sewer as the last option. It recommends approval subject to a condition requiring submission of a scheme for a surface water strategy/flood risk assessment.

25. The **Ecology Officer** originally placed a holding objection on the application, expressing concern at the site clearance work that had previously taken place and that the application was not accompanied by ecological information. Concern was expressed about the potential impact on bats, and that local sources had advised that the site was important for butterflies, invertebrate species. The current application

provides an opportunity to seek habitat restoration so the planting of fruit trees within boundary planting should be an approach. There is a sizeable orchard/scrub area to the rear of the site, which if in the control of the applicant presents an excellent opportunity to seek enhancement and protection of this remaining old orchard. With adequate planning and funding it could make a very attractive community orchard with footpath links extending the local path network.

The Ecology Officer has accepted the findings of the bat report, which concludes that the property has a very low risk of disturbance to bats should demolition take place in the near future.

The Ecology Office has been working with the applicant with a view to securing the land to the rear of the site, which is owned by the applicant, as a community orchard, with public access through the application site. The applicant is keen to take this forward and is working to with the Ecology Officer

26. **Cambridgeshire Archaeology** comments that the site should be the subject of an archaeological investigation, which can be secured through a negatively worded condition.
27. The **Trees and Landscapes Officer** has no objection and comments that the site has been cleared of vegetation and the only trees left are conifers on the boundaries. Consideration should be given to their suitability for retention within the proposed development as part of a landscape and boundary treatment scheme.
28. The **Landscapes Officer** wishes to see landscape and boundary conditions applied. A medium sized tree should be planted on the NW side of the entrance. Although the plan states that the existing hedge on the NW side of the entrance roadway is to be retained it contains a number of potentially large conifer trees and it may be more appropriate to carry out more appropriate planting as part of this development.
29. The **Corporate Manager – Health and Environmental Services** has studied the noise survey and assessment conducted by AT Solutions Ltd and is satisfied with its contents, and recommends that all noise mitigation measures to protect dwellings are implemented as outlined in Part 6: Discussion.

It is also suggested that conditions restricting the hours of operation of power operated machinery during the period of demolition and construction, requiring the submission and approval of a scheme for all external lighting (including street lighting), and covering the use of driven pile foundations, are included in any consent.

In addition informatives should be included in any consent regarding the use of bonfires and burning of waste on site during demolition and construction, and advising of the need to obtain a Demolition Notice from the Building Control Section, prior to demolition taking place.

It is also pointed out that a Health Impact Assessment should normally be submitted with this scale of application.

30. The **Environmental Health – Contaminated Land Officer** has confirmed that the Ground Investigation Report has been considered. The site overlies a Principal Aquifer and the Environment Agency should be consulted. The report indicates elevated levels of some contaminants and highlights the need for remediation works. It is recommended that no development take place until the works specified in the remediation strategy have been completed and a validation report submitted to and

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

31. The comments of the **Affordable Housing Panel** will be reported.

Representations

32. Letters of objection have been received from the occupiers of **Nos.4, 6, 9 12, 13, 18, 20, 29 Oakrits, Nos. 9, 10, 11, 19 Whitecroft Road, and No.31 Chiswick End.**
- Concern about the actual level of need for housing in Meldreth – the last housing needs survey was carried out in 1999 and is now out of date, and the only means of determining current social needs for Meldreth are the figures obtained from the 2010 Cambridgeshire ACRE survey and the current SCDC housing register figures. The register figure of 50 is misleading, as it does not indicate the immediate actual local housing need. Housing on such sites is only available to people who have expressed a need to stay in the village. The ACRE survey, as presented to the Parish Council indicated a need for an additional 14 dwellings. The Council at that time was not convinced of the need for further affordable housing in Meldreth and at that time reported there was difficulty in finding occupants for the existing affordable development in the village. There have been other recent affordable housing built at Burtons, Elin Way and 6 on the former Holland site in Whitecroft Road and there is no convincing case of housing need to justify this development as an exception site.
 - What evidence can be offered to show that the development will not be filled with residents from the outside of the village who also do not come to work in the village?
 - It is noted that there are 6 proposed housing sites being considered for Meldreth as part of the SCDC Strategic Housing Land Availability Assessment and the location of these would appear more suitable for housing and could contain a percentage of social housing.
 - The development would access Whitecroft Road virtually opposite the exit of Oakrits. Whitecroft Road is a busy thoroughfare, especially at peak periods when it is used as a 'rat run' for vehicles travelling from the A1198 to the A10 to avoid Royston. Exiting Oakrits is already dangerous, and this is increased by cars parked on Whitecroft Road, restricted view to the north and the speed of traffic. Any new development will exacerbate this dangerous situation.
 - There are no traffic calming measures when leaving Station Road from the Melbourn side and entering into Whitecroft Road. The shape of the road means that vehicles are able to negotiate the bend without any reduction in speed. Many drivers will enter this road having been driving on roads where higher speed limits apply and it is a well documented fact that drivers often fail to address quickly enough when moving into a 30mph area. Parked cars in Whitecroft Road can have a calming effect on traffic but if a visibility splay is introduced then vehicles travelling north west on Whitecroft Road will have a clearer path encouraging higher speeds. Vehicles which currently park this side will probably then use the east side, and parking will be more closely populated. As such, vehicles travelling south along Whitecroft Road will be pushed onto the opposite side of the road for longer, which will create a very clear danger compared to the current norm i.e. vehicles travelling faster in one direction towards oncoming vehicles forced onto the wrong side of the road by parked cars. There is already enough danger when leaving the T-junction at Oakrits with poor visibility in a

north westerly direction and with drivers speeding when driving in a NW direction. However, if another junction is placed on the NW side of Whitecroft Road, opposite Oakrits, this will offer many more hazards with increased traffic loads and therefore increase potential of a serious accident at the staggered junction of Oakrits and the new estate.

- Has consideration been given to traffic calming measures when entering into Whitecroft Road from Station Road? Lit-up speeding signs are not enough on this very busy, fast road – have chicanes been considered here?
- There is no reference to improvement of existing road junctions in the application.
- Exiting the new development by car would also be dangerous as it is on the inside of bend, with limited visibility.
- Reduced visibility to the south east provided which will further reduce safety.
- The junction of Whitecroft Road, Station Road and High Street is often dangerous, particular for pedestrians, and is made worse as footpaths are narrow, and there is no footpath on the south side of Whitecroft Road.
- Exiting the development on foot would be extremely hazardous, as a pedestrian would have to cross Whitecroft Road to access the footpath, and would be particularly dangerous for children. There would be a temptation to walk towards Station Road on the verge. Has a proper crossing point for the residents of Nos 7, 9, 11 and 13 Whitecroft Road been considered?
- Will any footpaths or crossing points at all be built in the approaches and exits to this proposed development?
- Double yellow lines are proposed in High Street, outside the station, which will result in more cars parking in Whitecroft Road. Parking is already a problem since parking charges were introduced at the station.
- A speed survey was carried out, but not at peak or varying times of the day. There is a speed sign opposite which regularly flashes indicating that a number of vehicles travel in excess of 30mph. With other recent new developments that have been permitted in the Whitecroft Road area there could be a total of 45 additional dwellings, which could amount to 90 new cars frequenting the stretch of road. The impact of the development already permitted should be assessed before any more is granted.
- Concern that space does not exist at the village school to cater for the new development, where class sizes are already high. Traffic will increase if children have to travel out of the village for school. No provision in the application for a contribution to education facilities. Can it be guaranteed that Government funding will be available for the additional spaces that will be required?
- The surface water drainage system in Meldreth is fragile and struggles to cope in times of high rainfall. Chiswick End often floods with the public highway at the corner of Whitecroft Road and Station Road is often under water after only light rain. There is concern that the developer may not be able to find a satisfactory solution to the drainage issue.

- Development is too cramped and out of keeping with the prevailing low-density character of the western side of Whitecroft Road, and despite boundary planting it will appear as an estate when viewed from surrounding properties and land will be overbearing. The occasional new development to the rear of existing properties has been sited and designed so as to have minimal impact on views from the public realm and upon the amenity of adjacent properties. They are accessed by way of small private drives, unlike the scar of a large adopted estate road as is now proposed.
- The proposed housing designs are bland.
- Facilities for youngsters in the village are limited and will require investment – where will this come from.
- Concern about overlooking of the rear garden of 9 Whitecroft Road from the 2-bedroom units, which are only 8m from the boundary. The houses on Plots 17-20, 22 and 4-11 have small gardens and are sited too close to site boundaries and will be overbearing when viewed from neighbouring land and properties. Plot 22 is a 3-bedroom detached house and views from the front first floor bedroom window would overlook the dwelling approved to the rear of 19 Whitecroft Road. This dwelling is not shown on the application drawings and therefore the potential impact on its future occupiers, as a result of the proximity of the new development, cannot be fully appreciated
- There is only a small area of open space for the number of dwellings proposed.
- Job opportunities in Meldreth are limited and housing should be built where there are more opportunities for jobs and the support infrastructure is in place. There is no need to overdevelop villages like Meldreth, destroying their character.
- It breached the village envelope and appears to allow for the potential development of further land to the rear. Why is development to be allowed outside the village framework? There are two separate parts to the proposal – land within and land outside of the framework.
- Why are there 29 parking spaces for 22 dwellings?
- Previous social housing has been on the fringes of villages and not as 'infill'
- What is the contaminated land referred to and will its removal be carried out in a manner which does not affect surrounding properties and their occupants?
- It is assumed that the disused orchard at the rear will be unaffected by the development as it may be a refuse for small animals, birds and insects, and should be protected at all costs.
- It appears that the existing house has been deliberately allowed to fall into disrepair to promote its eventual demolition. Recent precedents have been set at neighbouring properties. No 19 and 21 Whitecroft Road have been granted permission for one additional house in their rear gardens, with a pending application at No.7 – these will each access via existing driveways and are unseen from Whitecroft Road. Garden grabbing should be strictly controlled in line with PPS3 and the proposed development is a gross over-development of this site, which would be incongruous and ruin the character of this part of the village.

- There are other more suitable sites for perhaps 6/8 dwellings, 22 here is too many.
- Would set a precedent for further backland development and will a covenant be put in place to prevent this happening? The design of the layout allows for the potential to add further development top the rear and therefore this could easily turn into a massive housing estate, and give the area a disproportionately high density of affordable/rental housing.
- Additional demand on services e.g. primary school, police and refuse collection – will there be funds available to improve these?
- What retrospective actions are open to the Council when issues arise of the development is approved. This is a major concern. Local residents will have their lives impacted upon as road safety is reduced to dangerous levels and local resources are stretched.

Planning Comments – Key Issues

33. The key issues for Members to consider in this case is whether the proposal accords with Policy HG/5, residential amenity, highway safety, drainage, ecology.

Policy HG/5

34. Policy HG/5 accepts that, as an exception to the normal operation of the policies of the Development Plan, schemes of 100% affordable housing which are designed to meet identified local housing needs on small sites within or adjoining villages can be granted so long as five criteria are met.
35. The Housing Development and Enabling Manager has confirmed that the local need in Meldreth taken from the Housing Register in October 2011 was 52, and therefore the proposed 22 units do not exceed the total need for the village. Officers have asked for this figure to be updated however it is not expected that it will differ significantly and accept that the level of development proposed is in accord with the identified local need.
36. The Housing Development and Enabling Manager has confirmed that the mix of housing proposed and housing tenure (18 of the 22 units are to be for rent) is in line with the identified local need and officers are therefore of the view that the first two criteria of Policy HG/5 are satisfied.
37. The third of the criteria requires the site to be well located to the built-up area of the village, and the scale of the scheme to be appropriate to the size and character of the village. Meldreth is classified as a group village and although there is no definition of what a 'small site' should comprise, schemes for 100% affordable housing in such villages are normally restricted to no more than 20 units, however proposals of this scale have been permitted elsewhere in group villages. The scheme involves the demolition of an existing dwelling and therefore the net gain of housing units is 21. The front part of the site, containing Plots 1-3 is within the village framework, with 19 houses being constructed on land which is outside the framework. The development of Oakrits on the opposite side of Whitcroft Road comprises 28 dwellings. The density of development at 31.4 dph, will be considerably higher than that of the existing development on this side of Whitcroft Road, however officers are of the view that the site is developed in a manner which does not represent an overdevelopment of the land available and makes best use of the site.

38. The site abuts the village framework on its south east boundary and is well related to the built-up area of the village. Officers are therefore of the view that the location of the site and scale of the scheme is appropriate in respect of Policy HG/5.
39. Local representations have pointed out that a number of sites have been put forward for development under the Council's Strategic Housing Land Availability Assessment and that these might be more appropriate for development. These sites are being considered for their suitability for allocations for housing development in the review of the LDF and are not currently being presented as alternative sites for affordable housing. The current application should therefore be considered on its merits.
40. The fourth of the criteria requires the site to be well related to facilities and services within the village. The site is within 800m walking distance of the railway station, primary school, village shop, village hall and recreation ground and officers are therefore of the view that the location of the site satisfies the requirements of Policy HG/5.
41. The final of the criteria in HG/5 requires that the development does not damage the character of the village or the rural landscape. The proposal will result in the loss of some existing planting along the Whitecroft Road frontage and will see the creation of a new entrance and roadway, which will have an impact on the existing street scene. Whilst development in depth on this side of Whitecroft Road tends to be restricted to single dwellings, as evidenced by extant consent on land to the rear of 19 Whitecroft Road, there is development in depth to the south west of the site in the form of the commercial buildings. Officers are of the view that with appropriate layout and landscaping the new development will not damage the wider character of the village or the rural landscape. Some residents have expressed concern that the proposed development will be bland, however officers are of the view that house types are relatively simple and appropriate, given the existing mix of architectural styles in the area. The impact in respect of the latter will be further reduced if the retention of the orchard land to the rear can be secured as suggested by the Ecology Officer.
42. Officers are therefore of the view that the principle of development of this site, by 22 affordable housing units, satisfies the various criteria in Policy HG/5.

Highway Safety

43. The majority of the representations received express strong concerns regarding the highway implications of the proposal, including the speed of traffic along Whitecroft Road, its volume and nature, the ability to provide adequate visibility splays, current lack of a footway along the south west side of Whitecroft Road, and the relationship of the proposed access road to junction of Oakrits on the opposite side of the road.
44. In addition to the information originally submitted with the application the Highway Authority requested that the applicant submit a Traffic Statement to that the implications of the proposal could be fully assessed.
45. Having considered this information, and local representations the Highway Authority is of the view that the proposed access is acceptable and complies with the requirements of Manual for Streets 2. It has considered the 85%ile vehicle speed figures, which support the provision of 2.4m x 43m visibility splays. These splays can be provided by the development in each direction. It comments that the speed survey was carried out at appropriate times to ensure that traffic was free-flowing, rather than at peak times when traffic speed might be slower. It comments that visibility splay

requirements cannot be increased because the speed survey indicates that some drivers are exceeding the 30mph speed limit.

46. The revised scheme includes the provision of a new section of footway within the grass verge to the south east of the proposed entrance for a distance of some 25 metres and incorporating a dropped kerbs and tactile paving on either side of Whitecroft Road to allow for pedestrians to cross from the new development to the existing footpath on the south east side of Whitecroft Road. The Highway Authority considers that this provision, which can be required by condition, will satisfactorily address concerns regarding pedestrian safety.
47. The Highway Authority has not suggested that traffic calming measures in Whitecroft Road are required as a result of the additional traffic that is likely to be generated by this development, and considers that the spacing of the junction of the new development, with that of Oakrits opposite, to be compliant with the advice in Manual for Streets 2.

Residential Amenity

48. There are a number of residential properties which have gardens abutting the application site where the impact of the proposed development on the amenity of the occupiers of this properties need to be considered.
49. The proposed site layout, as amended, allows for a minimum distance of 15m from the rear elevations of the proposed new dwellings on the north east side of the development from the boundaries of properties in Whitecroft Road. This distance accords with the minimum distance suggested as being acceptable within the District Design Guide SPD. The proposed dwelling on Plot 4 is positioned so that it is gable end to the gardens of properties in Whitecroft Road, and a condition can be included in any consent preventing future openings in this elevation. There is existing planting on the boundary of the site with these properties, which should either be retained or replaced as part of an approved landscaping scheme.
50. The proposed dwellings on Plots 2 and 3 are single storey dwellings and I am therefore of the view that the relationship to properties either side is acceptable. The occupier of 13 Whitecroft Road, to the south east, has requested that the applicant removes the existing tall conifer screen on the boundary with the application site, and this has been incorporated in the revised scheme, along with other boundary changes which have come about as a result of discussions with neighbours.
51. The owner of 19 Whitecroft Road has expressed concern about the impact of dwellings on proposed plots 17-22 on the existing property and the new dwelling permitted, but not yet constructed, to the rear. Officers are of the view that with suitable boundary treatment the amenity of the occupiers of 19 Whitecroft Road can be adequately protected, and that although the proposed houses on Plots 17-20 are within 12m of the boundary, they are at a point in the site where unreasonable overlooking of the rear garden of the approved dwelling at the rear of 19 Whitecroft Road is likely to occur. Any windows in the front elevation of the proposed dwelling on Plot 22 will be sufficient distance to prevent unreasonable overlooking in the direction of the approved dwelling. A condition can be included to prevent future openings in the north west elevation of Plot 22.

Drainage Matters

52. Considerable concern has been expressed locally about the existing drainage problems in the area and that the proposed development will add to these. The site is within Flood Zone I, as identified by the Environment Agency, and therefore a flood risk assessment is not required, however the applicant has submitted a drainage statement. Having considered this statement the Agency has withdrawn an original holding objection and accepts the proposal in principal subject to detailed schemes being submitted. The applicant is aware that surface water from the development will have to be dealt within site so that existing run-off rates from the site are not increased.
52. Anglian Water has not raised any objection however I have asked it to comment on concerns raised locally that the size of existing sewer piping might not be adequate to cope with the additional loads as a result of the development. I will report its comments.

Ecology

53. The Ecology Officer is in discussion with the applicant with a view to securing the use of the orchard land to the south west of the site, which is owned by the applicant for use as a community orchard. Such a project will enable the conservation of significant traditional orchard delivering significant benefit for residents in the new development and village as a whole and well as helping achieve Biodiversity Action Plan targets. Public access to the orchard will need to be secure through agreement and discussions will need to take place involving the Parish Council regarding the details of any arrangements.

Other matters

54. An area of land is provided within the development for use as public open space, of the size required by the development. Officers are of the view that it is appropriately located within the site, with surveillance by overlooking from new houses, and at a point on the south west boundary where it would form a visual link through to the possible community orchard beyond.
55. A contribution from the scheme towards the provision of community infrastructure facilities is required however I am of the view that in this case such contribution may best be directed to the setting up of the community orchard and this matter will need to be the subject of further discussion with the applicant and Parish Council and local member.
56. Officers note the local concerns about capacity at the local primary school and figures produced by Cambridgeshire County Council as Education Authority confirm that there may be a need to provide additional places as a result of further new development, however it confirms its position that it does not seek contributions towards the provision of education facilities from schemes providing 100% affordable housing on exception sites.
57. The scheme will achieve Level 3 for sustainable homes
58. Following discussions between the applicant and the Council's Public Health Specialist it has been confirmed that a Health Impact Assessment is not required in this case.

59. The details submitted in the Contamination report have been accepted by the Environment Agency and Environmental Health sections and can be dealt with by condition.
60. The requirement for an archaeological investigation can be secure by condition

Recommendation

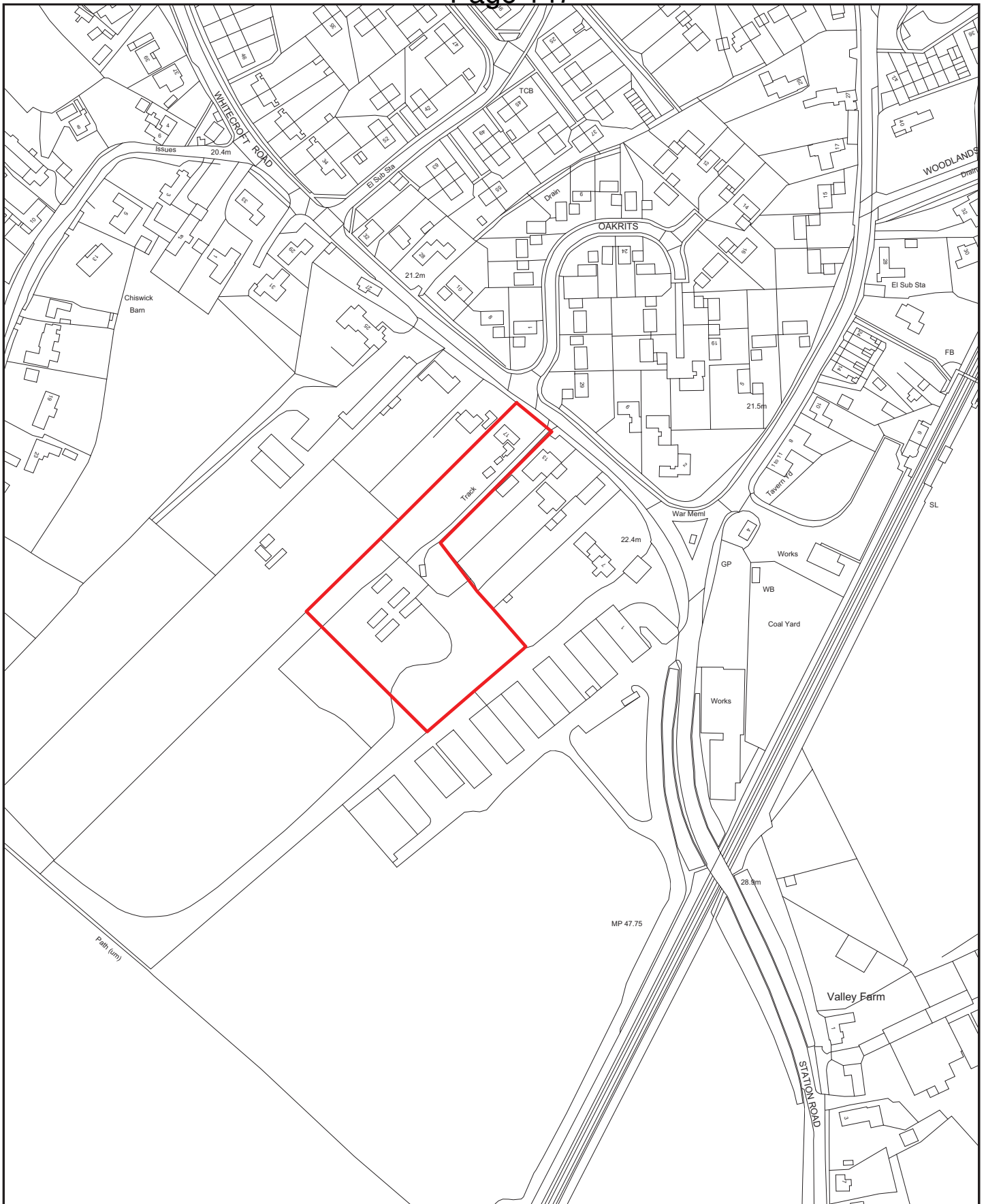
61. That the application be approved subject to safeguarding conditions and the securing of the community orchard.
62. Detailed suggested conditions will be included as part of the update report, but will include conditions covering the following:

Time limit
Approved plans
Environment Agency conditions
Highway conditions
Landscaping
Control of construction works
Lighting
Ecology and Biodiversity
Affordable Housing
Archaeology
Open space
Restriction of additional openings
Contamination

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1911/11

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



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/2576/11 - ELSWORTH**Erection of dwelling including conversion of existing post office and shop building
4 The Causeway, Elsworth
for The Estate of Mrs Edna Lambert****Recommendation: Approve****Date for Determination: 29 February 2012****The application has been referred to the Planning Committee as the Case Officer's recommendation conflicts with that of the Parish Council.****Members of the Committee will visit the site on 3 April 2012.****Site and Proposal**

1. The application site comprises a two storey detached house with a detached double garage, gardens to the rear and side and hardstanding for parking to the front (No.6) and a single storey building to the side of the house, which significantly pre-dates it (No. 4). The single storey building is thought to have been an outbuilding to the old bakehouse which previously occupied the site and it was last used as the village Post Office and shop. That use has ceased and the building has been empty since then. The site is relatively open to the street and the side and rear boundaries are enclosed by fencing, mature hedging and trees. The land levels on site slope down from East to West. The site is located within the Elsworth Conservation Area and there are a pair of grade II listed 17th century cottages opposite the front of the site. At the top of the street, to the East of the site, sits the Grade I listed Holy Trinity church to which The Causeway leads and along which there is an important view of the church from Brook Street.
2. The proposed development is the erection of a two storey dwelling in the garden to the immediate side and rear of No. 4, including the retention of the existing building and its conversion and incorporation into the dwelling in the form of a garage and habitable room. The application also proposes the blocking up of two windows in the first floor West side elevation of No. 6 and the obscure glazing of two further windows.

Relevant Planning History

3. S/0505/11 & S/0511/11 – These previous applications for a dwelling proposed the demolition of the existing single storey building and the erection of a single dwelling. They were withdrawn by the applicant.

Planning Policies

4. ST/6 – Group Villages
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
ET/6 - Loss of Rural Employment to Non-Employment Uses
SF/1 – Protection of Village Services and Facilities
SF/10 – Outdoor Play Space, Informal Open Space and New Developments
SF/11 – Open Space Standards
NE/1 - Energy Efficiency
NE/6 – Biodiversity
CH/4 – Development Within the Curtilage or Setting of a Listed Building
CH/5 – Conservation Areas

Consultations

5. Parish Council – has recommended refusal stating that the application is inappropriate development because it is disproportionately large for the plot, unsuitable for the Conservation Area, would have an adverse impact on adjoining listed or historic properties and that the height, scale and style of the proposed dwelling is excessive having regard to the topography of the site and of The Causeway.
6. Local Highways Authority - has not objected to the proposed development and has requested conditions be applied to any permission which would secure pedestrian visibility splays at the access, require bonded hard surfacing for the driveway and would require the drainage of the driveway within the site.
7. Conservation Team – has been involved in negotiations over the siting, scale and design of the proposed dwelling in relation to nearby listed buildings and the Conservation Area, as well as securing the retention of the existing building through its incorporation into the scheme. The siting, scale and design now reflect those discussions and the Conservation Team has not offered any further comments on the proposed development.

Representations

8. Concerns regarding or objections to the proposed development have been received from the owner/occupiers of 1, 5, 7 and 11 The Causeway, Rectory Farm, 6, 8, 16, 17 and 21 Brook Street, 11 Church Lane, 4 Orchard Close, 35 Boxworth Road, 36 Smith St, and the Old Rectory, Elsworth.
9. The concerns and objections relate to the scale of the proposed dwelling, its design, impact on residential amenity, impact on nearby listed buildings, impact on the Conservation Area, overdevelopment of the site, the sloping land levels, views of the church, loss of trees and water run-off and drainage. In addition, some have noted that the mislabelling of the side elevations of the proposed dwelling. These read North and South, however they should read East and West.

Planning Comments

10. The main planning considerations in this case are the principle of the development, the impact on the setting of adjacent listed buildings, impact on the Conservation Area, the impact on residential amenity, parking and highway safety considerations, drainage and land stability, the impact on trees, and the provision of open space and community facilities.
11. Principle – Elsworth is classified as a Group Village by policy ST/6 of the LDF Core Strategy which states that residential development and redevelopment up to an indicative maximum scheme size of eight dwellings will be permitted within the village frameworks of Group Villages. As the scheme proposes one dwelling, it is considered to comply with policy ST/6 in principle.
12. The application site area is within the Elsworth Development Framework and the area occupied by the new dwelling measures approximately 350 sqm. 1 dwelling on the site would result in a net density of approximately 29 dwellings per hectare. This net density is just below the minimum density of 30 dwellings per hectare required by policy HG/1 - Housing Density of the Local Development Framework, however it is not considered possible to site two dwellings on the plot, given its constraints and the net density is almost 30 dwellings per hectare in any case. For these reasons the proposed dwelling is considered to be acceptable in terms of policy HG/1.
13. The existing building on site has previously been home to the village post office and shop. As such, its conversion to a dwelling has been considered against policy SF/1 – Protection of Village Services and Facilities, which requires that *“planning permission be refused for proposals which would result in the loss of a village service, including village pubs, shops, post offices, community meeting places or health centres, where such loss would cause an unacceptable reduction in the level of community or service provision in the locality.”* Following the decision by the Post Office to close the Elsworth branch located at the site in the spring of 2009, the associated shop use also ceased. The premises was not considered suitable for the location of the village shop proposed by the Elsworth Community Shop Association, which now runs from a building located at the recreation ground on Broad End. As the village shop has been relocated to a more suitable premises in the village, it is not considered that the conversion of the building to residential would cause any significant harm to village services or facilities and the proposed development is therefore considered acceptable in terms of policy SF/1.
14. The previous use of the site as a shop also provided a small amount of employment in the village and the application has therefore been assessed under policy ET/6 - Loss of Rural Employment to Non-Employment Uses. In addition to being offered as a site for the Elsworth Village Shop, the property was marketed in its current use and for other employment uses for a period of a year between November 2008 and November 2009. This marketing generated only one viewing and did not result in the building being let. It is considered that the marketing undertaken has demonstrated that the site is not suitable for continued employment use. The proposed conversion to residential use is therefore considered to be acceptable in terms of policy ET/6.
15. The proposed development is therefore considered to be acceptable in principle.
16. Impact on setting of Listed Buildings – The main two storey element of dwelling has been set back from the front of the site, behind the line of the existing single storey building. This ensures that the building would not impinge on the important view of the Grade I listed church from Brook Street along The Causeway. In other glimpses

of the church possible from Brook Street, the proposed property would largely be seen against the background of existing 20th century houses further up the hill to the East, including No. 6 The Causeway. It is not considered that the proposed dwelling would cause any significant harm to the public views of the village church or on its setting more generally.

17. The application site is opposite a pair of grade II listed cottages. The setting back of the two storey element behind the existing building creates a separation of approximately 20 metres between it and the cottages. The dwelling is relatively modest and it is considered that the separation between the cottages and the new house is sufficient that the proposed dwelling would not be prominent in the setting of the listed cottages in views from either the East or West.
18. It is therefore considered that the proposed dwelling is acceptable in terms of its impact on the setting of listed buildings in the vicinity.
19. Impact on Conservation Area - The proposed dwelling is relatively modest in width and height, the two storey element being less than 5.5 metres wide and only 6.6 metres to the ridge. In addition, the new building is set into the site, at a lower level than the existing building, which reflects the prevailing land levels on The Causeway and reduces its impact on the character and appearance of the Conservation Area. In elevation from The Causeway it is slightly shorter in height and has a narrower span than No. 6 which it would sit beside, as well as being approximately 3 metres less in overall depth. It has been designed with a simple appearance, using traditional design elements such as the narrow roof verge, well proportioned, symmetrical windows and modest porch canopy. It is in scale with the building to which it most closely relates (No. 6) presenting what is considered to be a more attractive frontage than its near neighbour. The existing single storey building would have a garage door in the front elevation which would reflect the width of the existing windows that it would replace. Significantly, the scheme would secure the retention of the existing building on site which is of historic significance and this new dwelling would ensure that it would have a ongoing use without significant alteration or loss of its historic fabric. This is considered to be a benefit to the character and appearance of the Conservation Area. Overall, the scheme is considered to have an acceptable scale and design and is considered to preserve the character of the existing Conservation Area, which is itself a mixture of historic and modern dwellings.
20. Impact on the residential amenity – The proposed dwelling would be located approximately 20 metres from the cottages opposite the site. At this distance it is not considered that it would cause any significant loss of light, visual intrusion or overshadowing to the cottages. In addition, the ground floor kitchen and first floor bedroom windows facing the front of the site would be far enough away from those in the cottages that they would not cause any significant loss of privacy to the occupiers of the cottages.
21. The proposed dwelling would be located approximately a metre (at its nearest point) from the boundary with No 21 Brook Street to the West. Again the property would be approximately 20 metres away from the rear windows of No. 21, although it would be immediately adjacent to its rear garden and would be situated on higher land than the neighbouring house. The impact on the rear windows of No. 21 has been considered and, notwithstanding the increased land levels, it is considered that the separation of 20 metres between the nearest point of the new dwelling and No. 21 is sufficient that no significant harm will be caused in terms of visual intrusion or poor outlook. That separation is also sufficient that the new dwelling would not cause any significant loss of light to the rear windows of No. 21. There are no first floor windows proposed

in the side elevation of the dwelling overlooking the neighbouring property to the West and this would be secured in perpetuity by an appropriate condition. The proposed dwelling is therefore considered to be acceptable in terms of its impact on the privacy of No. 21 Brook Street.

22. The proposed dwelling would cause some loss of early morning sunlight to the northern portion of the garden of No. 21, but this is not considered to result in a significant loss of amenity. It's siting to the North East of the majority of the rear garden of 21 means it would not cause any significant loss of light to the garden as a whole. The garden slopes up towards the proposed dwelling and has a high dense hedge on the boundary with the application site. This hedge would obscure the ground floor of the new dwelling from view with the first floor and shallow roof being visible above it. While this would result in some increased sense of enclosure to the rear garden of No. 21, as it would be closer to the boundary than the side elevation of No. 6 which is currently visible from it, on balance, it is not considered that the new dwelling would be unduly overbearing to the relatively large rear garden of No. 21.
23. The application proposes blocking up two windows and obscurely glazing two others in the first floor West elevation of No. 6 The Causeway which is within the control of the applicant. This is a measure to ensure that the rear garden area of the proposed dwelling benefits from some privacy. It is considered that either obscurely glazing or blocking up the windows would achieve an acceptable level of amenity for the new dwelling and this would be controlled by condition. This measure would not significantly harm the amenity of No. 6, as both habitable rooms affected by the blocking up of windows have other windows in either the front or rear elevations. The proposed dwelling is considered to be acceptable in terms of its impact on the amenity of No. 6. It would not significantly overshadow its rear garden and the only ground floor windows which face the development serve a downstairs WC and hall, meaning that any slight loss of late evening light is not likely to impact on the general amenity of the occupants of No. 6. The proposed dwelling is therefore considered to be acceptable in terms of its impact on residential amenity.
24. Parking and highway safety – There is an existing access to No.4 which is independent of the one serving No. 6. The Local Highways Authority (LHA) has not raised any objection to the proposed continued use of the existing access for the new dwelling nor to the amended parking and turning area to be provided to the front of the site. It has requested pedestrian visibility splays be provided at the access point to secure pedestrian safety and these can be secured by condition. It has also requested conditions regarding the drainage of the hardstanding to ensure it does not shed on to the public highway and regarding the surfacing of the existing access and proposed parking area, which it wishes to be surfaced in a bonded material to prevent loose material being carried onto the highway. These measures can also be secured by condition.
25. The scheme would provide at least three car parking spaces on site (including the garage) which would be adequate for the likely parking demand created by the new dwelling for household parking and that of visitors. This is an overprovision of parking in terms of the Council's Adopted Parking Standards for the district in general, but given the narrow and steep nature of The Causeway, it is considered a sensible level of provision.
26. The proposed development is therefore considered to be acceptable in terms of its impact on parking and highway safety.
27. Drainage and land stability – Concern has been raised regarding the potential for

significant surface water run off onto neighbouring properties as well as the stability of the land, due to the sloping land levels on site and generally in the area. It is possible, given the sloping land levels in the area, that rain water run off from the roof of the proposed dwelling could drain onto the neighbouring property to the West, 21 Brook Street. Although the amount of such run off from a single dwelling is likely to be relatively limited, it is nonetheless considered appropriate to ensure that the run off from the dwelling drains on its own land. Given the garden area to the front and rear of the site, it is considered that this is achievable and drainage measures to ensure this would therefore be required by condition.

28. The structural stability of the new dwelling and its impact on the stability of the land would be secured by the provision of appropriate foundations. Although this would normally be addressed during the building control application, it is considered appropriate to address the matter at planning application stage, given the concern of some neighbours regarding the sloping land levels on site and the impact of this on the development.
29. The proposed two storey element of the dwelling would be dug into the site where it joins the existing single storey element, but would also require land levels at the South West corner of the dwelling to be built up slightly to offset the sloping land. It appears that this can be achieved well within the boundary of the site and through the provision of appropriate foundations the building would not compromise the stability of land in the area. To ensure that the appropriate foundations are provided for the dwelling, full details will be conditioned to be provided prior to the commencement of development.
30. Trees and hedges – The proposed dwelling would require the loss of the fruit tree to the South of the existing building, in the garden of number 4. The tree is a medium size fruit tree in a private rear garden and is not considered to contribute significantly to the character of the wider area. It's loss is not considered to cause significant harm to visual amenity and is therefore considered acceptable.
31. Concern has been expressed by neighbours regarding the impact of the new building on an Ash tree which is located in the garden of No. 21 Brook Street, close to the common boundary of the site. This tree is not shown on the application drawings, however on the basis of a site inspection, it appears possible that the two storey element of the proposed dwelling would conflict with the longer limbs of the Ash tree where they overhang the common boundary. However, as these limbs could be removed by the owner of the No. 4, it is not considered reasonable to refuse the application on the basis of that conflict. The dwelling would also likely be located within the root protection zone of the tree where damage to structural roots could cause the tree to die. For that reason, the condition relating to foundation details (above) would also require the impact of the foundations on the tree roots to be considered and would require the use of bespoke foundations where necessary, to ensure the dwelling does not cause any harm to the structural roots of the tree. It is considered that this measure is sufficient to mitigate any significant harm to the long term health of the Ash tree.
32. The existing hedge on the Western side of the site is on the neighbour's side of the common boundary and within their control. This would not be impacted by the proposed dwelling and measures to protect it with fencing during construction would be required by condition.
33. The proposed development is therefore considered to be acceptable in terms of its impact on trees and hedges.

34. Open space and community facilities - The proposed development would not provide open space or community facilities on site and would therefore be required to contribute to their provision off site, in order to mitigate the additional burden that the occupants of the proposed dwellings would place on such facilities locally. The applicant has agreed to enter into a Section 106 legal agreement to make such contributions. At present the amounts would be as follows: Public open space - £3,104.38; Community facilities - £513.04; Waste receptacles - £69.50 and a Section 106 monitoring fee of £50. The applicant's willingness to enter into such a scheme is considered sufficient to comply with the relevant policies in this case.

Recommendation

35. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application be granted Planning Permission, subject to conditions relating to:
1. Implementation within 3 years
 1. Development in accordance with approved plans
 2. Materials and joinery details
 3. Hard and soft landscaping
 4. Boundary treatments
 5. Bin storage
 6. Provision and retention of parking and turning area
 7. Pedestrian visibility splays at access point
 8. Drainage of parking area
 9. Obscure glazing or blocking up of first floor West facing windows in No. 6
 10. No new windows in first floor of East or West elevation of new dwelling
 11. Drainage details for dwelling
 12. Foundation details for dwelling
 13. Protection of hedge during construction
 14. Legal Agreement securing affordable housing contribution and open space, community facilities and waste receptacles contributions

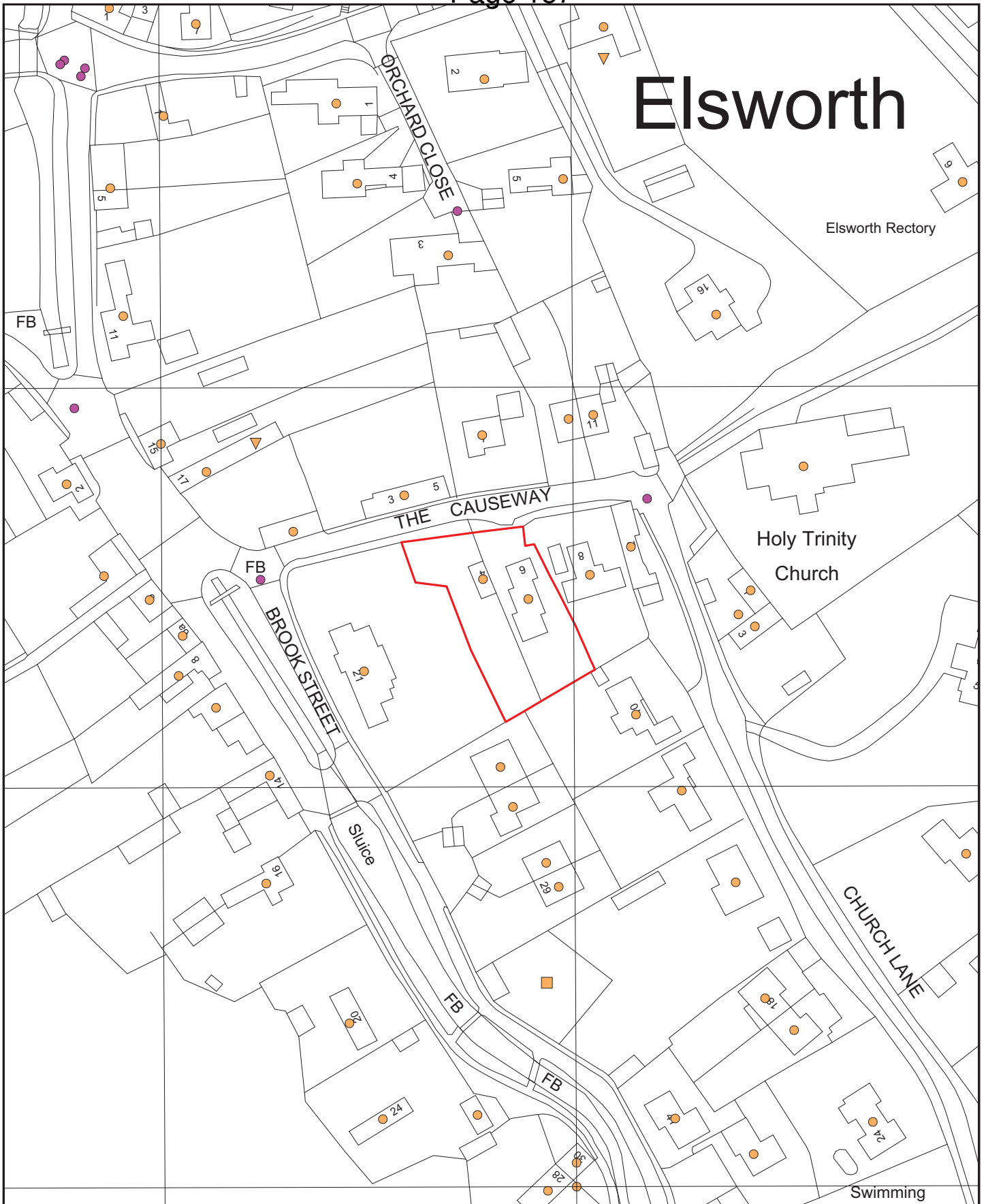
Background Papers: the following background papers were used in the preparation of this report:

- **Local Development Framework Core Strategy 2007**
- **Local Development Framework Development Control Policies 2007**
- **Planning File ref: S/2576/11**

Contact Officer: Daniel Smith - Planning Officer
01954 713162

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Elsworth



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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

S/0160/12/LB - CONINGTON**Conversion and Extension of Barn and outbuildings to four live/work units****Recommendation: Approval****Date for Determination: 10th April 2012****Notes:**

This Application has been reported to the Planning Committee for determination because the applicant is a Council Member

Members will visit this site on 3rd April 2012

Site and Proposal

Marshalls Farmhouse is a late C16 timber framed and brick building with plastered finish and plain tile roof. It is located to the east side of Elsworth Road to the east edge of Conington.

The site is the timber-framed barn and a group of C20 Fletton brick built single storey outbuildings adjoining Marshall Farmhouse to the north west of the house. These outbuildings form a courtyard, which backs on to Elsworth Road to the west. The buildings formed a dairy and include the dairyman's accommodation to the north east corner..

Planning History

It is understood that the timber barn dates from the C19. The outbuildings are constructed in Fletton brick with asbestos sheet to ridge roofs and Ministry of Agriculture metal windows. They were formerly used for a dairy. The courtyard of outbuildings was erected by German and Italian prisoners of war in 1944. A freestanding Dutch Barn and a small stable building are also located within the courtyard.

The timber barn and the stable buildings both date from the C19 were also adapted in the 1944. The timber barn includes a room constructed in Fletton brick, which supports a first floor feed store and the detached stable building, which retains an earlier plinth, and roof structure has Fletton brick walls.

The dairyman's dwelling is attached to the north side of the northeast corner of the courtyard. This of the same construction as the dairy buildings but can be identified as being residential with domestic top hung timber windows and a chimney stack

This listed building consent application is a resubmission following the expiry of a previous listed building consent **Ref. S/0690/08/LB** that was granted on 23rd December 2008 and expired on 23rd December 2011.

This previous consent was granted along with planning permission **Ref. S/0836/08**. The proposal was for the Alterations, extension and conversion of barn and outbuildings to four live/work units with attached fences and gates. The planning application was granted on 10th March 2009 and the applicant has submitted details for the discharge of conditions attached

to this planning permission in order to make a start on site and implement the planning permission.

The discharge of conditions has involved a process of negotiation and some minor amendments to the scheme have been incorporated which have resulted in a modestly different proposal from the previous listed building consent.

The only other significant material change from the previous consent is that the National Planning Policy Guidance on Planning and the Historic Environment has been changed. The previous application was considered under Planning Policy Guidance 15. This application is considered under to Planning Policy Statement 5

Planning Policy

**South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007 Policy - CH/3
Planning Policy Statement 5 Planning for the Historic Environment Polices HE6.1, HE6.2, HE7.1, HE7.2, HE7.3, HE7.4, HE7.5, HE9.1, and HE 9.4**

Consultation

The Parish Council has been consulted.

The Ecology Officer has advised that the updated protected species report doesn't identify any constraint to the development commencing. It acknowledges a low level of bat activity and reports some barn owl activity but neither are considered to be such that warrant specific mitigation measures or licenses.

The applicant has also detailed that bird mitigation measures are to be put in place to allow working on the building within the bird-breeding season.

Representations

No representations were received.

Planning Comments – Key Issues

The proposal seeks to convert the existing utilitarian outbuildings and timber barn into 4 live /work units.

External Alterations

The external appearance of the brick outbuildings is to be retained with the brickwork painted cream and the main timber barn will have new 225 mm wide weatherboarding stained black. The existing asbestos sheet roofs are to be replaced to reflect the hierarchy of buildings and their new uses. The two residential units in the single storey dairy range Units 1 and 2 to the street frontage are to have slate roofs, as is the main timber barn Unit 3. Unit 4 the former dairyman's residence is to have clay pantiles as are the workspace units to 1, 3 and 4 with the other workspace on the former historic stable outbuilding which is to have corrugated galvanised metal sheet roof.

Some changes are proposed to the external openings. The windows are to be timber casement as before but with aluminium cover plates to the external face. This will reflect visually the existing metal windows. To the former stable outbuilding proposed as the

workspace for Unit 2, the existing door and window openings are to be retained rather than partly blocked in the previous consent.

The timber barn will have a number of minor alterations to the approved openings. The two large gable end openings are to be reduced in size and simplified to rectangular openings and at the west gable on the Elsworth Road an existing opening, will have feature fixed glazing. The glazing will be part obscured by a black stained louvre. A similar louvre will be attached to the upper floor of the central door opening to both sides. These louvres will be in plane of boarding with the glazing set back about 1300 mm into the void space.

The former dairyman's residence has a remnant of its use in the form of the plan form and chimneystack. This is now to be retained and made a feature in the living room with a new wood burner in a revised plan for this two-bed unit. In addition the previous larger opening with mullioned window is to be replaced with fixed glazing with feature timber sliding screens. These will slide back across the face of the brickwork.

Internal Alterations

Internally the fabric of the brick outbuildings is to be retained however the concrete floors are to be replaced with a new concrete screed over insulation. The brick outbuildings are to be insulated internally with insulation bonded to plaster board.

On the barn the timber frame will be boarded externally to strengthen the structure, over this is added rigid insulation and weatherboarding. These additional layers of material will change the profile of the barn, which will need amendment at the plinth and eaves to accommodate these alterations.

Structural Alterations

The barn will also require some structural interventions to support an upper floor. It will use the existing Fletton brick walls to the ground floor, along with timber studs and a new steel frame supported of the gable end wall. These structural changes will mean minor changes to the plan form from the previous consent.

Minor Alterations

The proposal includes demolition of an open sided Dutch barn and associated Fletton Brick shed to the courtyard to open up the courtyard and provide residential amenity space, car parking and access to the workspaces.

Two small groups of solar panels approved in the previous consent are to be retained on the outbuilding to the east facing roof slope into the courtyard.

Extension

A new build extension is proposed to the open sided outbuilding attached to the east end of the main barn and will form the workspace for Units 3. This will extend out this existing outbuilding with the same profile but will be differentiated by use of a different buff coloured brick.

Landscaping

A landscape scheme for the courtyard and other amenity areas and boundaries has been approved under the planning permission conditions.

Other material changes from listed building consent Ref. S/0690/08/LB

There has been a material policy change between the previous listed building consent Ref. S/0690/08/LB and this current application. The National Guidance on Planning and the Historic Environment PPS 5 has superseded the previous guidance PPG 15. PPS 5 has introduced the concept of understanding the significance of heritage assets into decision-

making on listed building applications. The approach weighs the impact of a proposal and its benefits such as social, economic and sustainable development against the significance of the architectural and historic values of the Heritage Assets.

In respect of this proposal the architectural and historic significance of the curtilage listed outbuildings and barn will be retained and the negotiated alterations are considered to result in an improvement to the design and appearance of these outbuildings. In addition the approved conditions on the planning permission for materials, landscaping and boundary treatments will improve the relationships with the setting of the listed building.

Significance of Heritage Assets

The courtyard of single storey brick outbuildings and the larger timber framed barn are considered Heritage Assets and curtilage listed buildings to the Grade II Listed Marshalls Farmhouse.

Impact of the proposal on the Significance

It is considered that the architectural and historic significance of the outbuildings and barn will be retained and the negotiated alterations result in an improvement to the design and appearance of the curtilage listed barn and outbuildings

Justification

This application was required, as the previous listed building consent Ref. S/0690/08/LB had expired. Whilst the application proposal is the same as this previous consent some design alterations have been negotiated through the discharge of the planning conditions, which have resulted in an enhanced scheme.

Recommendation

1. Approve

Conditions

1. The works to which this consent relates shall be started not later than the expiration of three years beginning with the date of this decision notice.
(Reason - To ensure that consideration of any future application for works will not be prejudiced by listed building consents, which have not been acted upon.)
2. Before work commences, arrangements shall be made by the applicant to enable the Local Planning Authority Conservation Officer to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works.
(Reason - For the avoidance of doubt and to ensure the proper control of works)
3. Before work commences on site a detailed sections drawings at a scale of 1:10 or larger shall be submitted to and agreed in writing by the Local Planning Authority. The sections shall be taken through the Barn to show new work including revised eaves details, structural changes, and new walls and floors, and to the Outbuildings to show the new wall and floor. The works shall be undertaken in strict accordance with the agreed details.
(Reason - To ensure detailing appropriate to this listed building.)
4. Sections and elevations that show details of proposed new windows, doors, and louvers to be submitted at scales between 1:20 and 1:1, as appropriate, to the LPA

for prior written consent. The works shall be undertaken in strict accordance with the agreed details.

(Reason - To ensure the use of details appropriate to this listed building).

5. A sample of the proposed roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Only approved roofing materials shall be used in the conversion of these buildings.
(Reason - To ensure the use of roofing material appropriate to this listed building)
6. Before work commences on site, precise details of the following items shall be submitted for the prior, written approval of the Local Planning Authority:
 - a Detail of the proposed staircase to the Barn
 - b The position and details of soil vent pipes, mechanical extracts and flues
 - c Details of the floor finishes
 - d Details of the Solar Panels(Reason - To ensure detailing appropriate to this listed building.)

Reasons for Approval

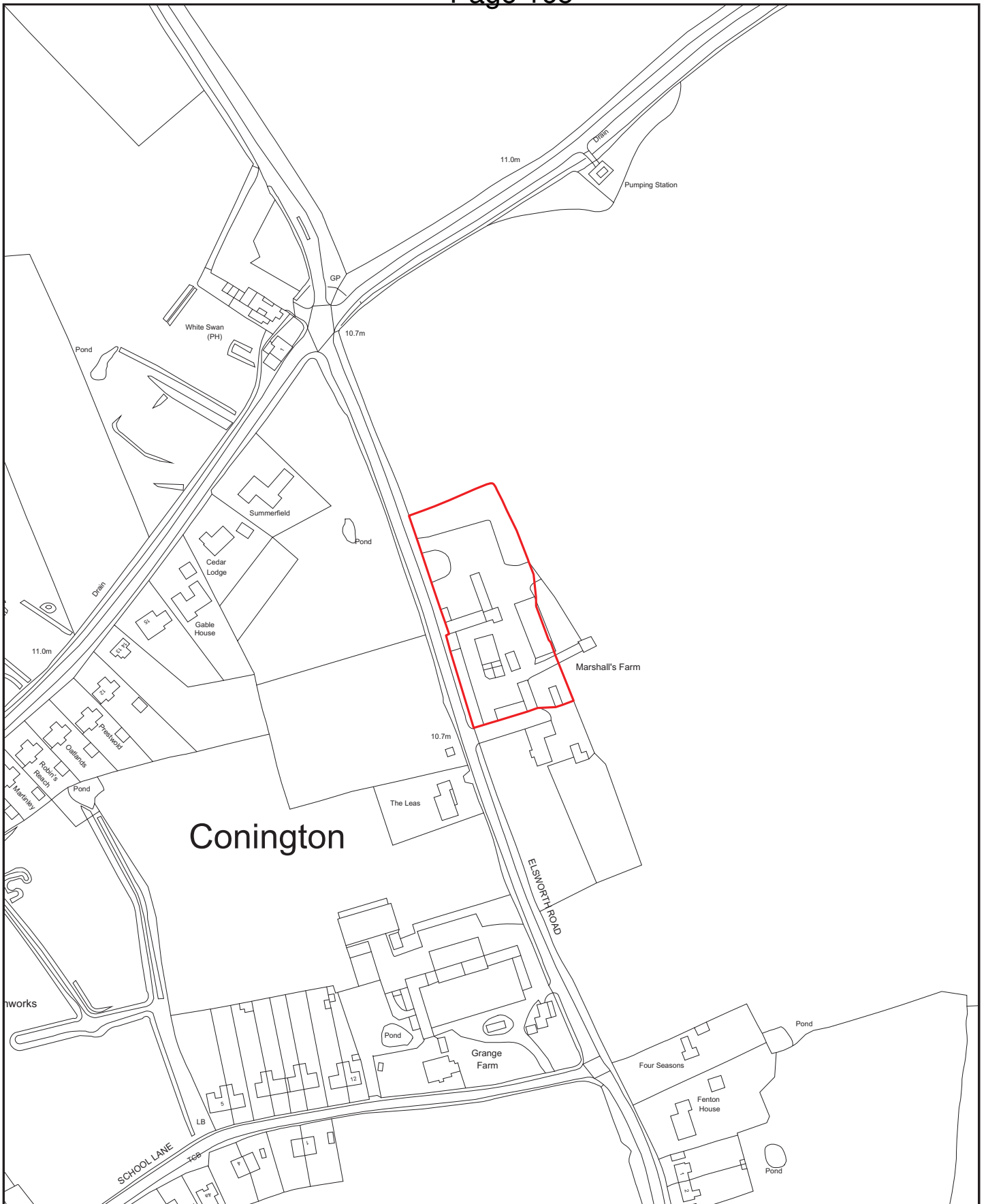
1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3** (Sustainable design in built development)
 - P7/6** (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
 - SE2** (Development in Rural Growth Settlements)
 - HG10** (Housing Mix and Design)
 - EN30** (Development in/adjacent to Conservation Areas)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning Policy Statement 5 Planning for the Historic Environment
- Listed Building Consent File Ref. S/0690/08/LB and Planning File Ref. S/0836/08.

Case Officer: Alex Marsh – Historic Buildings Officer
Telephone: (01954) 713310

Presented to the Planning Committee by: Corrie Newell



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Cambridgeshire
District Council**

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FOR INTERNAL USE ONLY

Scale - 1:2500
Time of plot: 08:42

Date of plot: 21/03/2012

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Executive Director (Corporate Services) / Legal and Democratic Services
Manager

PUBLIC SPEAKING PROTOCOL – REVIEW OF ARRANGEMENTS AT PLANNING COMMITTEE MEETINGS**Purpose**

1. To conduct a review of the public speaking protocol in the context of experience gained during the past two years.

Recommendations

2. It is recommended that the Planning Committee endorses the draft protocol attached at Appendix A, and adopts it for use with immediate effect.

Reasons for Recommendations

3. The protocol needs to be amended in order to remain effective, relevant and understandable.

Background

4. At its meeting on 24 May 2007, Council resolved that public speaking at Planning Committee be introduced, and that the Planning Committee be authorised to review and amend the scheme at its discretion, Part 4 of the Constitution being amended accordingly.
5. Planning Committee last reviewed the protocol in April 2011. Parts of the Protocol have been rewritten in the interests of Plain English.

Considerations

6. Public speaking at Planning Committee meetings, which includes contributions from local Members not on the Committee and members of parish councils, has been well received generally, and has allowed applicants, their agents, and objectors to take a greater part in the planning application process.
7. During the past few years, public speaking has operated well, but unforeseen circumstances have arisen from time to time, which have been dealt with under the Committee Chairman's general discretionary powers. The current review proposes the incorporation of those circumstances into the written protocol. This will provide clarity and certainty for Committee members and other interested parties.
8. The attached revision does not make significant changes from the Protocol agreed 12 months ago. However, Members should note the following:
 - a) Use of the phrase 'those not on the Committee' instead of 'members of the public'. This is intended to distinguish between the different roles of supporters and objectors, parish councils, and local and other Councillors.

- b) Clearer language
- c) More straightforward discretion for the Chairman to allow, within reason, departures from the formal Protocol
- d) The suggestion that, where there are two or three local Councillors, only one of them should speak in that capacity, unless there is an opposing viewpoint

Options

- 9. The Committee has the option to approve the proposed protocol, either in whole or in part or as amended, or continue with the existing protocol.

Implications

10. Financial	None
Legal	None
Staffing	None
Risk Management	None
Equality and Diversity	The protocol is available electronically and in hard copy. Provision has been made for the document to be provided in alternative formats. Democratic Services Officers can advise verbally about the protocol's main requirements.
Equality Impact Assessment completed	No An EqIA will be carried out during 2011-12 looking at public speaking and public questions on a corporate basis
Climate Change	None

Consultations

- 11. The Chairman and Vice-Chairman of the Planning Committee, Planning and Economic Development Portfolio Holder, and key officers have been consulted about the proposed revised Protocol. No adverse comments have been received.

Consultation with Children and Young People

- 12. None.

Effect on Strategic Aims

- 13. The introduction of, and subsequent agreement of improvements to, the public speaking scheme, enables effective engagement by residents and parish councils with the decision-making process.

Conclusions / Summary

- 13. To be effective, any system of public speaking must be clearly understood. It must be seen to be fair to everyone, and members of the Planning Committee should adhere to its general principles. A system of customer feedback is in place.

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

- None

Contact Officer: Ian Senior – Democratic Services Officer
Telephone: (01954) 713028



Public Speaking at meetings of the Planning Committee

April 2012

When and where do Planning Committee meetings take place?

The Planning Committee meets in the Council Chamber at South Cambs Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA at 10.00am on a Wednesday, which is usually the first Wednesday each month. Further details, including contacts, directions, and variations to dates are available on the Council's website or by phoning Democratic Services on 03450 450 500.

Can those not on the Planning Committee attend these meetings?

Yes – typically, meetings may be attended by applicants, their agents, objectors, neighbours, other villagers, local district councillors and members of parish councils. The vast majority of agenda items will be considered in public. However, the law does allow Councils to consider a limited range of issues in private session without members of the Press and public being present. An example would be a planning issue in which sensitive personal or commercial matters are discussed, or options, which, if publicized, could prejudice the Council's position. 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.

Can those not on the Planning Committee speak at Planning Committee meetings?

Yes. There are four categories of “non-Committee speakers” (public speakers). These are, in order:

- (1) Objector
- (2) Supporter (usually the applicant or planning agent)
- (3) Parish Council representative
- (4) Ordinarily, one local Councillor (whether a Committee member or not) will also speak. However, where there are two or three local Councillors, a second local Councillor will be invited to speak only if they have a view contrary to that of the first.

Parish Councils and local Members speak as part of the planning process, regardless of whether they support or oppose an application. Objectors and Supporters speak as part of the specific application and, except in exceptional circumstances identified by the Committee Chairman prior to the meeting, number one in favour and one against. Where more than one objector or supporter exists, they are encouraged to agree between themselves on a presentation that covers all their concerns.

In exceptional circumstances, the Committee Chairman may opt to make special arrangements such as where a neighbouring parish is perceived as being affected by a proposal, or for a Portfolio Holder.

What can people say and for how long can they speak?

Each speech is limited to three minutes. Speakers must restrict themselves to material planning considerations such as:

- Design, appearance, layout, scale and landscaping
- Environmental health issues such as noise, smells and general disturbance
- Highway safety and traffic issues
- Impact on trees, listed buildings, conservation areas and other designated sites.
- Loss of an important view from **public** land that compromises the local character
- Planning law and previous decisions
- Planning Policy Guidance
- South Cambridgeshire Local Development Framework
- Visual and residential amenity

Committee members will **not** be able to take into account issues such as:

- boundary and area disputes
- perceived morals or motives of a developer
- the effect on the value of property
- loss of a **private** view over adjoining land (unless there is a parallel loss of an important view from public land)
- matters not covered by planning, highway or environmental health law
- covenants and private rights of access
- suspected future development,
- processing of the application.

Speakers should be careful not to say anything derogatory or inflammatory, which could expose them to the risk of legal action. After the objector and supporter have spoken, Committee members may ask speakers to clarify matters relating to their presentation. If those registered to speak are not present in the meeting room by the time the relevant item is considered, the Committee won't be able to wait, and will determine the application – officers will be able to say whether a particular item is at the beginning, middle or end of the agenda, but cannot give an accurate idea of when it will be considered.

Can public speakers give Committee members written information or photographs relating to an application or objection?

Yes, but **not** at the meeting itself. Councillors will be given lots of information to read and digest before the meeting, so need to be given as much time as possible to read or view the information.

Please send such information, preferably by e-mail, to Democratic Services, who will circulate the information for you. In practical terms, such information will not be distributed earlier than seven days or later than two days before the meeting. Please do not supply information directly to members of the Planning Committee.

Projection equipment operated by Council officers is available in the Council Chamber.

How are applications considered?

The appropriate planning officer will introduce the item. Committee members will then hear any speakers' presentations. The order of speaking will be as stated above. The Committee will then debate the application and vote on either the recommendations of officers in the agenda or a proposal made and seconded by members of the Committee. Should the Committee propose to follow a course of action different to officer recommendation, Councillors must give sound planning reasons for doing so.

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.

Further information is available from Democratic Services, South Cambridgeshire District Council, South Cambs Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA – Telephone 03450 450 500.

democratic.services@scambs.gov.uk

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

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

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at 24 February 2012. Summaries of recent decisions of importance are also reported, for information.
2. **Decisions Notified By The Secretary of State**

Ref.no	Details	Decision	Decision Date
S/1513/11/F	Mr M Huntingdon 11 West Road Histon Front Porch	Allowed Delegated Refusal	05/03/12
S/0291/11/CAC	Highland Glen Estates 7 Water Lane Impington Demolition of existing semi-derelict dwelling	Dismissed Delegated Refusal	06/03/12
S/0289/11/F	Highland Glen Estates 7 Water Lane Impington Two detached dwelling houses	Dismissed Delegated Refusal	06/03/12
S/1713/11/F	Mr & Mrs Lattion 59 Ermine Way Arrington Dwelling and Associated Parking	Dismissed Delegated Refusal	09/03/12
S/1419/11/F	Mr R Croft 57a The Lanes Over Dwelling	Dismissed Delegated Refusal	13/03/12
S/1284/11/F	Goreway Holdings Land adj 7 Station Road, Foxton Dwelling	Dismissed Delegated Refusal	14/03/12
S/2275/10/F	Mr E Banks Manor Farm Washpit Lane	Dismissed Delegated	19/03/12

	Harlton Wedding/Conference venue with parking, landscaping and ancillary works.	Refusal	
S/1263/09/F	Tonga Marine Ltd Highfields Court Caldecote Variation of condition 1 to permit 3 additional pitches on existing mobile home park	Allowed Committee Refusal	20/03/12

3. Appeals received

Ref. no.	Details	Decision	Decision Date
S/0801/11/F	Mr A Bartholomew 18 Haslingfield Road Harlton Replacement Dwelling	Delegated Approval	08/02/12
S/0365/11/F	Mr B Zhimbiev 86 Magdalene Close Longstanton Dwelling	Delegated Refusal	10/02/12
S/0915/11/F	Mr & Mrs Brackenboro Barons Farm 7 Angle Lane Shepreth New Access	Delegated Refusal	13/02/12
S/0010/11/F	Mr T Walls Plot No 4&5 Pine Lane Smithy Lane Cottenham 2 Static caravans,2 touring caravans,2 utility blocks one temporaty portalo and parking for 4 vehicles.	Committee Refusal	14/02/12
S/2141/11/F	Mrs S Grove lilex House Glebe Road Barrington	Delegated Refusal	16/02/12
S/0704/11/F	Mr & Mrs Owen Land adjacent to Norman Hall Church Street	Refusal	20/02/12

	Ickleton Dwelling and Garage		
S/1805/11/F	Mr A Watson Dernford Sawston Road Stapleford Removal of condition 12	Delegated Refusal	02/03/12
S/2216/11/F	Mr & Mrs P Smith 10 Main Street Caldecote Cambridge Extension	Delegated Refusal	05/03/12

4. **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7 March 2012.**

Ref. no.	Name	Address	Hearing
S/0828/11/F	MPM Properties Ltd	The Plough High Street Shepreth	Confirmed 11/04/12
S/2207/11/F	Mrs French	6 Church Way Haslingfield	Confirmed 01/05/12
S/0010/11/F	Mr Walls	Plot 4 & 5 Pine Lane Smithy Fen Cottenham	Confirmed 20/06/12

5. **Summaries of recent decisions**

None

Background Papers: the following background papers were used in the preparation of this report: None

Contact Officer: Nigel Blazeby – Development Control Manager
Telephone: (01954) 713165

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 April 2012

AUTHOR/S: Corporate Manager (Planning and New Communities)

CURRENT ENFORCEMENT ACTION CASES

Purpose

1. To update Members about current enforcement action cases as at 20 March 2012.

Ref No	Village	Location	See Page No for full update	Remarks
18/98	Cottenham	Setchel Drove	1 – 4	Plots 7, 7A and Four Winds being monitored.
19/03	Histon	Land adjacent to Moor Drove Cottenham Road	5 - 8	Application for injunction refused by the High Court, 5 th 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.
9/04	Swavesey	Land adjacent to Cow Fen Drove	8 - 12	Monitoring visits have confirmed that the one of the defendants is still residing on site and is therefore in breach of the Injunction Order High Court date 22 nd June 2011 Defendant Steven Cuff found guilty of contempt by the Court and was sentenced to 90 days imprisonment. Monitoring continues

Ref No	Village	Location	See Page No for full update	Remarks
13/05	Cottenham	Plots 5, 5a, 6, 10 & 11 Orchard Drive	12-16	<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> <p>Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee. Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Further Needs Assessments carried out - Formal proceedings continue.</p> <p>Further planning application submitted – Reference S/0041/12/FL</p>

Ref No	Village	Location	See Page No for full update	Remarks
4/06	Cottenham	Plot 15 Water Lane Smithy Fen	16 -19	<p>Appeal dismissed on 29th January 2007. File submitted for an application for an injunction. Report to be considered by Planning Sub Committee No change - Needs Audits to be carried out</p> <p>Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee. Travellers Liaison Officer unable to obtain details relating to personal circumstances requiring consideration by the Sub Committee. Further Needs Assessment carried out - Formal proceedings continue.</p> <p>Further planning application submitted – Reference S/0041/12/FL</p>
8/06	Melbourn	1 London Way Clunchpits	19 - 22	<p>Appeal allowed in part and dismissed in part. Partial compliance. Landscaping scheme now approved. Highways & Environmental Health issues reviewed on site. Findings to be published shortly. No Change – Matter to be referred back to Planning Officer Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue Multi Agency meeting to be arranged to agree way forward. Meeting held, further information required.</p>

Ref No	Village	Location	See Page No for full update	Remarks
7/07	Barton	The Drift Cambridge Road	22 - 23	<p>Appeal dismissed on the 1st April 2008. Compliance date 1st October 2008 Partial compliance. Discussions continue.</p> <p>Matter referred to delegation to consider next steps</p>
16/07	Willingham	38 Silver Street	23 - 25	<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> <p>Majority of work now complete although minor finishes to be completed. House still unoccupied.</p> <p>Waiting for further instruction from Conservation team</p> <p>Prosecution file submitted to legal</p>
5/08	Milton	27/28 Newfield's Fen Road Chesterton	25 - 26	<p>Enforcement Notice appealed. Hearing date to be confirmed. Fresh application submitted. Appeal dismissed 6th May 2009, four months compliance period. Further planning application received and registered. Application S/1170/09 approved 24th November 2009, Conditions to be monitored. Further planning application submitted – Ref: S/0246/10/F. Planning permission refused. File submitted to Legal. Further information requested, file resubmitted.</p>

Ref No	Village	Location	See Page No for full update	Remarks
6/08	Milton	6 Sunningdale Fen Road Chesterton	27 - 28	<p>Enforcement Notice appealed. Inquiry date 10th February 2009 Appeal allowed on ground (a) Conditional planning permission granted. Compliance period six months i.e. by 18th August 2009. Planning application received and registered. Application S/1154/09 approved 5th October 2009 – Conditions to be monitored. Original building not removed as per condition – File to be submitted to Legal</p> <p>Further information received from the owner, awaiting further instruction from planning officer.</p>
12/08	Histon	Plot 4 Moor Drove	28 - 30	<p>Prosecution file submitted to Legal regarding failure to comply with a “Temporary Stop Notice” Enforcement Notice Issued. Retrospective planning application submitted. Approved at Committee 10th June 2009 Conditions to be monitored</p>

Ref No	Village	Location	See Page No for full update	Remarks
13/08	Melbourn	49 High Street	30 - 31	<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</p> <p>Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge. Enforcement Notice still not complied with. File submitted to Legal to instigate formal action.</p> <p>Retrospective planning application submitted. Application refused.</p> <p>Negotiations continue to ensure compliance with the outstanding enforcement notice.</p>

Ref No	Village	Location	See Page No for full update	Remarks
01/09	Great Abington	82 High Street	31 - 32	<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.</p> <p>Planning Appeal dismissed 26th May 2010.</p> <p>Negotiations continue – Owners currently living abroad.</p> <p>Remedial works commenced, completion due November 2011</p> <p>Majority of works now complete, Further inspection carried out by Conservation team – Works to window still outstanding - Negotiations continue</p>
07/09	Sawston	163 High Street	33 -34	<p>Listed Building Enforcement Notice issued for dismantling and removal works without authorisation</p> <p>Appealed – Hearing date 5th January 2010.</p> <p>Appeal withdrawn.</p> <p>Formal discussions with Conservation Team as to next steps.</p>

Ref No	Village	Location	See Page No for full update	Remarks
01/10	Histon	Land at Moor Drove	34 - 35	<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> <p>Further report received that the HGV vehicle previously identified, is continuing to breach the planning enforcement notice. Breach confirmed and formal copy of the appeal decision notice and warning issued to the vehicle operator. Monitoring continues.</p> <p>Enforcement Notice now complied with – Monitoring to continue.</p>
02/10	Stapleford	Hill Trees Babraham Road	35 - 36	<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> <p>Appeal registered – Court Hearing Date confirmed as 18th October 2011. Application to appeal dismissed.</p> <p>Further site inspection carried out 2nd December 2011 although notice complied with further issues were highlighted relating to the storage of motor vehicles and amenity /waste deposited on the land. Legal file to be prepared.</p> <p>Following Enforcement Sub-Committee approval to instigate direct action, application made to apply for a Judicial Review</p>

Ref No	Village	Location	See Page No for full update	Remarks
13/10	Whaddon	North Road Farm Ermine Way	36	<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> <p>Amended scheme submitted and approved subject to conditions</p>
19/10	Stow-Cum-Quy	Park Farmhouse Station Road	37	<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>
23/10	Meldreth	Field Gate Nurseries 32 Station Road	37 - 38	<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 – Planning permission granted subject to conditions. Compliance to be monitored.</p>

Ref No	Village	Location	See Page No for full update	Remarks
24/10	Stow-Cum-Quy	Park Farm Station Road	38	<p>Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6th September 2010 Appeal submitted</p> <p>1st December 2010 appeal dismissed – Time period to comply extended to 12 months – Revised scheme to be submitted and agreed by SCDC. Revised scheme agreed further application to be submitted.</p> <p>Amended scheme submitted and approved subject to conditions</p>
28/10	Odsey	Odsey Grange Baldock Road	39	<p>Enforcement Notice issued – Compliance period to remove the unauthorised garage, three calendar months i.e. by 21st April 2011</p> <p>Appeal submitted</p> <p>Appeal dismissed – Compliance period 3 months i.e. by 9th September 2011 Re-Inspection appointment set 28th September 2011.</p> <p>Further application submitted S/1942/11 – Negotiations continue.</p>
1/11	Hardwick	The Blue Lion 74 Main Street	39	<p>Enforcement Notice Issued. Compliance period to remove unauthorised decking structure - One month i.e. by 30th September 2011.</p> <p>Appeal submitted - Appeal dismissed. Compliance period extended to two months – 24th March 2012</p> <p>Revised scheme S/2082/11, submitted – Refused 13th March 2012</p>

Ref No	Village	Location	See Page No for full update	Remarks
4/11	Landbeach	Overbrook Farm Green End	40	<p>Enforcement Notice Issued. Compliance period to cease residential occupation of the three static caravans and then remove the same from the affected land, followed by restoration of the affected land to its former condition as land in agricultural use – Three months i.e. by 19th December 2011.</p> <p>Appeal submitted</p> <p>17th February 2012 appeal successful enforcement notice quashed. Remove from active list.</p>
6/11	Little Wilbraham	The Scholars Junction of Rectory Farm Road & Great Wilbraham Road	40	<p>Enforcement Notice issued. Owners required to a) Complete remedial works to ensure that no part of the boundary treatment (including piers or other features) exceeds 1 metre in height. b) remove the brick outbuilding and c) remove all scrap or surplus material resulting from compliance with parts a) and b)</p> <p>Compliance period three months. Appeal submitted – 18th December 2011</p>
7/11	Little Wilbraham	The Scholars Junction of Rectory Farm Road & Great Wilbraham Road	41	<p>Enforcement Notice issued. Owners required to:</p> <ul style="list-style-type: none"> a) Remove the stainless steel extraction flue together with all associated exterior brackets and supports. b) Remove the air-conditioning units and all associated exterior cabling and pipe work and c) Remove the unauthorised raised lantern type roof-light structure and replace with a flat profiled roof-light to accord with the details shown in plan 2001-003 revision B, as approved under planning consent S/0797/10/F <p>Compliance period three months.</p> <p>Appeal submitted – 18th December 2011</p>

Ref No	Village	Location	See Page No for full update	Remarks
8/11	Arrington	a) Leo Autopoint Petrol Filling Station, 11 Ermine Way b) Former Telephone Exchange, Ermine Way	41 - 42	Enforcement Notice issued. Steps to be taken. a) Cease the use of Area's A and B for commercial purpose consisting of the repairing, servicing, valeting and sale of motor vehicles. b) Remove all motor vehicles from the affected land that are present in connection with the unauthorised commercial use. Compliance period three months – 2 nd April 2012
1/12	Fulbourn	1A Impetts Lane	42	Enforcement Notice issued. Owner required to a) complete remedial works to either remove the entirety of the gates and support piers, or to secure the reduction in height of the structures so that no part of the same exceeds 2 metres in height when measured from the ground. b) Remove from the affected land all scrap or surplus material resulting from compliance with part a) Compliance period three months – 20th May 2012

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

- Enforcement Action Progress Report as at 20th March 2012 (attached to the electronic version of the agenda on the Council's website)

Contact Officer: Charles Swain – Planning Enforcement Dept
Telephone: (01954) 713206