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29 January 2013

To: Chairman – Councillor Robert Turner  
Vice-Chairman – Councillor David Bard  
All Members of the Planning Committee - Councillors Val Barrett, Brian Burling,  
Lynda Harford, Sally Hatton, Tumi Hawkins, Sebastian Kindersley,  
David McCraith, Charles Nightingale, Deborah Roberts, Hazel Smith and  
Nick Wright

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 6 FEBRUARY 2013 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.**

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## 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
3. **Minutes of Previous Meeting**  
To authorise the Chairman to sign the Minutes of the meeting held on 9 January 2013 as a correct record.

## PLANNING APPLICATIONS AND OTHER DECISION ITEMS

4.	S/2609/11 - Melbourn (31 The Moor)	3 - 14
5.	S/0090/12 - Melbourn (Adj 2 Lawns Close)	15 - 20
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## INFORMATION ITEMS

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### OUR VISION

South Cambridgeshire will continue to be the best place to live and work in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment. The Council will be recognised as consistently innovative and a high performer with a track record of delivering value for money by focussing on the priorities, needs and aspirations of our residents, parishes and businesses.

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

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## EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

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

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

### Notes

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

## Planning Committee

### Declarations of Interest

#### 1. Disclosable pecuniary interests (“DPI”)

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

#### 2. Non-disclosable pecuniary interests

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

#### 3. Non-pecuniary interests

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

I have the following interest(s) (\* delete where inapplicable) as follows:

Agenda no.	Application Ref.	Village	Interest type	Nature of Interest
	S/		1* 2* 3*	
	S/		1* 2* 3*	
	S/		1* 2* 3*	

Address/ Location of land where applicable

Signature: .....

Name ..... Date .....

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/2609/11/FL – MELBOURN****Demolition of Existing Dwelling and Erection of 10 new Units and Associated Access for Windsor Life Assurance Company Ltd and NM Life Trustees Ltd at  
31 The Moor, Melbourn, Royston, Cambridgeshire, SG8 6ED  
Recommendation: Delegated Approval****Date for Determination: 24<sup>th</sup> February 2012****This application has been reported to the Planning Committee for determination as the Parish Council recommendation differs from that of the officer recommendation.****A site visit will take place on 5 February 2013****To be presented to the Committee by Saffron Garner****Site and Proposal**

1. The site is located on The Moor in Melbourn. This road comprises, although essentially a 'dead end', a large mixture of different uses including both residential and commercial. The Moor is home to Melbourn Village College as well as various other business uses and recreational uses. The proposal site is located towards the end of The Moor neighbouring Thatcher Stanfords Close and opposite a relatively new development of flats. The application site is predominately surrounded by residential uses.
2. The application site comprises an existing detached brick built dwelling with a vast garden curtilage. The dwelling has been unoccupied for sometime and the current site appearance is unkempt and overgrown. To the south of the site is the recreation ground, running along the southern boundary is a track that leads to the pavilion and associated hall and parking area. A strong tree belt lines the southern boundary and although predominately free of development to the south the views onto the recreation grounds are limited.
3. The amended application submitted July 2011 seeks planning permission for the erection of 10 dwellings and associated access. The application proposes 4 affordable units and 6 market dwellings. The market mix comprises 2 x 2 bedroom dwellings, 2 x 3 bedroom dwellings and 2 x 4 bedroom dwellings. The affordable housing mix comprises 3 x 1 bed units and 1 x 2 bedroom dwelling. The application was submitted with a Planning Design and Access Statement, Landscape and Tree Report, Bat Report and a Transport Statement and Travel Plan.

**Planning History**

4. The site benefits from a relatively small planning history. Originally the applicant was going to refurbish the existing dwelling. A new dwelling was

proposed on the site under planning reference S/1798/10 and approved. As a result of this another application was submitted for a revised access to the original property (S/1823/10), allowing separation of the two plots. However, a later application under reference S/1091/11 came in for the erection of 9 dwellings. This application was later withdrawn. Namely due to problems relating to affordable housing, housing mix proposals, lack of planning obligations and design problems. Following this withdrawal, officers discussed the site at length with the agent with an aim to address the potential reasons for refusal.

5. The application received in July 2011 proposed 12 units. This figure came about due to density requirements and best use of land. However, this has since been amended to take into account of various concerns that were raised as part of the on going discussions and negotiations, such as onsite parking, housing mix and impact on existing trees. The number of units has been reduced again to 10 units.

### **Planning Policy**

6. **National Planning Policy Framework (NPPF)** the thrust of this document suggests a 'presumption in favour of sustainable development'. Local Planning Authorities are directed to plan positively for new development and approve development proposals that accord with the development plan (paragraph 14).

7. **South Cambridgeshire Local Development Framework Development Control Policies 2007**

**DP/1** Sustainable Development

**DP/2** Design of New Development

**DP/3** Development Criteria

**DP/4** Infrastructure and New Developments

**DP/5** Cumulative Development

**DP/7** Development Frameworks

**HG/1** Housing Density

**HG/2** Housing Mix

**HG/3** Affordable Housing

**SF/6** Public Art and New Development

**SF/10** Outdoor Play space, Informal Open Space, and New Developments

**SF/11** Open Space Standards

**NE/1** Energy Efficiency

**NE/2** Renewable Energy

**NE/6** Biodiversity

**NE/12** Water Conservation

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

**TR/3** Mitigating Travel Impact

8. **District Design Guide SPD** (adopted March 2010)

9. Circular 11/95 (The use of Conditions in Planning Permissions) advises that planning conditions should be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.



## Consultations

10. **Melbourn Parish Council** recommended refusal for this scheme. The reasons for this are as follows:
  - Concern about the accuracy of the sunlight assessments and the impact this will have on the residential units.
  - Not enough parking for visitors within the site will result in on road parking in The Moor
  - Strong concerns about the traffic movement this development will create.
11. **Environmental Health Officer** - No objections subject to conditions regarding hours of construction and demolition, pile foundations, no bonfires or burning of waste and the requirement to ensure a demolition notice is served.
12. **Local Highway Authority** - No objection subject to conditions regarding construction traffic, visibility splays, adequate drainage measures, hard surface material being bound and no works in the Highway.
13. **Ecology Officer** - No objections following extensive assessment of bat activity.
14. **Environment Agency** - No objections. A list of informal advice with regard to drainage should be included on the decision notice if minded for approval.
15. **Section 106 Officer** - No objections, although concern about the lack of Public Art provision.
16. **Rights of Way and Access Team** - Footpath 6 is located to the south of the site but is not affected by the proposed development. No objections.
17. **Tree Officer** raised concerns with regard to the potential impact the development would have on the sycamore tree in the corner of the plot fronting The Moor. The development has been adapted following on going negotiation. No objection is raised from the Tree Officer subject to no encroachment into the 10 metre root protection area. Protection should be conditioned accordingly.
18. **Natural England** - No objections subject to standing advice being adhered to regarding protected species.

## Representations

19. There has been a vast amount of interest with regard to this application, namely because the site itself adjoins so many other residential properties but also due to the site location and the amount of activity that occurs on The Moor. Following the amendments of the scheme from 12 to 10 units and various design changes, all of those who were originally notified or wrote in were notified again to comment further. The objections can be summarised as:
  - Overdevelopment in The Moor

- Traffic increase
- garden grabbing
- reference to the Village Plan - 59% of residents do not agree with further infill
- site purposefully left to deteriorate
- sewerage problems
- localised flooding
- inadequate parking
- change to the character of The Moor
- Overbearing, overshadowing, overlooking
- loss of skyline
- inaccurate sunlight assessment
- density not appropriate
- Bats and Wildlife
- piece meal development given planning history (cumulative development)
- disturbance during construction
- properties are too big

### **Material Planning Considerations**

20. The key issues to consider in this instance are the principle of development, impact on neighbour amenity, impact on highway safety and parking provision, impact on the character of the area, affordable housing, ecology and contributions.

#### Principle of development

21. The application site is located within the village framework; it is not in the Conservation Area or located close to any listed buildings. Melbourn is classified as Minor Rural Centre in the LDF Core Strategy adopted 2007 where development of up to 30 houses is considered to be acceptable in principle. The area is predominately residential in character and the proposal for residential units is therefore considered acceptable in this instance. The land measures 0.33 hectares equating to 30 dph. This is in line with expected densities and given the sensitivity of the site in relation to its surroundings and the negotiations that have taken place to address neighbour amenity and tree concerns this figure is considered to be the maximum number of units this plot could sensibly provide.
22. The housing mix is considered to be reflective of the policy requirements with an almost even split between 2 bed, 3 bed and 4 bed properties. The scheme proposes exactly 40% of the development for affordable housing and within this there are 3 x 1 bed and 1 x 2 bed units. With the above in mind the principle of development is considered to be acceptable.

#### Impact on Neighbour Amenity

23. There are various concerns with regard to neighbour amenity and these have been broken these down into sub headings for better clarification.
24. Overlooking - there have been various concerns with regard to overlooking and the agent has made clear changes to overcome them. Objections raising overlooking are primarily related to plots 8, 9 and 10. These units will have the closest relationship with the existing units in Thatcher Stanford's Close (TSC). Plots 9 and 10 have been altered to overcome overlooking and the

distances and designs of these units have been significantly improved from the original submissions.

25. The property at plot 10 has been redesigned so as to avoid the need for any first floor windows in habitable rooms facing No. 1 TSC.
26. The property at Plot 9 has removed openings at first floor in the west elevation so as to reduce the potential to overlook into the garden of 4 and 5 TSC. The window at first floor that faces directly towards No. 6 TSC is for an en suite and proposes to be fitted with obscure glazing. The roof lights in the west facing roof slope of Plot 9 are proposed to be installed at no lower than 1.7m from finished floor level. The roof light in the north facing roof slope is proposed to be fixed and fitted with obscure glazing to prevent the perception of overlooking from the first floor to the openings in No. 2 TSC. The distance between this window and the openings on the south elevation of No. 2 TSC is 25.8m and considered to be acceptable by the standards of the District Design Guide.
27. The openings in the all of the units have been informed by the guidance in the District Design Guide and the neighbour to neighbour relationship between the proposed new units and those of the existing have been specifically designed to address overlooking.
28. With this in mind overlooking between properties is considered to be acceptable.

Overbearing

29. There is some concern with regard to the units that back onto the properties in TSC. Whilst the agent has applied where possible the guidance from the Councils District Design Guide 2010 there are still objections with regard to the proximity of the new units to those existing. As part of the overall re-design of the scheme from the initial 12 units down to 10 the agent has taken on board all of the previous officer concerns raised with regard to ridge heights and distances between units aiming to address potential overbearing impact. Plots 1, 2, 4, 5 and 6 TSC all back onto the application site where several of the proposed gardens will meet with those of the existing. For brief guidance the application plots relationships are as follows (with those of TSC).

<b>Plot Number (TSC)</b>	<b>Orientation to closest property</b>	<b>Distance between plots (at its closest point)</b>	<b>First Floor Windows</b>	<b>Compliance with DDG 2010</b>
1	north of Plot 10	11m	No	1m short of guidelines (12m)
2	north north west of Plot 9	conservatory to garage 17m	Yes. 1 x bathroom window obscure glazed, 1 x roof light fixed obscure glazed	Yes

4	north west of Plot 9	24.5m	Yes. 1 x dormer (bathroom) fixed and obscure glazed. 2 x roof lights 1.7m ffl to prevent overlooking	0.5m short of guidelines (25m) Overcome - bathroom not a habitable room and increased height of roof lights
5	west of plot 9	21m	Yes. 1 x dormer (bathroom) fixed and obscure glazed. 2 x roof lights 1.7m ffl to prevent overlooking	4m short of guidelines (25m) - Overcome by increased height of roof light and bathroom not considered habitable
6	west of plot 8	17m	Yes. 1 x bathroom window glazed with obscure glass.	8 metres short of guidelines (25) Overcome by increased height of roof light and bathroom not considered habitable

30. With regard to the above table, whilst there is some sympathy with local residents about the change this development will bring to the area, based on the guidance in the adopted District Design Guide it is not considered that the proposal results in an adverse impact on the existing properties by being unduly overbearing. The DDG states in paragraphs 6.67 -6.69 for two storey properties a minimum distance of 25 m should be provided between rear or side facing buildings containing habitable rooms. Where the opposing alignment of facing windows is significantly offset, these distances may be slightly reduced. Where blank walls are proposed opposite widows to habitable rooms, this distance can be further reduced with a minimum of 12 m between the wall and any neighbouring window that are directly opposite.

#### Loss of Sunlight

31. There has been a lot of back and forth with regard to the proposal having an adverse impact on neighbour amenity by way of loss of light. Specifically it is felt by the occupier of No. 2 TSC that the property proposed at plot 9 would result in a significant loss of light. Various information has been submitted as a result of this and it would appear that both parties are in disagreement with regard to how much sunlight would actually be lost as a result of the property at Plot 9 being built. The agent has provided evidence to show that the impact will be minimal and that much of the sunlight is actually lost as a result of the existing properties on TSC. The objector, using the agents' method of calculation has concluded the loss could be significant. It is still unclear to

officers as to which assessment is correct and it may be necessary to carry out an independent assessment for further clarity.

32. With regard to the details submitted on behalf of the applicant drawing P3082-200 Rev A details the level of shadowing the proposed development is likely to create. It is noted that the shadows detailed are based upon the Winter solstice 01 January at 10:00 hours and 14:00 hours. It suggests that the overshadowing will be most prominent on the garden space of No. 6 TSC. The garage roof of plot 9 has been reduced to take into account the potential level of overshadowing the property could cause on the garden space of No. 2 TSC. The drawing shows the potential overshadowing from the revised ridge height of the garage.
33. Having regard to the above guidance and the importance this consideration can have on the determination of a scheme, officers are of the view that the details submitted by the agent and argued by the Parish Council and local residents should be the subject of an independent assessment at the cost of the applicant. It is not considered that officers are able to assess the full impact of this proposed development until it has been confirmed by an independent specialist that the impact will be minimal. While officers are of the view that given the sensitivity of the site and parties involved an independent assessment is the most appropriate way forward Members will be able to make their own assessment at the proposed site visits.

### Impact on highway safety and parking provision

34. The scheme proposes 10 units. All units have off road parking. Units 6, 7 and 8 have double garages and external manoeuvring parking/turning space that can accommodate 2 cars (up to 4 spaces in total each). Units 9 and 10 also have 2 off road spaces each. Unit 5 has a single garage and space in front to park another car, equating to 2 spaces. Units 1 to 4 are flats (1 x 2 bed and 3 x 1 bed). The parking provision for these units is 6 off road spaces fronting The Moor. This allows for 1 space per unit and 2 visitor spaces. The level of parking provision for visitors is calculated at no less than 0.25 spaces per dwelling, in this instance equating to 2.5 spaces. The proposal overall, using the Council's guidance is 0.5 spaces short for visitors but exceeds the maximum requirement for residential units by approximately 9. It is appreciated that garages are not always used for parking cars but they are counted as parking provision. Even if the garages were not used for parking the development overall still provides 15 spaces. This figure is an average requirement across the District, with a maximum of 2 spaces for dwellings of 3 or more bedrooms in poorly accessible areas. Melbourn, as a Minor Rural Centre is not considered as such.
35. With the above in mind the parking provision is considered to be acceptable. Likewise the actual traffic generation arising from the development is considered acceptable in highway safety terms.

### Character of the Area and Street scene

36. The area is predominately residential and the overall design of the development promotes conventional house types. Certain plots have been designed to take on board relationships to neighbouring units and the spacing between properties very much influenced by the Council's own District Design Guide. There are a mixture of house types, some including dormers, gable

fronted subservient projections and single garages. All with predominately traditional finishes. Drawing P-3082-15 Rev A franked 8 November 2012 shows the street from The Moor. It is considered that the design of the development and the general layout is reflective of local character and there is no adverse harm to the street scene.

37. The layout of the development that fronts The Moor was dictated by the large protected tree on the corner of the plot. This was considered to be an important feature in the street scene and every care taken with regard to its long term retention. The parking for the flats was designed around its root protection area and revisions to plot 5 meant there was far more scope to landscape the front of the site. Since the changes a revised landscaping scheme has not been submitted but given the changes to the frontage it is felt there is better scope for soft landscaping than the earlier schemes. This will help blend the development into the street scene.
38. The road is intended to be private with an area half way down for bin collection for the 6 units. The flats have an area to the front, close to the parking provision as a refuse collection point. There seems little scope for planting along this road but P3082-101 Rev B shows some indicative planting that would help soften the development overall. This is an area that should be conditioned to ensure the best possible scheme is achieved.

#### Affordable Housing

39. The application proposes 10 units, 4 of which are proposed to be affordable. The Affordable Housing Enabling Officer is in agreement with the provision and supports the scheme put forward.

#### Ecology

40. The Ecology Officer comments are noted. There has been concern with regard to bats on site and extensive research has been on going with external consultants and the Councils Ecology officer. Following a more recent bat survey it is confirmed that there no objections with regard to bats. Other concerns have been raised in the past with regard to Japanese Knotweed being on site and the applicant has worked with the LA to ensure its appropriate removal.

#### Contributions

41. The applicant is aware of the required contributions for a scheme of this size and willing to enter into an agreement to provide them. These are as follows:
- Pre-School Contributions = £5,040 (sought in line with Cambridgeshire County Council guidance, £8,400 x 0.6 pupils generated)
  - Primary Education Contributions = £10,920 (sought in line with Cambridgeshire County Council guidance, £8,400 x 1.3 pupils generated)
  - Strategic Waste Infrastructure Contributions = £75.51 (sought in line with Cambridgeshire County Council guidance. The sites is in the catchment area for Thriplow Household Recycling Centre, for which

contributions are sought on the basis of £8.39 per household, £8.39 x 9 dwellings)

- Off site Public Open Space - £24,847.23
- Indoor Community Facility - £4589.80
- Household Waste recycling - £695.00
- S106 Monitoring - £250.00
- There would be no contributions required for libraries and lifelong learning or secondary education
- No Public Art provision has been sought.

## **Other Matters**

42. Concern was raised with regard to the way in which the developer has submitted the applications. The approval of the single unit under S/1798/10 was assessed individually on its merits and considered acceptable at the time of determination. With the approval the scheme generated its own provision for open space, community facilities and waste receptacles. When considering the site as a whole it is necessary to assess whether the cumulative development has resulted in a loss of infrastructure provision. In this case officers agree that there has been no significant loss here in terms of financial contributions or the provision of affordable units.
43. No objections have been raised by the Environment Agency regarding flooding and no comments have been received from Anglian Water. With this in mind and the inclusion of conditions to agree drainage and water conservation methods it does not raise a reason for refusal.
44. With regard to construction traffic and noise and disturbance this too can be appropriately controlled by condition.

## **Conclusion**

45. 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 subject to the further independent advice on the impact this development will have on loss of sunlight to the existing properties in Thatcher Stanford's Close. If this results in positive feedback in that the neighbouring units are not adversely impacted then the scheme can be approved under delegated powers. If the information comes back negative the application should be presented to committee again to discuss whether the negative impact (whatever level) is considered, on balance, to warrant a refusal.

## **Recommendation**

46. Powers of delegated approval

Conditions (if approved under delegated powers) shall include the following:

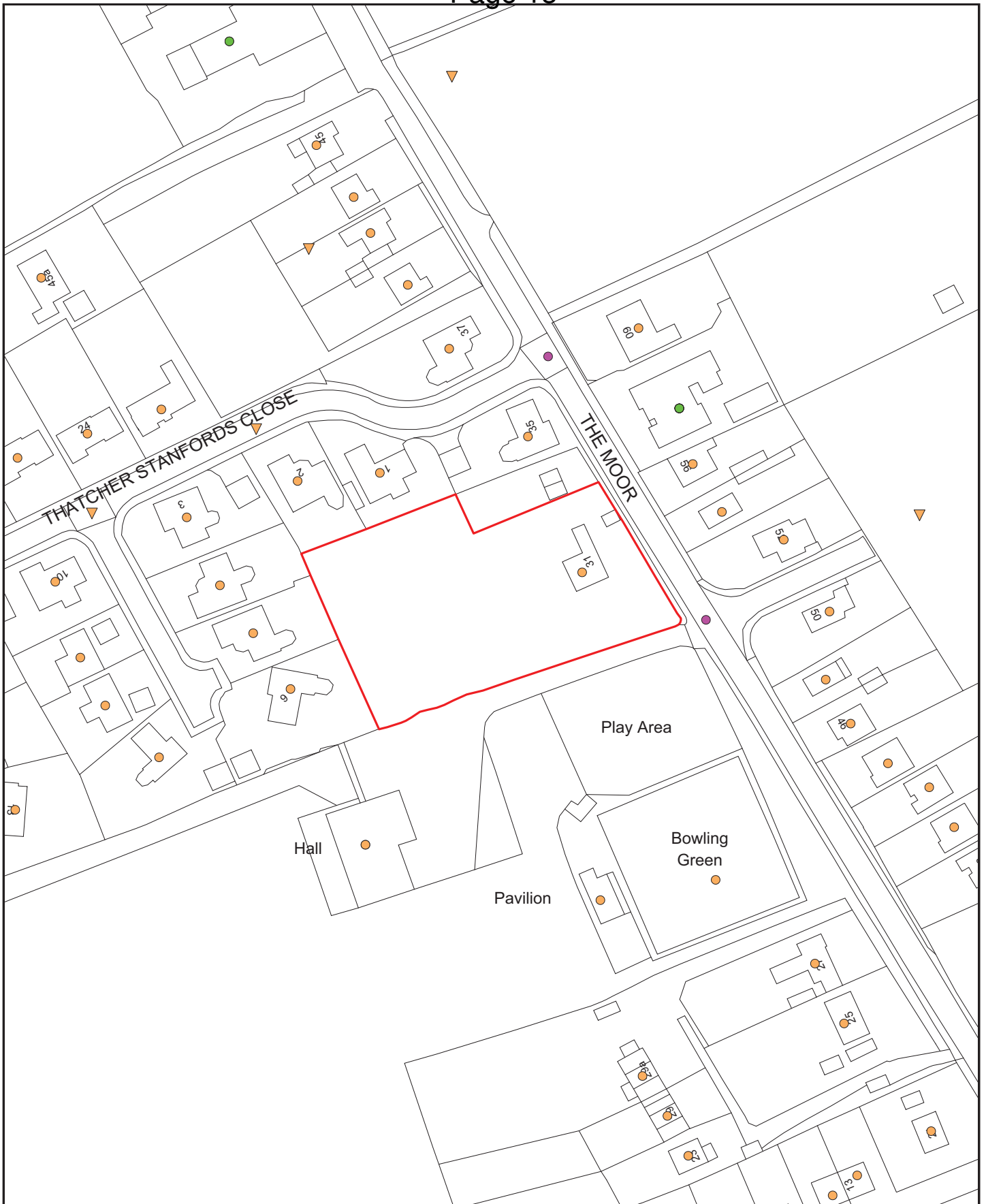
- Time Limit
- Approved Plans
- Materials
- Landscaping scheme - to include boundary treatment
- Landscaping Implementation
- TPO Tree Protection
- Drainage - foul and surface water
- Renewable Energy Technologies
- Water Conservation
- Construction traffic and parking
- Contributions - as detailed in the report
- Parking and Turning prior to occupation
- Garages shall not become living accommodation
- PD rights removed (all from plots 8, 9 and 10) (all plots - roof alterations)
- LHA conditions
- EHO conditions
  
- EA Informatives
- EHO Informatives

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

- National Planning Policy Framework
  
- Local Development Framework Core Strategy and Development Control Policies DPDs
- National Planning Policy Framework
- Planning file reference S/1798/10, S/1823/10, S/1091/11 and S/2069/11

**Contact Officer:** Saffron Garner – Senior Planning Officer  
01954 713256

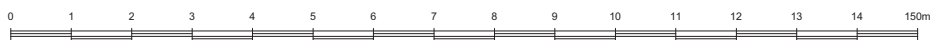




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District Council

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Scale - 1:1250  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/0090/12/VC - MELBOURN****Removal of conditions 7 and 8 of Planning reference SC/1216/72 at Land Adjacent 2  
The Lawns Close, Melbourn for Mr David John Jones****Recommendation: Approval****Date for Determination: 13<sup>th</sup> February 2012****Notes:**

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

**Site and Proposal**

1. The site is located in the village of Melbourn, designated as a Minor Rural Village. It is inside the Village Framework and outside of the designated Conservation Area. The application site is an area of overgrown open space of approximately 0.055 hectares and surrounded by timber close boarded fencing that is overgrown with ivy and creepers. There are no vehicular access points to the site that lead onto the main estate or the neighbouring road. A pedestrian access once existed from The Lawns Close but this has been closed for some years. It is bound by dwellings to the north east and west and by Back Lane BOAT (Byway Open to All Traffic) to the south. It is predominately hidden from view by the existing surrounding development when viewed from within The Lawns Close and from Back Lane due to overgrown boundary treatment.
2. As part of The Lawns Close development in the 1970's it was an area originally set aside as a play area. However, it was never formally secured as such and it would appear that it has not been used as such or for informal recreation over the last 10 years, the applicant has confirmed that the site is in now private ownership. The application dated 18 July 2011 requests removal of conditions 7 and 8 of SC/1216/72 which secure open space as part of a wider residential development.

**Planning History**

3. There are no planning applications that refer specifically to this site alone, however it was included in the application for the development of 13 dwellings under planning reference SC/1216/72 that refers to the land as 'open space' under conditions 7 and 8 of the decision notice. The conditions inform that a S52 Agreement was to be entered into and this was completed 1<sup>st</sup> July 1974. There is no evidence or conclusion to suggest that the land was ever transferred to the Parish Council in the 1970's.

**Planning Policy**

4. National Planning Policy Framework

- Local Development Framework Core Strategy 2007 - **ST/5** Minor Rural Centres,
5. Local Development Framework Development Control Policies 2007 - **DP/1** Sustainable Development, **DP/7** Development Frameworks, **SF/9** Protection of Existing Recreation Areas, **NE/6** Biodiversity
6. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD 2009  
Trees and Development Sites SPD 2009  
District Design Guide SPD 2010  
Biodiversity SPD July 2009  
Landscape in New Development March 2010

### **Consultations**

7. **Melbourn Parish Council** – Recommends refusal. Comments are as follows:

Considerable opposition from adjacent residents who are entitled to access in terms of their deeds, most of whom have used the area at some time as a result. The Planning Committee felt there were no justifiable reasons to allow the removal of the conditions requested in light of the above and that there appears to still be occasional usage. The applicant presents no defined reasons for this request.

### **Representations**

8. There have been 6 representations, 5 of which are objections from local residents. Concern is raised with regard to the following issues:
- This land is intended as a communal space for the houses in The Lawns Close. It has been used as such in the past and continues to be used as such today.
  - Lost amenity land
  - Residents believed this was a protected area
  - Devaluation of property
  - This application has provided impetus to make better use of the land
  - My chickens currently use the land
  - Do not believe its underuse provides reason to remove the right to access that has existed and would have influenced many house purchasers over the years.
  - The land is part of my deeds
  - Has been used by local children
  - Lack of notification from the Local Planning Authority.
9. The applicant in light of the objections received officers sought legal advice with regard to examine the title to the properties at The Lawns Close, Mellbourn, in particular with reference to the area of land in question. Full details are available on the application as part of the background papers.

### **Planning Comments**

10. The key issue with regard to this application is what harm the loss of this open space will have on the local community and the character of the area.

***Principle of the development***

11. The loss of amenity land is not supported by the Local Development Framework Development Control Policies under policy SF/9. Recent examples of appeal decisions, specifically in Melbourn have indicated that regardless of its formality, amenity space should be reserved as such. However, each site is assessed individually on its merits and whilst every effort has been considered with regard to retaining this land insofar as SF/9 requires, the merits are in favour of the applicant.
12. The application is for the removal of conditions 7 and 8 under planning reference S/1216/72. Whilst it is not part of this application it is likely that the removal of these conditions will lead to a request for development of the site at a later date for whatever the applicant/owner wishes to use it for. Future proposals are not the subject of discussion here.
13. The principle of removing the conditions means the loss of an area that was originally allocated as play area when the site was developed in the 70's. It is clear that the properties that were built as part of this site have links to the area in question through deeds. Evidence has been provided by legal representatives on behalf of the applicant and verified by the Council that although there is a link in the deeds the actual specific rights over the land of the neighbouring units is very limited. The actual findings suggest that each owner has an 'obligation to contribute to the maintenance'. No evidence has been forthcoming to suggest that money has ever been sought from the occupiers of The Lawns for its maintenance and there is no clear evidence that any maintenance has ever taken place on site. Anecdotal evidence from the residents of how this land has been used over the years has not been forthcoming and it is confirmed by the Parish Council that it is unlikely that any evidence will be provided.
14. The use of the land for open space was offered at the time of development to the Parish. It was not taken. Approximately 40 years on the land still remains predominately unused and uncared for. The NPPF core principles aim to encourage the effective use of land by reusing land that has not been previously developed providing it is not of high environmental value and no evidence has been provided to suggest it has any.

***Impact on the character of the area***

15. This site has not been used as open play space for many years and its unkempt appearance simply blends into the surroundings. It is not accessible to anyone and therefore the character can only be assessed externally. From Back Lane only the overgrown close-boarded fence can be seen and the trees on the site poke above it. From The Lawns Close the site is not visible and again the trees within it sit above the boundary treatment. These create a soft edge to the immediate surroundings but there are no trees on site of any great value and the primarily self seeded plot is overgrown and unused. It is understood that a neighbour has kept chickens on it in the past, albeit without the owner's permissions.

**Conclusion**

16. The use of this site as 'open space' has essentially already been lost through lack of maintenance and through subsequent sale to the current owner. The site has not been used as such for considerable time, it was never taken by the then Parish

Council and the opportunity for the current Parish Council to reclaim it could be legally difficult and expensive and not relevant to planning. This piece of land, on the balance of probability, would be very difficult legally to retain as open space given the history of the site. The grant of planning permission to remove the conditions will not prevent any future such claims, but by the same token refusing permission will not secure its provision as originally intended in the 1970's.

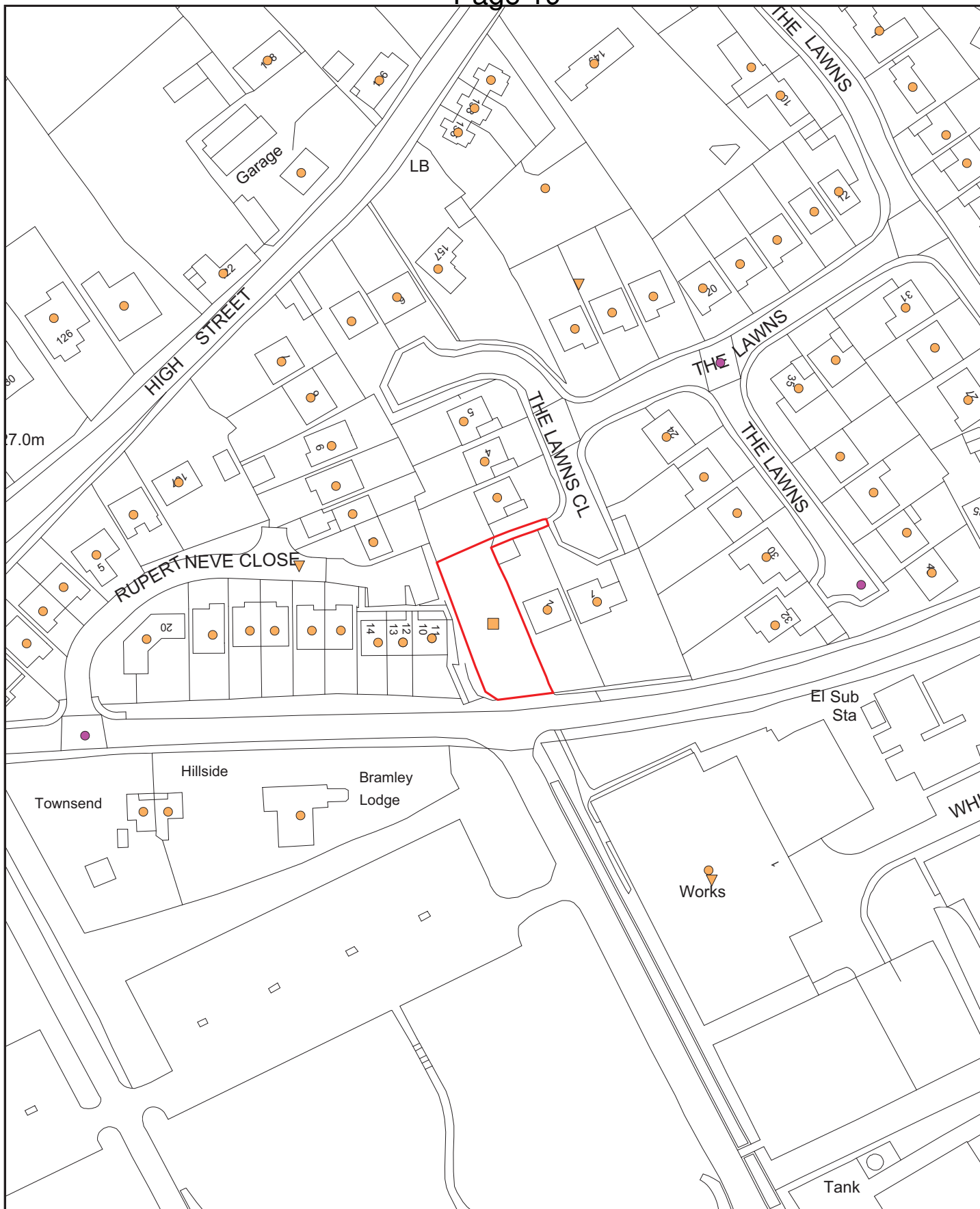
**Recommendation**

17. Approve removal of the conditions.

**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/0090/12/VC

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



South  
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District Council

Planning Dept - South Cambridgeshire DC



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/2411/12/FL - HASLINGFIELD  
Pool house - 21 Church Street, Haslingfield  
for Mr & Mrs C Galpin****Recommendation: Approval****Date for Determination: 6 February 2013**

**This application has been reported to committee for determination at the request of the Local Member**

**Conservation Area****Members will visit the site on 5 February 2013****To be presented to the Committee by Rebecca Ward****Site and Proposal**

1. The application site is situated on the southern side of Church Street. The front of the existing property is comprised of a two storey Victorian building, with the village shop occupying the ground floor. To the rear a 1980s single storey extension projects into a long and reasonable sized garden.
2. The application site is approximately 0.14 hectares and has a rectangular curtilage. The natural topography of the site sees a gradual rises starting at the rear extension up to the principle rear garden area.
3. The site lies within the designated village framework and conservation area and is bound to the rear by the greenbelt. The other boundaries are adjoined by modern residential properties and their associated curtilages to the north, east and west.
4. The high ground to the rear of the application site can be viewed from the conservation area and the grounds of Grade I listed All Saints Church. However the views from the street scene to this area are intermittent due to line of properties.
5. The application seeks approval of a pool house situated adjacent to the current disused swimming pool, cutting into the site as the ground level continues to rise. As amended by plans dated 16 Jan 2013 the pool house is simple with a pitched roof and openings. Materials for the pool house have yet to be decided on however will be conditioned for further details in any approval.

**Planning History**

6. None of relevance

**Policy**

7. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:

**DP/1** Sustainable Development

**DP/2** Design of New Development

**DP/3** Development Criteria

**DP/7** Development Frameworks

**CH/4** Development within a curtilage of setting of a listed building

**CH/5** Conservation Areas

**GB/3** Mitigating the impact of development adjoining the Green Belt.

**District Design Guide SPD** – adopted March 2010

**Development affecting Conservation Areas SPD** – adopted Jan 2009

8. **National Planning Policy Framework:** Advises that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

**Consultation by South Cambridgeshire District Council**

9. **Haslingfield Parish Council** recommends refusal with concerns regarding; height and scale of building in relation to the house, siting of the pool house will shade the pool, character and appearance, drainage and flooding, loss of light and overbearing impacts to neighbouring properties. The full comments are contained within the appendix.
10. The **Conservation Officer** notes the roof is too large and dominant and to reduce the pitch and remove skylights to the front elevation of the pool house. The materials used should respect the hierarchy of the buildings. The amended plans follow the advise provided.

**Representation**

11. 4 letters of representations from neighbours were received along with further comments and correspondence in line with the original submitted documents. These covered the following concerns; height, scale, volume, and material finishes, noise, views from the street scene and grade I listed church, not in keeping with the conservation area, drainage and plumbing, loss of light to garden amenity space, concerns regarding long term plans for the site and noise.
12. 1 letter of representation was received in line with the amended plans and drawings (date stamped 16 January 2013). This covered the following concerns; conditions should be added to any approval to prevent conversion, amended documents make little difference and original comments made previously still stand.

### **Material Planning considerations**

13. The key issues to consider in this instance are the impact upon the character and appearance, neighbour amenity and impacts to the green belt.

#### *Character and Appearance*

14. The site falls within the Haslingfield Conservation Area and has detached views to the Grade I listed church. The high ground forming the rear extent of the site can be partially (where the pool house will be situated) viewed from the street scene and the grounds of the grade I listed church depending on where you stand. Due to the indirect views from the churchyard it is considered that the proposal would not have adverse effect upon the curtilage or wider setting of the listed building in line with CH/4 of the LDF. The council's conservation officer does not object on this matter.
15. As the property lies on the edge of the conservation area there is no style unity between the buildings in its immediate locality, for there to be a distinctive local character to which the pool house design could follow. Therefore this simple and practical appearance is deemed appropriate. The exterior materials of the pool house have been yet to be confirmed and can be conditioned on the decision notice for consideration.
16. Along with neighbour and Conservation Officer comments the roof height of the original proposed pool house was considered to be too large and dominant in its location. Revisions were made to the design and amendments (date stamped 16 Feb 2013) showed a reduction in its roof height by 1.1m, in order to respect the topography of the site and its standing as incidental to the main dwelling house.
17. The Conservation Officer commented on the skylights located on the roof of the pool house, requiring them to be removed. In a further conversation with the agent it was agreed that conservation style skylights would be considered appropriate, due to the minimal impact they would have on the street scene and have been identified on amended plans.
18. It is considered the design of the proposed extension is considered to be simple and after amendments is now in accordance with policies DP/1, DP/2 and CH/5 of the LDF. Further information in regards to materials will be required and conditioned forthcoming to a decision.

#### *Neighbour Amenity*

19. The pool house proposed has been assessed in terms of loss of privacy and overbearing impact on the neighbouring properties; 2 Knapp Rise, 23 Knapp Rise and 19 Knapp Rise and is not considered to result in any adverse impacts due to its divorced location and siting.
20. Impacts to 3 Knapp Rise; The pool house will be located on a parcel of land adjacent to the recently added side extension of 3 Knapp Rise. Comments were made by the owners having concerns regarding privacy to their gardens. As the pool house will sit subservient to this building, there will be little overlooking impacts to this property. Further to this, the amended drawing

removed these windows to prevent any harm to both parties. A further condition can ensure that no facing side windows could be added in the future.

21. The Parish Council highlighted the use of shrubbery as a form of screening for the properties surrounding No 21; whilst this would be seen to be favoured it is not considered necessary in this instance.

*Impacts to the Green Belt*

22. Long distant views of the site and from surrounding development are not available from within the Green Belt due to the topography of the land and established landscaping at the rear of the site. Therefore the proposal is not seen to have any adverse impact upon the Green Belt in line with GB/3 of the LDF.

*Further Considerations*

23. Many comments from the neighbours and Parish Council question the long term plans for the site and the use of the pool house as incidental to the dwelling house. In order to retain it as an outbuilding used ancillary to the main property, a condition can be imposed on the decision notice. Any future proposed use would be assessed on their merits as part of future planning applications.
24. Comments were expressed by neighbours regarding the drainage and plumbing to the building. This would not be seen as a material planning consideration on development of this magnitude.
25. An original proposed drawing (12/137/101 date stamped 10 Jan 2013) titled the development as 'Proposed Dwelling'. This was a technical error which has now revised and shown on the amended documents.
26. Concerns have been raised regarding the noise from the pool equipment. Its siting in the pool house should ensure no serious noise disturbance should result.

**Recommendation**

**Approval** (*amended plans date stamped 16 Jan 2013*)

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

**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: Location Plan date**

**stamped 21st November 2012, and plans 12/137/101 rev A and 12/137/102 rev A date stamped 16th January 2013.**

(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 pool house, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. This shall also include the conservation style rooflights. Development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)

4. **The pool house, hereby permitted, shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as 21 Church Street.**

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side (west) elevation of the dwelling 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.)

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

- Local Development Framework Development Control Policies 2007.
- District Design Guide SPD
- Development affecting Conservation Areas SPD
- National Planning Policy Framework
- Planning File refs: S/2411/12/FL.

**Contact Officer:** Rebecca Ward - Planning Officer  
01954 713236

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Planning and New Communities,  
South Cambridgeshire Hall,  
Cambourne Business Park,  
Cambourne.  
CB23 6EA

16<sup>th</sup> January 2013

Planning Application for a Pool House at 21 Church Street, Haslingfield, CB23 1JE  
Your Reference S/2411/12/FL

**Parish Council Comments on the aforementioned Application.**

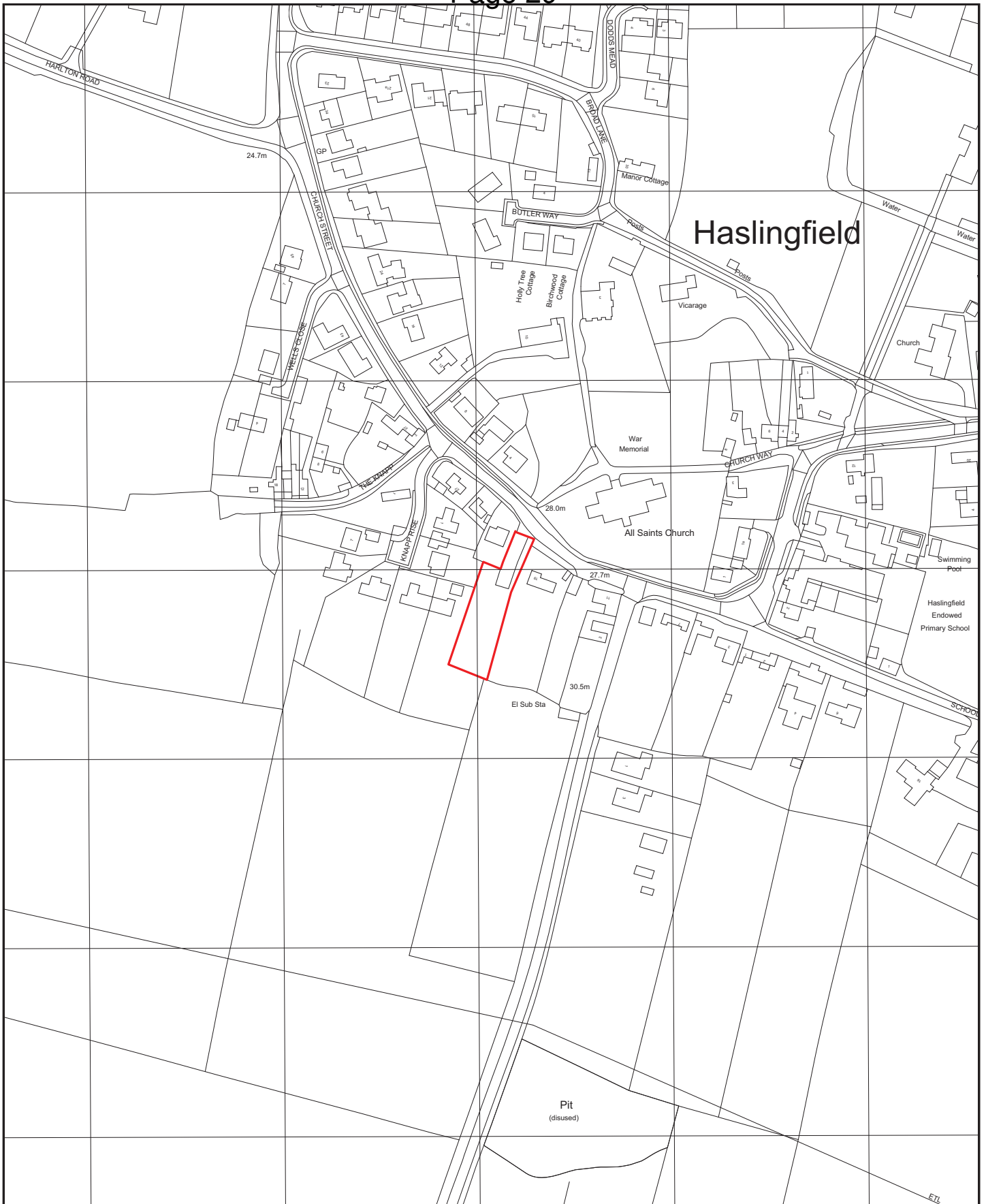
**The Parish Council have recommended refusal of this application** for the following reasons;-

- We are concerned that drawing number 12/137/101 refers to the application for a "Dwelling" not a Pool House.
- The overall size of the proposed Pool House is much too large when compared to the actual area required to service the pool, namely the plant room and changing room.
- The proposed building is also much too tall for such a building as the plant room and changing room only need to be single storey, therefore why build the pool 'House' so high?
- The location of the proposed Pool House which is south of the pool means that the pool itself will be in shade for most of the time, we feel this is not consistent with an application for a pool house which should surely be north of the pool so that the users could sit in the sun and use a pool that is also in the sun, not in the shade.
- There are no details of the materials for the roof of the proposed building.
- The combined area of the pool house and patio around the pool will create a significant level of rainwater runoff which will run down the hill towards no 21 and 23 Church Street which we consider could cause flooding problems in those properties
- The elevated position and height of the proposed pool house will shade all the properties lower down the hill from the sun, particularly during the winter months when the sun is very low in the sky.
- The proposed pool house is very close to the west boundary of the site and will have a particularly overbearing influence on the adjacent property at 3 Knapp Rise and will overlook the back garden and rear windows of no 2 Knapp Rise
- The provision of some type of screening to obscure the elevated pool house from the adjoining properties will exacerbate the shading issue with the adjacent properties.
- The Parish Council Unanimously agreed to reject this application.
- **The Parish Council requests a Site Visit by the Planning Officer responsible for processing this application before any decision is made.** Please contact the Parish Clerk to arrange a mutually convenient time and date for that visit.
- Several members of the public attended the meeting when this application was considered and some of those parishioners live in dwellings adjacent to the site of this planning application but they did not receive notification cards that an application had been submitted. Our understanding is that all adjoining properties should receive a card notifying them of an application which has a direct influence on their property.

John M F Offord  
for Haslingfield Parish Council.

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# Haslingfield



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/2509/12/FL - COTTENHAM****Erection of 47 dwellings, garages, public open space, landscaping, vehicular access and associated infrastructure, Land at the junction of Beach Road and Long Drive for Barrett Eastern Counties and Cedric John Abbs****Recommendation: Approval****Date for Determination: 8 March 2013**

**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.**

**Major Development Departure Application**

**To be presented by Ray McMurray, Principal Planning Officer**

**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 Drive. 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 Drive 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 Drive. 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 7 December 2012, is a resubmission without further amendment of refused planning permission S/2317/11.
4. The proposal is for 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. The submitted drawings show 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. The range of types of external materials is limited to reflect principles set out 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 is in 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 £351,000 (comprising SCDC and Parish Council £186,000, and County Council £165,000). Discretionary 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, Transport Statement, Statement of Community Involvement, Flood Risk Assessment, Tree Survey and Report, Ecology Survey and Report, Landscape Appraisal, Archaeology Report, Foul Water and Utilities Statement, Phase 1 Contamination Desk Study, 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
S/1473/82/F	ERECTION OF 6 CHICKEN HOUSES	Refused	15-11-1982
S/0364/83/F	AGRICULTURAL STORAGE BUILDING	Refused	25-04-1983
S/2317/11	ERECTION OF 47 DWELLINGS, GARAGES	Refused	08-06-2012
	Appeal submitted. <b>Hearing due 17 February 2013</b>		
Adjacent land	Calvin Close		
S/0052/97/F	12 DWELLINGS (for Granta Housing Society)	Approved	04-03-1997

14. Previous planning application S/2317/11 was refused for the following reasons:

1. *The development proposal, by virtue of its scale and location, is incompatible with the spatial vision for the area in that it exceeds the indicative maximum of 30 dwellings in a Minor Rural Centre, being a village of reasonable but limited services and would result in unsustainable development. This harm is not balanced by any proposal to provide a high proportion of affordable dwellings to meet local housing need in order to be considered as a rural exception site. The proposal is therefore contrary to Policy ST/5 of the South Cambridgeshire Core Strategy 2007 and Policies DP/1, DP/2, DP/7, GB/3 and NE/4 of the South Cambridgeshire Local Development Framework 2007, which define the spatial strategy for sustainable development in South Cambridgeshire.*

2. *The siting of the development 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 impact upon the visual quality of the countryside and adjacent Green Belt. The proposal is therefore contrary to Policies DP/2, DP/3, DP/7, GB/3 and NE/4 of the South Cambridgeshire Local Development Framework 2007, which additionally safeguard the countryside and Green Belt setting from development which does not need to be located in the countryside.*

### Planning Policy

15. **National Planning Policy Framework** (March 2012) This sets out a presumption in favour of sustainable development (NPPF para.14). The Framework states that Local Planning Authorities should identify a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of

5% or 20% depending upon the specific record of housing delivery. The purpose of this assessment is to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land. Identification of the broad locations of sites sufficient for housing supply for up to 15 years is also required (NPPF para.47). Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites (NPPF para.49). Local planning authorities should in particular consider whether allowing some market housing in rural areas would facilitate the provision of significant additional affordable housing to meet local needs (NPPF para.54) To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (NPPF para.55) For twelve months from the date of publication of the NPPF (i.e. up to 27 March 2013) decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework (NPPF para.214).

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

16. **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)**

17. **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**

18. As part of the review of the Local Plan, the Council has produced a Strategic Housing Land Availability Assessment (SHLAA) to identify site options for consideration for allocation in the new Local Plan. The appeal site was appraised as part of this review and was assessed as being a site with development potential. A copy of the assessment is attached at [Appendix 1](#).
19. **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

20. **Cottenham Parish Council**\_ Recommendation of refusal, commenting, 'The land is outside the village framework. The site exceeds the indicative maximum of 30 dwellings in a Minor Rural Centre.'
21. **Council's Planning Policy Manager**: The Planning Policy Manager has stated:
22. The Core Strategy sets a target for housing land supply in South Cambridgeshire of 20,000 dwellings between 1999 and 2016. Despite the most recent Annual Monitoring Report recording allocations for 16,534 dwellings, it also records that only 13,045 dwellings are projected to have been completed during the plan period to 2016.
23. Housing completions were increasing during the early years of the plan period but have been impacted since 2008 by the economic downturn. Nevertheless, the NPPF requires that the Council maintains a 5 year supply of deliverable housing land measured against the Core Strategy target. The Annual Monitoring Report concludes that at end March 2012 the Council had a supply of deliverable housing land of just 2.4 years.
24. In these circumstances the NPPF advises that relevant policies for the supply of housing should not be considered up-to-date (para 49) and that planning permission for housing should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted (para 14).
25. The NPPF is fundamentally concerned with the achievement of sustainable development. The delivery of sustainable development is also at the heart of the Core Strategy which replaces previous policies for development in villages which have been found to be unsustainable for the delivery of development in the Cambridge Sub-Region.
26. Cottenham is designated a Minor Rural Centre in the Core Strategy where development of up to a maximum scheme size of 30 dwellings will be permitted within the village framework. Last summer as part of the updating of the Local Development Framework, the Local Plan Issues & Options Report consulted on upgrading Cottenham to a Rural Centre where there would be no limit on housing development within the village framework.
27. In the light of the advice in the NPPF, development of 47 dwellings adjoining the village framework in what is one of South Cambridgeshire's more sustainable villages would be the sort of scheme that could be supported whilst the Local Plan is being updated.
28. The updated Local Plan will reach a stage where weight can be attached to its proposals by the end of 2013 at the latest when it will be submitted to the Secretary of State and possibly by July when the draft Local Plan is published for consultation (following two rounds of issues and options consultation).'
29. **Council's Landscape Design Officer**\_– Generally satisfied with the proposals following negotiations with the developer. Discussions with the developer are ongoing to seek the retention of more hedgerow on the Beach Road frontage.
30. **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. *(brought forward from S/2317/11)*

31. **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. *(brought forward from S/2317/11)*
32. **Council's Joint Urban Design Team** - The design of the scheme has been altered to take account of the concerns of the JUDT. No objection. *(brought forward from S/2317/11)*
33. **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.
34. 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.
35. 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.
36. 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. *(brought forward from S/2317/11)*
37. **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. *(brought forward from S/2317/11)*
38. **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. *(brought forward from S/2317/11)*
39. **Health and Environmental Services Director** – 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. *(brought forward from S/2317/11)*

40. **Council's Scientific Officer (Contaminated Land)** – No further investigation of the site for contaminated land is necessary. *(brought forward from S/2317/11)*
41. **Cambridgeshire Constabulary Crime Prevention Design Team** – Noted that the site is in an area of low crime risk. Detailed improvements to surveillance of car parking areas and siting of gates could be achieved.
42. **County Council Archaeology Unit** – No objection.
43. **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. In the current application adjustments have been made to educational contributions.
44. In the previous application S/2317/11 the Growth and Economy Team 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 commented:  
  
‘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.’ *(brought forward from S/2317/11)*
45. **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 proposed relocation of the 30mph speed limit cannot be guaranteed.
46. **Environment Agency** – No objection in principle. Conditions to any approval to be issued are recommended.
47. **Anglian Water** – No objection. There is capacity at Cambridge sewage treatment works to accept foul drainage from the development. *(brought forward from S/2317/11)*
48. **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. *(brought forward from S/2317/11)*

49. **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. *(brought forward from S/2317/11)*

### Representations

50. **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. 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. The CVDG would prefer more use of native species and orchard style planting in the landscaping scheme. *(brought forward from S/2317/11)*
51. One letter of objection has been received to the current application, from 4 Paxton Close, on the grounds of:
- Green Belt land;
  - Previous applications for development of the site for one house have been refused;
  - Busy main road access;
  - The school is not big enough, not enough shops.
  - The village is too big already.
52. In response to the previous application letters of objection were 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 were:
- Too many houses for the site: 25 to 30 would be appropriate
  - The development does not comply with ST/5 as it exceeds the maximum development size of 30 dwellings
  - The development is not well served by public transport and so does not meet policy ST/6
  - The primary school is too far away to walk to.
  - Affordable houses should be laid out closer to the entrance, to be nearer village facilities.
  - Concern about surface water if the ditches are not properly maintained.
  - Potential noise disturbance from the adjacent nursery
  - Good security fencing is needed to prevent access to the nursery.
  - Existing hedges should be properly maintained to retain their density
  - 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.
  - Long Drove would be used as an access route to the north (Wilburton etc). The access onto Long Drove is already dangerous.
  - The corner of Beach Road/ Demark Road is already dangerous at peak hours
  - Beach Road is congested during rush hours.
  - On Beach Road there should be speed humps and a giveaway to oncoming traffic, as well as relocating the 30mph signage.
  - There should be an emergency exit for traffic from the site.
  - 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.
  - The primary school already has temporary accommodation. Health Service and sewers in Cottenham are near breaking point. *(brought forward from S/2317/11)*

**Agent's comments**

53. 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 and others.
54. 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. In the NPPF paragraphs 14 and 49 where a 5year housing supply cannot be demonstrated the local policies for housing supply become out of date. In that situation permission should be granted unless any adverse impacts of the development are not outweighed by the benefits. This application is in a sustainable location and, if approved, would bring about community benefits that outweigh the position of the site outside (but directly abutting) the village framework. There is a need for countryside-located sites to come forward to address the significant housing shortfall.
55. 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 and Sustainable Location*

56. The previous application S/2317/11 was considered just as the NPPF was issued. The presumption in favour of sustainable development provided in the NPPF was considered but was not assessed to outweigh concerns about the suitability of Cottenham to as a sufficiently sustainable location in the hierarchy of settlements set out in the LDF Core Strategy. The Council's Planning Policy Manager has indicated the current review of the sustainability characteristics of Cottenham to warrant the higher status of a Rural Centre where there would be no limit on housing development within the village framework.
57. Also as part of the review of the Local Plan, the Council has produced a Strategic Housing Land Availability Assessment (SHLAA) to identify site options for consideration for allocation in the new Local Plan. The appeal site was appraised as part of this review and was assessed as being a site with development potential.
58. The issuing of the Village Classification Report and the SHLAA assessment subsequent to the determination of the application have reduced the weight to be given to the sustainability concerns set out in the first reason for refusal. The possible classification of Cottenham as a Rural Centre will gain further significance if the reclassification is put forward in the Draft Submission Plan consultation in the summer of 2013.
59. The NPPF requires the delivery of sustainable development and having acknowledged that the economic downturn has caused a land supply shortfall, the issue is whether Cottenham is an appropriate location to make it up. The Local Plan review has made progress here and Cottenham was consulted on as a possible candidate for upgrading to a Rural Centre. The Council also consulted on allocating the application site. In so

far as new development sites in villages are the only option available to the Council to increase supply in the short run, the results of the issues and options consultation leads the officers to recommend that the grant of planning permission is consistent with the emerging status of the village classification and the site and the guidance in the NPPF.

60. The changing policy context would overcome the first reason for refusal of previous planning permission S/2317/11.

*Landscaping*

61. The loss of frontage hedgerow required to facilitate the development is a harm to the appearance of the site and was the basis of the second reason for refusal of planning permission S/2317/11. Discussions are continuing with the agent to seek additional retention and protection of the hedgerows on the boundaries of the site. This aspect could be dealt with as a condition to any planning permission issued and is not considered so harmful as to justify a refusal of planning permission in its own right.

*Other issues*

62. 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.
63. 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.
64. 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.
65. The application represents a departure from the development plan but is not required to be forwarded to the Secretary of State for review in the event of the Local Planning Authority being minded to grant approval.

**Recommendation**

66. Approval subject to the resolution of the S106 Agreement and the following conditions:
  1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. **The development hereby permitted shall be carried out in accordance with the following approved plans:**

<u>Drawing Number</u>	<u>Title</u>
10-1886-	
001	Location Plan
002 rev G	Site Layout Plan
003 rev B	Massing Plan
004 rev B	Affordable Layout
005 rev B	Street scenes
006	Refuse Plan
010 rev C	House Type A – Plans & elevations
011 rev C	House Type A – Plans & elevations -Gable Fronted
012 rev D	House Type D – Plans & elevations
014 rev C	House Type B – Plans & elevations
015 rev D	House Type C – Plans & elevations
016 rev D	House Type G – Floor Plans
017 rev D	House Type G – Elevations
018 rev B	House Type H – Floor Plans
019 rev D	House Type H – Elevations
020.1 rev C	FoG HA Plans & Elevations
020.2 rev D	FoG Private Plans & Elevations
021 rev C	HA 2B House – Floor Plans
022 rev D	HA 2B House – Elevations
023 rev D	HA 2B House – Elevations Gable Front
024 rev C	HA 3B – Floor Plans
026 rev C	HA 3B - Elevations
027 rev C	HA 4B- Floor Plans
028 rev C	HA 4B- Elevations 1
029 rev C	HA 4B- Elevations 2 (Gabled variant)
033 rev C	House Type E- Floor Plans
034 rev C	House Type E- Elevations
036	House Type J- Floor Plans
037 rev A	House Type J- Elevations
038	House Type K- Floor Plans & Elevations
047	Garage Type DG1
048	Garage Type DG2
049	Garage Type DG3
050	Garage Type SG1
051	Garage Type SG2
052	Carport Type C1
053	Carport Type C2
1334 01 rev L	Outline Landscape Proposals
43417/P/SK06 rev B	Proposed Adoptable Highway Layout

(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. Plots 25 and 26: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the rear elevations of the dwellings 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.)
- 5. The garages, hereby permitted, shall not be used as additional living accommodation and no trade or business shall be carried on therefrom.**  
(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 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 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.)
- 8. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the dwellings hereby approved].**

  - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.**
  - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.**

- (c) **The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

9. **No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.**

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

10. **The existing hedges on the site's boundaries with Beach Road and Long Drove shall be retained except where otherwise expressly shown for removal on the approved drawings; and any trees or shrubs within them 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.)

11. **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.)

12. **No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme 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.**

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

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

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

14. **Prior to the commencement of the development a lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting, shall be submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details measures unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

15. **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), except as hereby approved, no vehicular access shall be made onto Beach Road or Long Drove unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason - In the interests of highway safety and safeguarding of existing hedgerow in accordance with Policies DP/3 and NE/4 of the adopted Local Development Framework 2007)

16. **The visibility splays specified on approved Richard Jackson Engineering drawing no. 43417/P/SK06 rev B at the junction of the access road with the public highway shall be provided before the commencement of the development and shall thereafter be maintained free from any obstruction over a height of 600mm. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 120m measured along the channel line of the public highway from the centre line of the proposed access road.**

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

17. **If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained a written approval from the Local Planning Authority for, and addendum to the Remediation Strategy. This addendum must detail how this unsuspected contamination shall be dealt with**

**and from the date of its approval the addendum(s) shall form part of the Remediation Strategy.**

(Reason: To prevent the increased risk of contamination to the water environment in accordance with Policies DP/1 and NE/8 of the adopted Local Development Framework 2007)

18. **Prior to the commencement of any development, a scheme for the provision and implementation of sustainable surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

19. **Prior to the commencement of any development, a scheme for the provision and implementation of pollution control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.**

(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 and NE/8 of the adopted Local Development Framework 2007.)

20. **No development shall commence until details of**

**a) Energy efficiency measures**

**b) Provision for renewable energy**

**c) Provision for water conservation have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**

Reason - Insufficient information was submitted with the application to assure the Local Planning Authority that energy efficiency, renewable energy and water conservation measures are adequate to comply with Policies NE/1, NE/3 and NE/12 of the adopted Local Development Framework 2007.)

21. **During the period of 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.)

22. **Should driven pile foundations be proposed, then before development commences, a statement of the method for construction of these foundations shall be submitted to and agreed by the Local Planning Authority in consultation with the District Environmental Health Officer.**

(Reason: In order to safeguard the amenity of the occupiers of nearby dwellings from disturbance from noise and vibration during the construction period in accordance with Policy DP/3 of the adopted Local Development Framework 2007).

23. **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;**
- iv) **Method statement for the control of debris, mud and dust arising from the development during the construction period.**

**Development shall not be carried out other than in accordance with the approved details.**

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

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

National Planning Policy Framework 2012

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

South Cambridgeshire Development Control Policies Development Plan Document 2007  
SPD

Strategic Housing Land Availability Assessment 2012

Village Classification Report 2012

Planning File ref S/2509/12/FL

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

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**South Cambridgeshire Local Development Framework  
Strategic Housing Land Availability Assessment (SHLAA)**

**Site Assessment Proforma**

<b>Location</b>	Cottenham
<b>Site name / address</b>	Land at the junction of Long Drove and Beach Road, Cottenham
<b>Category of site:</b>	A village extension i.e. a development adjoining the existing village development framework boundary
<b>Description of promoter's proposal</b>	50 dwellings with public open space
<b>Site area (hectares)</b>	1.63 ha
<b>Site Number</b>	234
<b>Site description &amp; context</b>	The site is located adjacent to residential properties in Calvin Close, on the eastern edge of Cottenham, bound by Beach Road to the south and Long Drove to the east. The site comprises pasture land surrounded by dense hedgerow.
<b>Current or last use of the site</b>	Pasture
<b>Is the site Previously Developed Land?</b>	No
<b>Allocated for a non-residential use in the current development plan?</b>	No
<b>Planning history</b>	<p>The site has previously been considered through the production of LP 2004, and the Inspector reported "I have found no need for further planned housing in Cottenham before at least 2006. If there were to be such a need in future the merits of this site would need to be considered alongside the comparative claims of other sites, in particular any available options for the re-use of brownfield land."</p> <p>There have been several attempts to gain planning permission for residential development of varying scales on part of the site, the latest application for 50 dwellings (S/2317/11) was refused as the scale of development was inappropriate for a Minor Rural Centre and would result in the encroachment of the built environment into the countryside and setting of Cambridge Green Belt, resulting in an adverse impact upon the visual quality of the countryside and adjacent Green Belt.</p> <p>S/1346/79/O – residential development on 2.56 acres, S/1954/79/O –</p>

	4 houses, and S/0389/81/O – residential development, have been refused for being contrary to the Structure Plan (which only permitted infill development), outside the Village Framework, and they were considered to progressively detract from open & rural appearance & character of area.
<b>Source of site</b>	Site suggested through call for sites

<b>Tier 1: Strategic Considerations</b>	
<b>Green Belt</b>	The site is not within the Green Belt.
<b>Is the site subject to any other considerations that have the potential to make the site unsuitable for development?</b>	No
<b>Tier 1 conclusion:</b>	This pastoral site is located adjacent to residential properties in Calvin Close on the eastern edge of Cottenham with no strategic constraints identified that would prevent the site from being developed.
<b>Does the site warrant further assessment?</b>	Yes

**Tier 2: Significant Local Considerations**

<b>Designations and Constraints</b>	
<b>Heritage considerations?</b>	<ul style="list-style-type: none"> <li>• Conservation Area – the site is approximately 90m from the Cottenham Conservation Area. Some adverse effect due to loss of significant screening to modern development on approach to Conservation Area.</li> <li>• Non-statutory archaeological site - The site is located to the east of the historic village core. Archaeological investigations to the west have identified evidence for the Saxon and Medieval development of the village. County Archaeologists would require further information in advance of any planning application for this site before it is able to advise on the suitability of the site for development.</li> </ul> <p>The site forms part of the setting of Cottenham Conservation Area, but with careful design it should be possible to mitigate impact.</p>
<b>Environmental</b>	<ul style="list-style-type: none"> <li>• Tree Preservation Orders – there are a group of protected trees</li> </ul>

<p><b>and wildlife designatons and considerations?</b></p>	<p>adjacent to Beach Road on south west boundary.</p> <ul style="list-style-type: none"> <li>• Biodiversity features - Fenland landscapes support species and habitats characterised by intensive agriculture due to the high quality soil. This has restricted biodiversity in some parts. However, drains, hedges and field margins provide refuge for species such as barn owl, corn bunting and skylark. Washlands provide temporary areas of flooded grassland that are important for plants such as the marsh foxtail, tufted hair-grass and narrow-leaved water dropwort. Important numbers of wintering wildfowl maybe found on flooded fields. The network of drainage ditches in places still retain water voles with otters occasionally found into the fens where suitable fish stocks are found. Any development proposals should show how features of biodiversity value have been protected or adequately integrated into the design.</li> </ul> <p>With careful design it should be possible to mitigate any impact on the protected trees.</p>
<p><b>Physical considerations?</b></p>	<ul style="list-style-type: none"> <li>• Noise issues – Some minor to moderate additional road traffic noise generation on existing residential due to development related car movements but dependent on location of site entrance</li> </ul>
<p><b>Townscape and landscape impact?</b></p>	<p>The South Cambridgeshire Village Capacity Study (1998) describes Cottenham as an 'island' on the southern edge of the Fens, with a landscape setting that is typical fenland edge, with very long views across large arable fields with few hedgerows. A distinctive feature of many of the approaches into Cottenham along the roads is very strong sense of arrival created by the groups of trees and occasional hedgerows by the sides of roads. This is contrast to the almost treeless and hedgeless wider landscape. The site adjoins a housing development that forms a fairly harsh edge to the north east. The south eastern side of Cottenham is characterised by flat pasture and semi-enclosed fields, beyond which the landscape opens up. The surrounding countryside is flat with long distance views, particularly from the north and east.</p> <p>The Cottenham Village Design Statement (2007) states: "The surrounding countryside, all of which is best and most versatile agricultural land, is flat and open with few farmsteads, trees or other landmarks. This creates long views within the parish and beyond. The pattern of the landscape is made by man: lodes, droves and field boundaries run in straight lines." It also recognises the importance of this area on the setting of Cottenham: "The pinnaced tower [of All Saints Church] acts as a focus around which the setting of the village revolves as one looks from Beach Road, Long Drove..." (page 4) and includes a guideline (page 6) to protect the area:</p> <p><b>L/7: Protect vistas that contribute to the character and attractiveness of Cottenham.</b></p>

	<ul style="list-style-type: none"> <li>• The following vistas are designated as meriting special protection:             <ul style="list-style-type: none"> <li>○ the approaches to the Parish Church from the north of Long Drove and Church Lane</li> <li>○ the east flank of the village from the middle of Beach Road</li> </ul> </li> </ul> <p>Development of this site would have an adverse effect on the landscape and townscape setting of Cottenham. Whilst the site is not in the Green Belt, the land forms an important part of the setting of this part of Cottenham. Previous planning applications (see Planning history) have been refused, as development in this location would progressively detract from open and rural appearance and character of area.</p>
<p><b>Can any issues be mitigated?</b></p>	<p>With careful design and it should be possible to mitigate the historic environment, townscape and landscape impacts of development of this site.</p>

<b>Infrastructure</b>	
<p><b>Highways access?</b></p>	<p>Regarding sites in the Cottenham / Girton / Histon &amp; Impington area (estimated capacity of 2,616 dwellings on 29 sites) the Highways Agency comment that the sites in this group are smaller on the whole than some of the other groups. Although fairly closely related to Cambridge, the trip making patterns are likely to result in traffic crossing rather than joining the A14, thus the impacts on the A14 may be less severe (this will need to be assessed of course). Most of the sites are well related to local settlements. As such a fairly large proportion of these might reasonably be accommodated by the A14. Limitations on the county's network could result in localised diversionary trips on the A14 and M11 and this in turn may limit the capacity of these routes to accommodate new development. Conversely, these settlements are reasonably likely to be able to be served by public transport or non-motorised modes.</p> <p>A junction located on to Beach Road but not Long Drove would be acceptable to the Highway Authority. The proposed site is acceptable in principle subject to detailed design.</p> <p>Enhanced pedestrian access could be achieved by extending the pavement provision along the site frontage.</p>
<p><b>Utility services?</b></p>	<ul style="list-style-type: none"> <li>• Electricity - No significant impact on existing network.</li> <li>• Mains Water - The site falls within the CWC Cambridge Distribution Zone, within which there is a minimum spare capacity of 3,000 properties based on the peak day for the distribution zone, less any commitments already made to developers. There is insufficient spare capacity within Cambridge Distribution Zone to supply the number of proposed properties which could arise if all the SHLAA sites within the zone were to be developed. CWC will allocate spare capacity on a first come first served basis. Development requiring an</li> </ul>



	<p>increase in capacity of the zone will require either an upgrade to existing boosters and / or new storage reservoir, tower or booster plus associated mains.</p> <ul style="list-style-type: none"> <li>• Gas – Cottenham has a mains gas supply and the site is likely to be able to be accommodated with minimal disruption or system reinforcement.</li> <li>• Mains sewerage - There is sufficient capacity at the waste water treatment works to accommodate this development site. The sewerage network is approaching capacity and a pre-development assessment will be required to ascertain the specific capacity of the system with regards to this site. If any mitigation is deemed necessary this will be funded by the developer.</li> </ul>
<b>Drainage measures?</b>	<p>No FRA provided.</p> <p>The Old West Internal Drainage Board District boundary runs around the village of Cottenham. The District does not have the capacity to accept any direct discharge flow from the village into its main drain system. Discharge into the Boards District from any development in Cottenham would have to be at the greenfield run off rate.</p>
<b>School capacity?</b>	<p>Cottenham has a primary school with a PAN of 80 and school capacity of 560 and, and lies within the catchment of Cottenham Village College with a PAN of 180 and school capacity of 900 children. In their 2011 submission to the South Cambridgeshire and City Infrastructure Study, the County Council stated there were 47 surplus primary places in Cottenham taking account of planned development in Cottenham, and a deficit of 30 secondary places taking account of planned development across the village college catchment area.</p> <p>The development of this site for 50 dwellings could generate a need for early years places and a maximum of 18 primary school places and 13 secondary places.</p> <p>After allowing for surplus school places, development of this site would be likely to require an increase in school planned admission numbers, which may require the expansion of existing schools and/or the provision of new schools.</p>
<b>Health facilities capacity?</b>	<p>There are two doctors practices in Cottenham, one of which has no physical capacity to grow and the other has potential for expansion.</p>
<b>Any other issues?</b>	<p>The proposer provides the following supporting information:</p> <p>The proposal can provide much needed homes within the South Cambridgeshire District in a location that is outside of the Green Belt and abuts a Minor Rural Centre. The site is very well related to Cottenham being contained on all four of its sides by existing formed boundaries. With the proper management and retention of the trees to the boundaries, along with a well designed scheme and additional sympathetic planting, a residential development of the land would</p>

	<p>appear appropriately in the context of Cottenham and not appear as an intrusive extension into the Countryside.</p> <p>Cottenham is a Minor Rural Centre with a number of local facilities and services. The provision of further homes will provide additional residents to help support these services. It is fully expected that the development will contribute in the form of planning obligations to the Cottenham area.</p>
<b>Can issues be mitigated?</b>	Yes, with upgrades to local infrastructure, including utilities (mains water and sewerage), school capacity and health.

<b>Does the site warrant further assessment?</b>	Yes
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<b>Tier 3: Site Specific Factors</b>
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<b>Capacity</b>	
<b>Developable area</b>	1.10 ha.
<b>Site capacity</b>	33 dwellings
<b>Density</b>	30 dph

<b>Potential Suitability</b>	
<b>Conclusion</b>	The site is potentially capable of providing residential development taking account of site factors and constraints.

<b>Availability</b>	
<b>Is the land in single ownership?</b>	Yes
<b>Site ownership status?</b>	Site promoted by single landowner.
<b>Legal constraints?</b>	No known constraints.
<b>Is there market interest in the site?</b>	Yes
<b>When would the site be available for development?</b>	The site is available immediately.

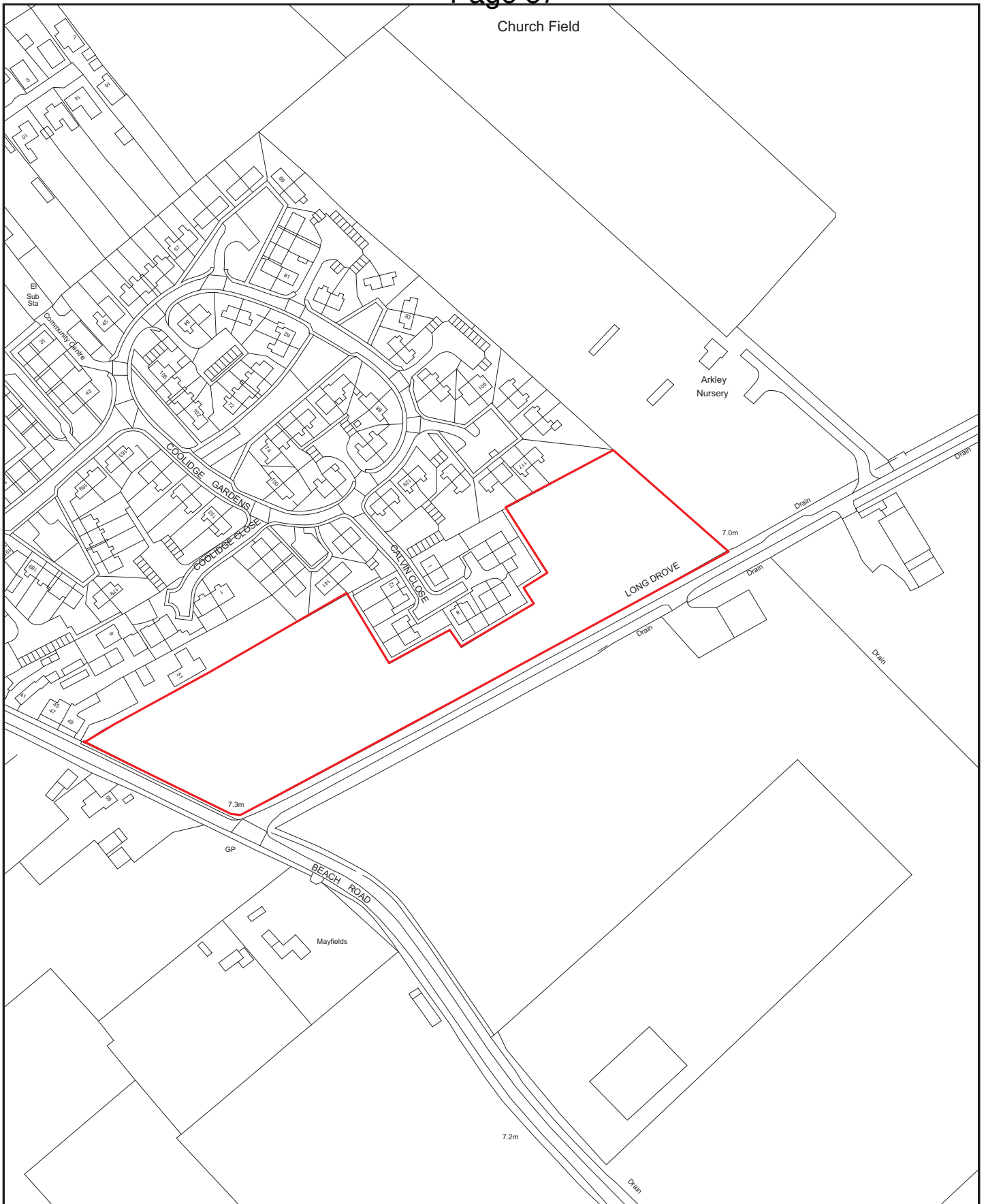
<b>Achievability</b>	
<b>Phasing and delivery of the development</b>	The first dwellings be completed on site 2011-16
<b>Are there any market factors that would significantly affect deliverability?</b>	None known.
<b>Are there any cost factors that would significantly affect deliverability?</b>	None known.
<b>Could issues identified be overcome?</b>	
<b>Economic viability?</b>	<p>Viability Category 3 Less viable sites</p> <p>This viability assessment is provided independent of any policy or other assessment as to whether the site should be allocated for development. The references to planning policy only relate to those existing policies governing how a site would be developed, not whether it should be allocated in the new Local Plan.</p> <p>Having undertaken an assessment of this site the local planning authority have some concerns about the landowners ability to deliver a development that fully complies with current planning policy in respect of density, mix and the provision of onsite facilities whilst still delivering the necessary level of affordable housing, planning obligations and potential community infrastructure levy payments.</p> <p>This site is considered to be sufficiently attractive for developers to be interested in acquiring it, assuming that the existing landowner does not have excessive aspirations, housing prices increase to those previously experienced and / or that the Council might be minded to be flexible in its application of planning policy to help ensure site viability. The Council should be mindful that the aspirations of the existing landowner, and ability to be flexible with some planning policy requirements would allow development during the plan period.</p>

#### **Site Assessment Conclusion**

Site with development potential. This does not include a judgement on whether the site is suitable for residential development in planning policy terms, which will be for the separate plan making process.

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Church Field



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Cambridgeshire  
District Council**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**C/11/17/074/003 - 02/12/SC - OAKINGTON****To confirm or not confirm a Tree Preservation Order at 14 Cambridge Road, Oakington****Recommendation: Confirm****Date for Determination: 17 March 2013****Notes:**

**This Application has been reported to the Planning Committee for determination because an objection to the serving of Tree Preservation Order 02/12/SC has been made by the owner**

**Site and Proposal**

1. 14 Cambridge Road, Oakington comprises a bungalow built in the 1960's on an 'L' shaped plot of approximately 0.25 acres. The site is located near the crossroads where Dry Drayton Road, Water Lane, Longstanton Road and Cambridge Road meet and is outside the Oakington Conservation Area. The end of the garden backs onto properties 9 Dry Drayton Road and 6 – 10 Cambridge Road with mature trees including the subjects of the TPO providing a backdrop.
2. The area on which the trees stand was previously in the ownership of South Cambridgeshire District Council. It was conveyed from the Council to the then owner of 14 Cambridge Road in January 1980. The conveyance included a covenant with the restriction "Not to use the land hereby conveyed except as a private pleasure garden" which "will be binding and run with the land". 14 Cambridge Road was sold in September 2012 and concerns were raised during June and July by local residents over the potential loss of the mature trees by future re-development of the site.
3. A site visit was made and a Tree Evaluation for Making a Preservation Order (TEMPO) undertaken which determined that a TPO was justified. A Tree Preservation Order was served on 17 September 2012 to afford statutory protection to three Sycamore, one Oak, one Beech, and two Sweet Chestnut trees.

**Legal background**

4. Local planning authorities may make Tree Preservation Orders if it appears to them to be, "expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area." (Town and Country Planning Act 1990, section 198(1)).
5. Even if a Tree Preservation Order is desirable on amenity grounds, it may still not be expedient to make it if, for example, the tree or woodland, is under good arboricultural

management. However, it may be expedient to make an Order if, say, it was potentially threatened by being cut down, or otherwise pruned in such a way as to have a significant impact on the amenity of the area.

### **Consultation**

6. **Chair & Vice Chair of Planning Committee**

Cllr Turner – Unable to attend consultation site meeting

Cllr Bard – Unable to attend consultation site meeting

7. **Local Members**

Cllr Edwards – Comments awaited

Cllr Wotherspoon – Comments awaited

Cllr Harford – Attended consultation site meeting

8. **Other**

Gas Board – Comments awaited

EDF energy – Comments awaited

Clerk Oakington Parish Council – Comments awaited

9. **Owner** – Objection received 21 September 2012:

- The property was purchased with the intention of redeveloping the site and therefore the notice is potentially disruptive to future plans.
- The owner accepts that the trees are an effective boundary with neighbouring properties but would be willing to erect a suitable fence or replant with a suitable species.
- Light and air to the property and surrounding properties is restricted therefore the trees impact on the value of these properties.
- Only the tops of the trees are visible from the public domain therefore their loss will have minimal impact on the local community.
- The owner notes concerns over limb or complete tree failure and the potential for damage to neighbouring properties.
- The owner notes concerns over root activity and the potential to damage or hinder the proposed erection of a boundary fence.

### **TPO comments**

10. The first part of the TEMPO evaluation scores a tree or trees' amenity value based on three factors. A cumulative value of 7 or more means that scores for further factors can be added.
11. The scores reflected the size of the trees and their location near a main road junction, the retention span of 40-100 years, and the fact that the trees are large and clearly visible to the public.
12. Following a total score of 11, further factors were considered and the trees were identified as a group of trees important for their cohesion. The expediency



assessment identified a perceived threat. This gave a cumulative score of 17 which “definitely merits TPO”.

## **Objections Received**

13. Responding to the points made in the owner’s objection:

- The owner states that the property was purchased with the intent to redevelop the site. This does not invalidate the justification for serving a TPO and should be seen in the light of the covenant restriction on use described above.
- The removal of the mature trees and replacement with a fence and/or replanting would not replace the canopy cover the trees form above the roofline of the surrounding properties.
- The trees do not significantly overhang the neighbouring properties in respect of dwellings although they do overhang garden areas (there is no legal “right to light”). It is unlikely that the trees will be restricting air to the properties. They absorb carbon dioxide, release oxygen and absorb pollutants while providing shade from the sun and intercepting rainfall. Of the four properties affected one is in private ownership the other three are SCDC housing stock.
- The canopy of the trees can be clearly seen on the approach to the junction and surrounding roads. Towering above the roof line these trees make a significant contribution to the landscape of this area as skyline trees.
- Failure of any tree is a possibility and an owner of a tree has a duty of care. The confirming of the TPO does not prevent works to the trees and if any of the trees included in the TPO were to become structurally compromised and unsafe they would be exempt from the TPO.
- The owner states concerns over root activity in erecting a boundary fence or future impact on a boundary fence. Erecting a fence within the rooting area of the trees can be carried out carefully by hand digging all the post holes to avoid damage to the roots and the fence can be placed over any roots if required.

## **Recommendation**

14. Confirm TPO with a variation to correct an administration error that identified a London Plan as one of the three Sycamore trees.

## **Reasons for confirmation**

15. To retain the mature trees that are prominent in the location, providing a treed buffer and softening to the built environment at the cross road junction, and have public amenity value.
16. The confirmation of the TPO would be expedient given the potential threat to the trees.

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

- The Town & Country Planning (Tree Preservation)(England) Regulations 2012
- Tree Preservation Orders – A Guide to the Law and Good Practice, Department of the Environment, Transport and the Regions 2000
- Documentation relating to this proposed Tree Preservation Order on a file maintained by the Trees and Landscape Section

**Case Officer:** Roz Richardson – Tree Officer  
Telephone: (01954) 713405

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/2127/12/FL – GIRTON****Conversion of existing garage and erection of rear extension to create two self-contained dwellings at Thornton House, Huntingdon Road, for Paul Murray-John****Recommendation: Approval****Date for Determination: 21 December 2012****Notes:**

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

**To be presented to the Committee by John Koch**

**Site and Proposal**

1. Thornton House is a large detached house and garden on the north side of Huntingdon Road. It lies between an actively used petrol filling station (with supermarket) and a further detached home trading as a bed and breakfast establishment at 144 Thornton Road adjacent. The property has an existing gate and entrance to Huntingdon Road.
2. The proposal, which has been amended to take on board concerns raised by neighbours, has a number of elements, most of which are internal alterations. In short, the existing detached home would be reconfigured as two semi-detached houses of one x 2 bedroomed home and one x 4 bedroomed home, on an "asymmetrical" basis. To facilitate that arrangement a two storey extension would be erected at the rear of the home on its eastern side. This would contain a "guest bedroom" on its ground floor and a "dressing room/study" on its first floor.
3. The amended front garden would contain for parking spaces on its eastern side and on its western side a communal cycle store and a refuse store. Prior to seeking planning permission a substantial number of (apparently overgrown) trees were removed from the front and rear gardens.

**Relevant Planning History**

4. **S/0932/84/F** - Extensions  
**S/1534/12/FL** - Extension and conversion of dwelling into 5 self-contained flats and associated works - Invalid application

### **Planning Policy**

5. The **National Planning Policy Framework** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein.
6. **South Cambridgeshire Local Development Framework Core Strategy 2007 ST/6 Group Villages**
7. **South Cambridgeshire Local Development Framework Development Control Policies 2007**  
**DP/1 Sustainable Development**  
**DP/2 Design of New Development**  
**DP/3 Development Criteria**  
**TR/2 Car and Cycle Parking Standards**

### **Consultation by South Cambridgeshire District Council as Local Planning Authority**

8. **Girton Parish Council** - The planning application was recommended for refusal on the following grounds:
  1. The drawings submitted are misleading as they do not represent the correct footprint for the neighbouring property and also show many trees which have since been removed.
  2. Concerns regarding overshadowing of neighbouring properties.
  3. Concerns regarding possible change of use - the owners would need to be reminded that they would need a change of use before this could be a dwelling of multiple occupancy.The Clerk has received a letter of objection to the application, which has been forwarded to SCDC".
9. **Local Highway Authority** - No comments received

### **Representations by members of the public**

10. Objections received from nos. 144 and 147 Thornton Road (after re-consultation following amended drawings) and the proprietors of the adjoining garage. The points raised can be summarised as:
  - The proposed rearward extension has been relocated further away but would still over-shadow no. 144 and reduce the light to the flank dining/living room (used by guests).
  - The footprint of number 144 Thornton Road is incorrectly shown on plans.
  - A large number of pre-existing trees have been removed by the developer. That loss of tree cover has increased the disturbance due to light and noise from the adjacent Hayward Garage.
  - The pre-existing road entrance to Thornton House may be unsafe due to conflict with vehicles entering and leaving the adjacent garage. Motorists might be encouraged to park within Thornton Road in preference to using residents' on-site parking.

- The proposal may be to let the house as an HMO or similar multi-occupancy. This would cause disturbance.
- The changed window design might admit more light from the garage to other properties than at present. Will this affect their rights to use existing canopy lights to the garage?

### **Material Planning Considerations**

11. The key issues in this case are the principle of the change of use, the impact on neighbours, impact on the character, appearance or local distinctiveness of the wider area, highway safety and the potential for an intensification of use.

#### **Principle**

12. The site lies within the village framework of a Group Village. There is no policy objection to a change of use from a single to two dwellings in principle.

#### **Impact on neighbours**

13. The drawings do not accurately show the footprint of the adjacent number 144 Thornton Road. However, the differences are minor and concern the relationship with the adjacent boundary to the application site. After receipt of amended drawings, the proposed rear extension would be some 4.5 metres from the affected flank dining/living room window of number 144 Thornton Road (used by paying guests). The light and outlook available to that room is already affected by a circa 1.8 metre high boundary fence and the material effect of that proposed extension would be visible to the north east, above and beyond the boundary fence in question. An extension of similar configuration to that proposed could be constructed as “permitted development” (under Class A), were its depth from the rear main wall 3 metres or less. As proposed, its depth from the rear main wall is some 4.2 metres.
14. The “material” question in this case is therefore whether the net additional 1.2 metres is sufficiently harmful by reason of loss of light or overshadowing (Policy DP/1 - 2 j) to warrant refusal of planning permission. Having inspected the room concerned, the case officer considers the impact would not be sufficient to warrant refusal. A near identical affect would arise from any slightly shorter rearward extension. The impact of the extension as proposed by amended drawings is already mitigated by its reduced height of eaves below those of the existing house and its hipped roof (which might not arise in a merely shorter extension constructed as permitted development).

#### **Character and appearance**

15. Site inspection reveals that a significant number of former trees have been removed from the site as a whole. (Many of those shown on the drawings are indicative than actually existing). The trees removed were not the subject of any TPO or within a Conservation Area. Their loss from the front garden area in particular appears to enable light “trespass” from the adjacent garage premises to intrude into the private gardens of numbers 142 and 144. However, the proposed development did not require their removal and will make no material difference to the now existing situation.

### **Highway Safety**

16. The pre-existing road entrance and gate to Huntingdon Road is to be re-used. The level of traffic anticipated to make use of the retained entrance would not be materially different from that of the former large detached house, if occupied more intensively than was evidently the case prior to its acquisition by the applicant. It follows that no objection to the proposal on grounds of road safety can be sustained. The need to retain the proposed level of car parking and cycle provision can be conditioned accordingly.

### **Intensification of use**

17. Consultation replies suggest that the applicant's ultimate intention might be to let the restored and extended building for the purposes of "multi-occupation". The proposed two houses (assessed as a single planning unit) include a total of 12 bed spaces in aggregate, and that figure could well be increased by minor internal alterations. Whether the two proposed homes are occupied or not, there is clearly some potential for a more intensive use, rather than two households within Use Class C3.
18. As a large house in substantial grounds that evidently suffers significant disturbance from the adjacent garage premises, the application site is fairly suitable for such use and, if well managed, need not cause significant problems for neighbours. Nonetheless, the application does not propose any such level of use. An informative can be added to any permission confirming the need for planning permission should there be a wish to further sub-divide the property.
19. 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 allowed in this instance.

### **Recommendation**

20. It is recommended that the Planning Committee approves the application as amended subject to the following conditions and informative
  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 - 103 Rev A, 110 Rev A, 1020 Rev A (all date stamped received 10 December 2012) and 105 (date stamped received 4 October 2012).  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  3. The proposed cycle and refuse stores shall be provided before the property is first occupied as two self-contained dwellings and thereafter retained as such.  
(Reason - To ensure adequate cycle and refuse storage provision in accordance with policies DP/3 and TR/2 of the Local Development Framework 2007.)

4. The proposed shared car parking area as shown on drawing 110 Rev A shall be provided before the property is first occupied as two self-contained dwellings and thereafter retained as such.  
(Reason - To ensure adequate car parking provision in accordance with policy TR/2 of the Local Development Framework 2007.)

Informative

1. In view of earlier proposals to sub-divide the property into five (one and two bedroom) flats under a previous planning application S/1534/12/FL, the applicant and other interested parties are reminded that any intention to proceed with a similar proposal simply by internal alterations to the building alone would be unlawful, in the absence of a specific planning permission in that behalf, to permit such means of occupying the building concerned.

**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/2127/12/FL

**Case Officer:** Tony Boswell – Principal Planning Officer  
Telephone: (01954) 713020

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/2420/12/FL - LINTON****Erection of 18 affordable dwellings following demolition of 4no. existing dwellings, former Police Station and outbuildings; formation of replacement vehicular access at 9 to 15 Cambridge Road, for Hundred Houses Society****Recommendation: Delegated Approval****Date for Determination: 20 February 2013**

**This application has been reported to the Planning Committee for determination because it is major development that is a departure from the development plan and the officer recommendation does not accord with the recommendation of Linton Parish Council.**

**Members will visit the site on 5 February 2013.**

**Major Development****Departure Application**

**To be presented by Ray McMurray.**

**Site and Proposal**

1. The site is located on land to the south west of the A1307 Cambridge Road. The land slopes upwards to the south west away from the road, and contains 4 houses in a terrace together with the former village police station. There is a vehicular access at the north eastern side of the frontage. A public right of way footpath runs along the north western boundary of the site. There a number of mature trees on the site and an open landscaped frontage towards Cambridge Road. The site area is 0.495 hectare.
2. Adjacent development to the south west and south east is residential single storey with the exception of No. 5 Cambridge Road and is two-storey in height. To the north east there is warehousing and a listed house at No 29 Cambridge Road further along. On the opposite side of Cambridge Road nos. 1 to 10 Flint Court is a two-and-a-half-storey terrace of modern townhouses. There is a bus layby and bus shelter forward of the site on Cambridge Road, and a Pelican crossing (pedestrian-activated) approximately 30 metres to the east of the site that links to High Street. The boundary to Linton Conservation Area is located immediately to the east of the application site, but excludes No.5 Cambridge Road.
3. The full planning application, dated 19 November 2011, proposes the demolition of all buildings on the site and the erection of 18 affordable dwellings formed around a central parking court and open space. The existing vehicular access is to be redeveloped as a pedestrian ramped access and a new vehicular access is to be provided at the north

western end of the frontage. As part of the proposal, the bus layby is to be moved further to the south east and a relocated bus shelter to be provided within the site frontage.

4. The frontage dwellings are shown as a terrace of five town houses and four apartments with three storeys set in a staggered row set back between 2.5 metres and 5.5 metres from the back of pavement. Amended plans were received 21 January to show the apartment block set down 900mm to provide a break in the ridge line. The ridge heights are shown to be 10.2 metres and 11.1 metres respectively on the front elevation facing Cambridge Road. The design of the frontage units incorporates individual gables to each town house and a pair of broader gables spanning the apartment block. The external materials are to be buff facing brick with softwood window frames, some of which are shown to incorporate stained weather-boarded panels. The roofing is to be smooth concrete tiles. The site frontage is to have low walling with railing topping, which in front of the apartments is to form a retaining wall with landscaping.
5. The remaining dwellings are located at the rear of the site as three pairs of semi-detached houses and one terrace of three houses, all two-storey height. Parking for 28 cars is shown, including 2 disabled bays arranged both as parking in curtilage and a parking court, average 1.5 spaces per dwelling. The public right of way is to be retained and improved. Retained trees include a group of three Silver Birch adjacent to the south eastern boundary and memorial tree to be relocated within the pedestrian ramped access area. A Local Area for Play is to be provided within a 200 square metre area of landscaped open space adjacent to the landscaped ramped entrance, forming a green wedge along the south eastern boundary.
6. The density of development is 36.3 dwellings per hectare.
7. The agent has conducted an automated traffic count at a point just west of the existing site access over a 7-day period outside school holidays and Bank Holidays, with a calculated addition of traffic arising from the 4 residential dwellings and Police Station had they been occupied/ operational. The submitted Transport Statement Report concludes that the development would have an insignificant impact (less than 1%) on base traffic flows, and is likely to be accommodated without any noticeable impact on the performance of Cambridge Road or nearby junctions.
8. The site will be provided with 1.8m footways on both sides of the new access junction. A separate ramped access is to be provided in the north-eastern corner of the site to enable access for all pedestrians and people with disabilities. The development would have two separate means of pedestrian access to the bus stop on the site frontage and the signal controlled crossing at the junction with High Street. Cycle parking is to be provided within purpose-built shelters within each plot for the houses and a series of shared stores for the flats.
9. The application is supported by a Planning Statement, Design and Access Statement, Heritage Statement, Transport and Access Statement, Environmental Noise Assessment, Amenity Space Noise Assessment, Flood Risk Assessment, Initial Bat Survey, Sustainable Homes Ecological Assessment, Extended Phase 1 Habitat Survey, Foul and Storm Water Drainage Strategy, Geotechnical and Contamination Site Investigation, and Sustainability Statement.

### **Planning History**

10. There are no relevant planning applications on the site. On adjacent land, the following are relevant:  
*17 Cambridge Road*

S/2230/04/O Erection of one bungalow Refused  
APP/W/0530/A//05/1174838 Dismissed 22-7-2005  
The Inspector dismissed the proposal as not complying with the then Policy Linton 1 of the South Cambridgeshire Local Plan 2004, and for a highway safety reason.

*Land to the south of Cambridge Road and to the east of Station Road*  
S/2005/89/O 29 houses Refused 4-12-1989  
Refused as contrary to the then Policy Linton 2 (equivalent to current Policy CH/10) and an employment allocation of the Deposit South Cambridgeshire Local Plan 1989, and for highway safety reasons.

### Planning Policy

11. **National Planning Policy Framework** (March 2012) This sets out a presumption in favour of sustainable development (NPPF para.14).
12. The Framework states that Local Planning Authorities should identify a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% or 20% depending upon the specific record of housing delivery. The purpose of this assessment is to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land. Identification of the broad locations of sites sufficient for housing supply for up to 15 years is also required (NPPF para.47). Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites (NPPF para.49). Local planning authorities should in particular consider whether allowing some market housing in rural areas would facilitate the provision of significant additional affordable housing to meet local needs (NPPF para.54) To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (NPPF para.55) For twelve months from the date of publication of the NPPF (i.e. up to 27 March 2013) decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework (NPPF para.214).

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

**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.

**South Cambridgeshire Development Control Policies Development Plan Document  
(2007)**

13. **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)  
**SF/1** (Protection of Village Services and Facilities)  
**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/6** (Biodiversity)  
**NE/11** (Flood Risk)  
**NE/12** (Water Conservation)  
**TR/1** (Planning for More Sustainable Travel)  
**TR/2** (Car and Cycle Parking Standards)  
**TR/3** (Mitigating Travel Impact)  
**CH/10** (Linton Special Policy Area) states:  
'South of the A1307 bypass at Linton, in the area defined on the Proposals Map, further residential development will not be permitted other than improvements to existing properties.'

*Policy CH/10 supporting text*

'8.26 The southern part of the village, severed by the A1307 bypass, is characterised by three distinct uses; employment, a sensitive residential area much of which lies within the Conservation Area, and the site of Linton Zoo. It is also isolated from the main village, and further residential development would not be sustainable with its poor access to the village facilities and services.'

**Supplementary Planning Documents**

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)

**Strategic Housing Land Availability Assessment and Issues and Local Plan  
Options 1 Consultation Summer 2012**

14. As part of the review of the Local Plan, the Council has produced a Strategic Housing Land Availability Assessment (SHLAA) to identify site options for consideration for allocation in the new Local Plan. The industrial land to the west site fronting Cambridge

Road was appraised as part of this review- Site 152. Having consulted the Local Highway Authority this site was assessed as having limited development potential. The site is potentially capable of providing residential development taking account of site factors and constraints.

15. Two sites to the east of the application site on Cambridge Road, but outside the development framework boundary and Linton Special Policy Area, have been assessed as having no development potential (Sites 200 and 201).
16. Site 152 has been brought forward to the Local Plan Issues and Options 1 Consultation 2012 as Site Option 29.
17. **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**

18. **Linton Parish Council.** Recommendation of refusal to the scheme as originally submitted. The comments of the Parish Council on the amended scheme are awaited. In summary the concerns raised are as follows. The full text of the Council's response is attached at **Appendix 1**.
  - a. This proposal does not comply with Policy CH/10. The reasons for the policy remain- the area is still isolated and the barrier created by the A1307 is more severe. The increased use of the pelican crossing by additional pedestrians would interrupt traffic flow on the A1307. The benefit from the provision of the pelican crossing is offset by an increase in traffic using this road. The facility was intended to assist existing residents rather than to be a solution to this part of the village being detached from the main village. The Inspector at appeal in 2005 found that the A1307 remained a significant barrier to pedestrian safety.
  - b. Cambridge Road is already over capacity at peak times. The extra traffic flow from the development has the potential for a large impact. The development has no provision for a right-hand turn into the site, which will create highway dangers and slow down traffic in the direction of Haverhill. The Parish Council has requested a speed limit of 30mph for this area.
  - c. Visitors to the site may park at the top of Linton High Street, but these spaces are intended for shoppers.
  - d. The development should include a cycle and ride facility for Linton residents.
  - e. The design is rather mundane. The suitability of the design should be confirmed by the Conservation Officer.
  - f. Noise from industrial premises and the road could be channelled into the village, resulting in noise nuisance.
  - g. Inappropriate lighting could be distracting to motorists on the A1307. No lighting details have been provided.
  - h. Details of sustainable infrastructure should be provided.

- i. Surface water from the site may run down into the road, pavement and footway.
  - j. The memorial tree must be retained. Planting of Black Poplar would be welcome as well as further landscaping on the frontage.
  - k. If approved, conditions should be attached for the naming of the site, tenancies to be limited to those with Linton connections, and developer funding for a speed limit reduction.
19. **Council's Planning Policy Manager:** The Planning Policy Manager has considered whether a policy restricting residential development south of the A1307 is likely to be carried forward into the Local Plan.

*Background*

20. Local policy restricting residential development since south of the A1307 has been in place since at least 1993.
21. The 1993 Local Plan Inspectors Report notes at paragraph 57.28 that "additional housing development south of the bypass away from the main part of the village and its amenities would be especially unwarranted". The policy wording from this plan was used in the 2004 Local Plan.
22. The 2004 Local Plan at paragraph 59.16 included policy guidance in part 2 under planning constraints "Land south of the A1307 is isolated, and residential development would not be appropriate". The Inspectors report did not relate to this policy guidance.
23. The 2007 Development Control Policies DPD introduced policy CH/10. The Inspectors Report only gives it a passing mention to the effect that it was sound.

*Issues and Options 1 Consultation Summer 2012*

24. Planning Policy consulted last summer on whether the Local Plan should continue to restrict residential development south of the A1307 at Linton (question 115). 15 representations were received, as follows:
  - 9 in support of this policy approach including comments from Suffolk County Council, St Edmundsbury District Council and Little Abington Parish Council. The reasons given include congestion on the A1307, forecast traffic growth on that road and planned housing growth in Haverhill, road safety and that better alternative site options exist;
  - 3 comments; and
  - 3 comments objecting to the retention of such a policy approach for reasons including that people will not walk to use the facilities on the other side of the A1307.
25. No specific response to question 115 was received from Linton Parish Council although their objection to the current application states at paragraph 1.6 that "The Parish Council believe that the policy CH/10 should remain in place, with no exception to this policy". In their questionnaire response to the Issues and Options 1 consultation leaflet the Parish Council identified growing levels of traffic on the A1307 as an issue.
26. As part of the SHLAA Planning Policy also consulted on a residential development site option 29 south of the A1307, which adjoins the application site. This reuses previously developed land but would involve a loss of employment land and was acknowledged to be south of the A1307. Ten representations were received, 4 in support, 4 comments and 2 objections. The summary of representations is as follows:



*In support of Site Option 29*

- Previously developed site;
- No overriding planning constraints;
- Safe highway access can be delivered;
- No material impact on employment provision;
- Environment Agency - No objection to the allocation of these sites on the basis that the floodplain would be kept free from inappropriate development.
- Oakington and Westwick Parish Council – Not green belt, heritage buildings must not be compromised, use brownfield land first.

*Objections to Site Option 29*

- Loss of employment land;
- Poor access to Linton, acknowledged by Special Policy Area restricting residential development.

*Comments on Site Option 29*

- If at all possible site should be maintained for industrial use;
- Site is cut off from village facilities by the A1307;
- Not opposed if social housing;
- Anglian Water - Infrastructure and/or treatment upgrades required to serve proposed growth may be required;
- Comberton Parish Council – Local residents should determine;

27. Linton Parish Council did refer to this site in their questionnaire response to the Issues and Options 1 consultation stating:

“Linton- In principle LPC is not opposed to the development of SHLAA site 152 (site option 29) for social housing reserved for local residents provided access issues to the A1307 can be resolved and the concerns of local residents can be met”.

28. Although Planning Policy is currently consulting on further Issues and Options until the 18<sup>th</sup> February, none of these concerns the Linton Special Policy Area.

*Draft Local Plan Summer 2013*

29. Responses from the public to both Issues and Options consultations will be considered together after the 18<sup>th</sup> February 2013 to help the Council formulate a Draft Local Plan. A series of reports will be submitted to the Portfolio holder to agree responses to the representations received and to agree the content of the plan, and a number of Member workshops will also be held. Until these processes are complete it is not possible to provide definitive guidance on the likely continuation of the Linton Special Policy Area approach. If Site Option 29 were to be included in the Draft Local Plan as an allocation for housing development, this would not be consistent with maintaining Policy CH/10 which restricts residential development south of the A1307.
30. The case for retaining the policy seems to be technically weaker than the case for not taking it forward into the Local Plan. That said, under the spirit of localism Members may give more weight to local views and wish to keep it. However, existing Policy CH/10 must remain the starting point for consideration of the current application.
31. **Council’s Conservation Officer:** The site forms part of the setting to Linton Conservation Area. The design and scale of the frontage dwellings and pedestrian access has been the subject of discussions with the applicant, resulting in several important improvements. The amended scheme would be further improved by linking the dormers on Plots 1 and 2, and separating the dormers on Plots 4 and 5, to provide a

clearer treatment to the group, but the amended scheme is satisfactory in preserving the setting of the conservation area.

32. **Council's Landscape Design Officer**\_– No objection. Recommended conditions. Development rights should be removed so that the planting areas cannot be converted into parking spaces in the future.
33. **Council's Trees and Landscape Officer** – No objection.
34. **Council's Ecology Officer** – No objection. The site has been assessed by an ecologist with no significant constraints to development presented. The site has had an initial assessment undertaken for bats with the majority of the buildings identified as no to low potential bat roosts. The terraced houses were highlighted as having features that could provide bat roosts but were unable to be inspected at the time of the survey. These buildings should be re-assessed prior to their removal. Recommended conditions.
35. **Council's Joint Urban Design Team**\_ - The design of the scheme has been altered to take account of the concerns of the JUDT. The further comments on the amended scheme are awaited.
36. **Council's Affordable Homes Manager** – There are approximately 3,350 applicants on the housing register in South Cambs.
37. This proposal is for 18 affordable dwellings, of which 14 rented and 4 shared ownership. We can confirm that the mix proposed sits well within the current demand for affordable housing within the district, with higher need always being for rented accommodation. There is an adapted property being provided on this site for a family who are in housing need and are in a property on the current site.
38. The number of units provided was revised and dropped, due to viability issues and concerns over density on the site. The Housing Development Officer has been involved in the discussions between the Registered Provider and Planning Services over viability issues, and is aware that this proposal is the best that can be achieved on this site. The AHM is fully in support of this application which will provide much needed homes in an area where this is extremely high demand.
39. **Council's Section 106 Officer** – The applicant has agreed in principle to financial contributions in respect of offsite public open space and maintenance, indoor community facilities, public art, section 106 monitoring, and 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.
40. The adopted policy requires the provision of 247 square metres of onsite open space (comprising 150 square metres of children's play space and 97 square metres of informal open space). The application is providing a total of 200 square metres onsite in the form of a LAP which will provide a useful amenity area for the children living on the development. The S106 Officer has recognised that this represents a shortfall of provision but is also aware that the applicant considers the scheme unviable if a further affordable unit is lost to public open space. As such the Section 106 Officer considers that the level of open space provided onsite is sufficient although careful attention will be required to the landscaping of this space to maximise its use and protect the users from the car parking area.

41. If the Parish Council is asked to adopt the LAP a further contribution of £11,902.70 would be payable for its long term maintenance.
42. **Council's Development Officer (Sport and Leisure)**: Concern at the under provision of children's play space in the scheme, and the limited overlooking of the open space from proposed dwellings.
43. **Council Environmental Health Officer** – Comments awaited.
44. **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.
45. The Highway Authority requests that a review of the proposed locations of the cycle parking is carried out so that the cycle parking is as accessible if not more so than the proposed car parking.
46. The Highway Authority would welcome a reduction of the front gardens of plots 3, 4 and 5 to 4m or less to prevent any future off street car parking to the front of the properties and as per Manual for Streets provide a sense of enclosure more in keeping with the village through which the A1307 transverses as this has the potential to reduce vehicle speeds.
47. The parking for unit 1 and unit 5 could lead to unnecessary manoeuvring within the public adoptable highway due to the proposed layout.
48. The Highway Authority will seek the provision of the following:
49. Due to the possible incremental development in this vicinity a contribution towards a ghosted right hand turn facility may be requested as a part of any submitted application
50. The Highway Authority would request that the applicant implement Bus Stop Clearways in the bus lay-bys on either side of Cambridge Road. As the proposed residential development is likely to generate greater demand for parking and therefore the use of the bus lay-bys.
51. As the development has the potential to change the nature of the streetscape it therefore fits more within a 30mph than 40mph, thus the Highway Authority would request the costs of a consultation process under a Section 106 as a contribution from the developer.
52. The Highway Authority has responded to concerns raised by Linton Parish Council (summarised at paragraph 17 above):
  - a. It is difficult to argue that such a low level of pedestrian/cycle use of the existing crossing will significantly impact upon the motor vehicle flows along the A1307. Since the Inspector's decision in 2005 the Pelican crossing has been installed (September 2006).
  - b. The ghosted right turn will not be sought due to the inadequate width of Cambridge Road at this point. Funding for a survey to provide a 30mph speed limit will be sought from the developer.
  - c. There is adequate provision for car parking within the site. The LHA does not accept that additional parking will take place on High Street due to the development

- d. Any cycle-and-ride facility is not a requirement of the LHA and would be provided at the discretion of the developer.
- g. The LHA is not requiring any street lighting.
- i. Surface water run-off onto the highway can be controlled by planning condition and through road adoption procedures.

### **Representations**

- 53. Letters of objection have been received from County Councillor John Batchelor and residents of 26 and 29 Cambridge Road.
- 54. Councillor Batchelor fully supports the addition of affordable housing and the benefits it will bring to the community, but has raised the following concerns :
  - a) Design: the block of flats have too much mass and will dominate the street scene. The village is largely rural. Even along the A1307 in the area of the development the main build form is bungalows/houses with substantial hedging. The design should be lighter and less urban. The height could be lowered by digging into the existing slope. With a more sensitive design an acceptable development could sit comfortably on this site.
  - b) The development goes against the policy of no development on the south side of the A1307.
  - c) Highway safety: Turning right off the A1307 could cause significant tailbacks and safety issues for the vehicle waiting on this busy road. Visibility could be another issue with buses stationary at the bus stop blocking the line of sight for vehicles exiting the site.
- 55. The issues raised by local residents are:
  - d) Concern about extra traffic. If the development is given the go ahead the Councils should seriously reconsider the speed limit through Linton. Even if each proposed dwelling had one car this would cause serious problems, especially when they have to stop in the middle of the road to turn right into the site. There are already too many junctions, traffic lights and crossings in that particular area: to have any further obstructions could cause a serious issue.
  - e) A recently made pre-planning request for an additional dwelling within the boundaries of 29 Cambridge Road was rejected because of the special area policy CH/10. Should this major application be approved the residents would expect their pre-application request to be reconsidered on the same terms.
  - f) An exchange of four houses on this plot to a 'max packed' 18 dwellings on the same plot does not comply with this special area policy and the residents would seek some consistency on this matter.
  - g) The hammerhead formed between the access to Flint Court and the new development seems a dangerous traffic arrangement and could potentially be more acceptable with a traffic speed limit reduction to 30mph (or better still 20 mph) or relocating the traffic lights or providing additional traffic lights?
  - h) The access to immediately neighbouring properties does not seem to have been considered in any way and was a main concern during the initial village hall

consultation. No improvement or amendments have been made to remove this issue.

i) The plans show three storey townhouses close to the main road with a verge and small garden area. This will create a tunnelling effect through the village and again feel a speed reduction would make these plans more supportable with a reduced quantity of houses but not whilst a 40mph limit is provided. Additionally the privacy of the people in these houses should be a consideration with double decker buses frequently stopping outside.

## **Agent's comments**

56. The agent has submitted further comments in response to concerns raised by Linton Parish Council and the Local Highway Authority:

- a. The appeal decision of 2005 should not be taken as a binding precedent for the determination of the planning proposals.
- b. Cycle parking: this meets the requirements of the Code for Sustainable Homes.
- c. External lighting will comply with the requirements of Policy NE/14.
- d. The development will include environmental measures to achieve Code 3 of the Code for Sustainable Homes e.g. aerator taps and dual flush WC's, water butts.
- e. Renewable energy proposals to at least 10% of predicted energy requirements will be employed, details to be agreed.
- f. Surface water drainage of the adopted access road will be developed to comply with Highways Standards.
- g. Occupancy policy for the units could prioritise those with a local connection if agreed by the Council.
- h. The applicants would be willing to contribute to the advertising costs of a scheme to reduce the speed limit to 30mph.
- i. A ghosted right hand turn is not feasible due to the already existing accesses opposite.
- j. Bus stop clearways can be secured as part of the post-planning highways works.
- k. The manoeuvring of vehicles in/out of the parking spaces for Units 1 and 5 will not give rise to highway dangers.
- l. Any recent accidents on the A1307 would have been taken into account by the Highway Authority in coming to its recommendation.
- m. A minor change to the application site area has been made to ensure that all land at the site entrance is within the applicant's ownership.

## **Planning Comments**

*Principle of development*

57. The submitted proposal does not comply with Policy CH/10 Linton Special Policy Area. In assessing the application Members will wish to consider whether there are grounds to consider the principle of provision of affordable housing on the site as being acceptable as a departure to Policy CH/10.
58. The NPPF sets out a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan, and where relevant policies in the development plan are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (NPPF para. 14). The Planning Policy Manager has indicated that Policy CH/10 remains extant and applicable to applications for residential development in the Special Policy Area, but that consultations are taking place as part of the emerging Local Plan as to whether the policy should be retained or amended. The policy approach was upheld by Planning Inspectors on planning appeal in 2005 and in the adoption of the Local Development Framework Development Control Policies DPD in May 2007. The Pelican crossing in Cambridge Road was installed in September 2006, and it is not clear whether the Inspector took this change in circumstance into account in reaffirming the policy approach.
59. The majority of local services are within 1km walking distance of the site, with Linton Heights Junior school being 1.2km away, still within the distance of 2km with the potential to replace short car trips according to guidance provided by Department for Transport in 'Manual for Streets' (2007). With the provision of the Pelican crossing to/from High Street providing protected access the case for maintaining that there is 'poor access to the village facilities and services' (Policy CH/10) from the application site is technically weak.
60. Policies for the delivery of housing in the LDF are out-of-date when assessed against NPPF advice as there is less than 3 years supply of housing land with planning permission in the District. The Council's Affordable Homes Manager has advised of a housing waiting list of over 3,000 persons in the District and that the proposal fits well with local affordable housing need requirements. The development represents a significant public benefit by the provision of affordable housing.

*Amount, Scale and Design*

61. The density of development (36.3 dwellings per hectare) is less than required under Policy HG/1 for a sustainable location (40 dwellings per hectare) but when account is taken of the need to preserve the setting of the conservation area, and that the scheme has been drawn up to meet a particular local housing need in terms of dwelling size, the shortfall in density is considered to be justified.
62. The agent has indicated that the current proposal represents the minimum number of dwellings to provide a viable scheme. Prior to submission the applicant had proposed two additional units, and these were deleted to increase the amount of public space on the site and to retain existing mature Silver Birch.
63. The siting of three-storey dwellings on the frontage of the site represents a significant change to the appearance of the street-scene to the south of Cambridge Road. A similar terrace of building is located on the north side of Cambridge Road at Flint Court. These flats are of two-storey height (8 metres) compared with the proposed application site frontage block of 11.1 metres to gable, dropping to 10.2 metres height at the apartments on Plots 6 to 9. The adjoining two-storey dwelling to the east, No.5 Cambridge Road, has a ridge height of 8.5 metres. The proposed dwellings on the

frontage will be the tallest of the collection of buildings in this part of Cambridge Road, but it is considered that the sense of enclosure that would arise from the proposed development would be successful in providing a stronger visual definition to the street scene and, with suitable selection of external materials, would provide a visual grouping with the existing units at Flint Court. The gap of 16 metres between the proposed frontage development and the eastern gable end of No.5 Cambridge Road would prevent the taller buildings from dominating the more domestic scale of dwellings to the east.

64. The design of the amended proposal has introduced more variety and interest by breaking the ridge line and eaves level of the town houses and apartments. The staggered arrangement of the three main blocks of the frontage terrace has enabled the scale of the building to be broken into smaller elements, and the provision of timber panels and tiled timber door canopies has improved the visual appearance of the design.

### *Highway safety*

65. The Local Highway Authority has supported the proposal on highway safety grounds, and was involved in discussions about the design of the accesses and layout prior to the application being submitted. The concerns of Linton Parish Council, County Councillor Mr. Batchelor and local residents are noted, but have not been upheld by the Local Planning Authority as a ground for objection to the proposal. The submitted Transport and Access Statement states that the net traffic increase generated by the proposal would be insignificant at less than 1%. The report acknowledges that the pedestrian crossing impacts upon the through flow of traffic on Cambridge Road, and assesses the increase in red phase time as a result of pedestrian generation from the development to be 2 minutes per peak hour, or 3%. This is assessed as an imperceptible change for traffic on Cambridge Road. The Local Highway Authority has not required the provision of a ghosted right turn in Cambridge Road.

### *Other matters*

66. The concerns of local residents are noted and have been considered in the planning comments. The concern about bus movements and visibility at the new access will be brought to the attention of the Local Highway Authority.
67. The application is supported by a Sustainability Statement and details of measures to ensure energy efficiency and renewables can be required by condition to any planning permission granted.
68. The comments of the Corporate Manager (Health and Environmental Services) on noise and other environmental issues are awaited and will be reported in the written update to Members.

### *Conclusion*

69. The current application falls to be considered in the context of the local development plan and the more recent NPPF. Policy CH/10 is applicable. The concerns raised, including the degree of separation of the site from the facilities of the village, have been considered. Objectively, these facilities are within a reasonable walking distance of the site. The evidence put forward by the applicant, and supported by the Local Highway Authority, is that no undue dangers to pedestrians or disruption to traffic flows on Cambridge Road will arise from pedestrian and vehicular traffic generated by

the development. The public benefit from the scheme is in the provision of much needed affordable housing, and any off-site highway works agreed by the developer.

70. Taking into account the emphasis on the presumption in favour of sustainable development in the NPPF, on balance officers consider that the proposed development can be justified as a departure to Policy CH/10. Such a decision would not necessarily provide a precedent for other residential development in the Linton Special Policy Area, as each case would continue to be assessed on its merits, nor would it pre-empt the review of Policy CH/10 as part of the emerging Local Plan because of the specific details of this proposal. Should members be minded to approve the application reference to the Secretary of State would not be required in this case.
71. If approved, details of a Section 106 agreement are required to be progressed with the applicant and the County Council before a determination could be issued.

### **Recommendation**

72. Approval subject to the resolution of the S106 Agreement and the following conditions:
1. Time limit 3 years
  2. Approved plans
  3. Details of external materials
  4. Details of landscaping
  5. Tree protection during construction period
  6. Landscape and biodiversity implementation.
  7. Details of ramps and groundworks.
  8. Retention of obscure glazing to upper storey side windows in Units 8/9
  9. Provision and retention of car parking and cycle parking
  10. Details of access road drainage
  11. Details of management of construction traffic
  12. Details of a demolition method statement
  13. Details of external lighting
  14. Details of energy efficiency and renewable energy provision.
  15. Permitted hours of operation of power-operated machinery during construction period.
  16. As required by the Environmental Health Officer
  17. Remove permitted development rights

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

National Planning Policy Framework 2012  
South Cambridgeshire Local Development Framework (LDF) Core Strategy, 2007  
South Cambridgeshire Development Control Policies Development Plan Document, 2007  
SPD  
Strategic Housing Land Availability Assessment, 2012  
Village Classification Report, 2012  
Planning File ref S/2509/12/FL

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



**Parish Council Objections for proposed Residential Redevelopment at 9 -15  
Cambridge Road**

1. Linton Special Policy CH10

**POLICY CH/10 Linton Special Policy Area**

**South of the A1307 bypass at Linton, in the area defined on the Proposals Map, further residential development will not be permitted other than improvements to existing properties.**

**The southern part of the village, severed by the A1307 bypass, is characterised by three distinct uses; employment, a sensitive residential area much of which lies within the conservation Area, and the site of Linton Zoo. It is also isolated from the main village, and further residential development would not be sustainable with its poor access to the village facilities and services.**

- 1.1. This policy has been in place since 1993, and it is thought by SCDC planning department that there was a very similar localised policy in place prior to this date. The policy restricts further residential development because the A1307 acts as a barrier to this part of the village. This area is isolated from the main part of the village, the High Street and amenities.
- 1.2. The reasons for the policy to be included in the Local Plan have not disappeared. The area is still isolated from the main part of the village, and could be considered even more isolated since 1993. The main part of the village has developed significantly in the last twenty years, and the barrier created by the A1307 is more severe.
- 1.3. The only improvement in facilities for the area is that there is now a pelican crossing in place to help entry to the main village, replacing the original island crossing. This pelican crossing was required due to the significant increase in traffic flow on the A1307, and was necessary for existing residents as crossing the road was no longer an easy function. The pelican crossing already increases delays to traffic flow, and any increase to use, especially during peak times, will have a significant detrimental impact on traffic flow. There is a fine balance between the amount of use of the crossing, enabling existing residents to cross the A1307, and the delays caused to traffic flows by the use of the crossing. Considerable traffic modelling was undertaken prior to installation of crossing to ascertain whether its minimal use would not create prolonged queuing and was installed on the basis of its low use.
- 1.4. The policy has been agreed by the Inspectorate in 2004 and 2007, and was upheld in an appeal in June 2005 (Appeal ref: APP/W0530/A/05/1174838). The Inspector stated:

***“In my opinion the A1307 forms a significant barrier to pedestrian accessibility and I therefore consider it likely that a significant number of journeys to and from the appeal site would be by private car.....”***

and South Cambridgeshire District Council state

***”....Further development south of the A1307 road would be separated from services in the village by this busy road”.***

- 1.5. The Parish Council feels that any development south of the A1307 against the Special policy CH/10 would not only increase the use of the pelican crossing, but would also increase traffic movements in the vicinity as some residents of any new development “shun” using the pelican crossing and travel by car into the village. This would seem a “safer” option for many. There was an accident involving a pedestrian on the pelican crossing this winter. It would also be considered a better option for some residents to use their car due to the distance to facilities within the village, such as Linton Heights Junior School which is over a mile away from the proposed development.
- 1.6. Therefore the Parish Council believe the policy CH/10 should remain in place, with no exception to this policy. The only difference between today and when the policy was set up is that there is now a pelican crossing in place to help existing residents cross the A1307. The A1307 is now considerably busier than when the policy was instigated in 1993, with much increased traffic flow, and increased use of the pelican crossing must not be encouraged through residential growth south of the A1307, as this would have severe impacts on an already congested road. The crossing was necessary for the quality of life of existing residents, and should not be seen as the solution for this part of the village being detached from the main part of the village. This “detached” situation still exists.

## 2. Transport and Access Statement

- 2.1. The A1307 is one of the most congested of Cambridge’s commuter roads. It is the main access road to Haverhill, the fastest growing town in Suffolk. Traffic flows on the A1307 at peak times have increased 20% since 2004. Growth for Haverhill has been approved in the Core Strategy and traffic flows are expected to further increase another 30% at peak times. (350 per hour).
- 2.2. We note that one junction on the Cambridge Road will be removed; this is in line with the policy of Cambridgeshire County Council to reduce the number of junctions of the road. However note that the retained driveway will see a substantial increase in traffic.
- 2.3. Accident figures used in this assessment are dated. Within the last six months there have been two pedestrian accidents – one at the pedestrian crossing and one at the Linton Village College traffic lights. Pedestrians from the Industrial Estate use the traffic lights at the Village College as they feel very vulnerable walking on the footpath between the crossing and the Industrial Estate due to the proximity to the traffic.
- 2.4. The Parish Council does not agree that the development will have negligible impact on the traffic flows. Although the number of vehicles stated in the application is a negligible number compared to the overall traffic flow, the road is already at over capacity at peak times. Therefore any extra traffic flow, however “negligible” has the potential for a large impact. The PC also has concerns regarding the number of vehicles and the vehicle movements into the site, particularly at evening peak times. The transport assessment estimates that only 6 vehicles will enter the site at peak times. Looking at similar areas within the village this figure seems very low. Of the potential 28 or more vehicles on site, the Parish Council believe at least 12 of these will access the site from the Cambridge direction during peak times. The development has no provision for a right turn lane into the site. This not only creates a danger to cars turning right but also creates severe delays to the main flow of traffic to Haverhill. It must be taken into account that traffic flows at peak times have

increased significantly in both directions, and therefore during peak times there can be very few gaps between traffic.

- 2.5. Currently, between Station Road and The Grip, on the side of the road with the development, only three properties access the road. Should the development go ahead this will increase to 21. St Edmundsbury Borough Council has already raised concerns in the South Cambridgeshire Strategic Land Availability Assessment regarding the creation of additional delays on the A1307 by developing this side of the A1307, and any delays could increase the amount of rat running on local village roads – particularly the Back Road from Abington to Linton.
- 2.6. The A1307 already suffers with vehicles leaving the carriageway – since April 2012, No. 29 Cambridge Road has had two goods vehicles hit its boundary. The Parish Council has requested a 30mph speed limit for this area. The transport assessment shows mean speeds of 31/33mph and therefore to improve safety for the development believe that this should be implemented at cost to the developer.

*Front Garden of 29 Cambridge Road – April 2012*



*Outside 29 Cambridge Road - July 2012*

- 2.7. We appreciate that it would be necessary to move the bus stop, particularly due to the access problems of 5 Cambridge Road – however the PC wish to comment that this must not interfere with the safety of pedestrians using the bus stop. The bus stop must not be closed for anytime during the development as it is a vital village resource.

2.8. The Parish Council has concerns that due to the limited parking onsite, visitors will park at the top of Linton High Street. Parking in this area creates problems for vehicles and buses entering the village. The limited safe parking at the top of the High Street is vital for the village shops and facilities.

2.9. Prior to the recent CCC spending cuts, the site of the Police Houses was chosen for a small 'cycle and ride' facility. Cycle parking should be provided for Linton residents and those in the surrounding villages. A similar scheme is already in place in Horseheath. The Parish Council would like the developer to site a cycle rack for this purpose.

2.10. Although we appreciate that site visits are undertaken during office hours; we believe for the site to be assessed for transport issues then it is vital to inspect the site between 7am-8am and 5pm-6pm. This could be undertaken by video recording.

(We note the erroneous naming of bus stops within the village – there is no stop at The Crown, no stop for Hillway, but there is a stop at Swan Cottages)

### 3. Design & Setting

3.1. The general design is rather mundane, and more could be done to reduce the adverse impact on the village and neighbouring properties and enhance the street scene. Materials should match adjacent properties, especially those directly opposite the site.

3.2. Linton has a designated special conservation area, and this development, by its proximity, will impact upon this and adjacent historic buildings. The suitability of the design at the entrance to the historic village should be confirmed by the Conservation Officer as the Parish Council still has reservations.

### 4. Noise

4.1. The 'tunnel' effect of housing design is understood as a speed reduction measure, but this could channel road and industrial noise into the village and increase noise nuisance for the village, the High Street and the housing adjacent and opposite.

4.2. The noise issues have only been investigated within the development, and not in regard to the acoustic effects of the buildings on the village. Linton is already blighted by the noise from A1307 and industrial noise from industries along the A1307.

4.3. SCDC Environmental Services have already been involved with an investigation into the effects of industrial noise on the one of the properties in the High Street and the Parish Council would not want this new development to 'tunnel the industrial noise' and exacerbate the situation.

### 5. Lighting Scheme/Assessment

5.1. There appears to be no lighting assessment or scheme. A suitable lighting plan needs to be in place and approved by SCDC and the Parish Council prior to occupation. This scheme should include non-light-polluting external lights, street lights and motion sensitive outside housing lights. Inappropriate lighting could be distracting to motorists on A1307, and affect the neighbouring properties, especially due to the height of the proposed development with respect the main village area north of the a1307.

6. Sustainability

6.1. The development seems to lack sustainability aspects (solar panels, water collection, etc). The Parish Council would like to see more included.

7. Flooding

7.1. Issues regarding flood water are addressed only for within the site. It is quite possible that water will run down the site paths and road, affecting the pavement and A1307. Insufficient emphasis has been given to the effect of the development on the village, all surveys relating only to within-site aspects. Water run off also creates problems with ice in the winter and would not want this to affect either the footpaths or the A1307.

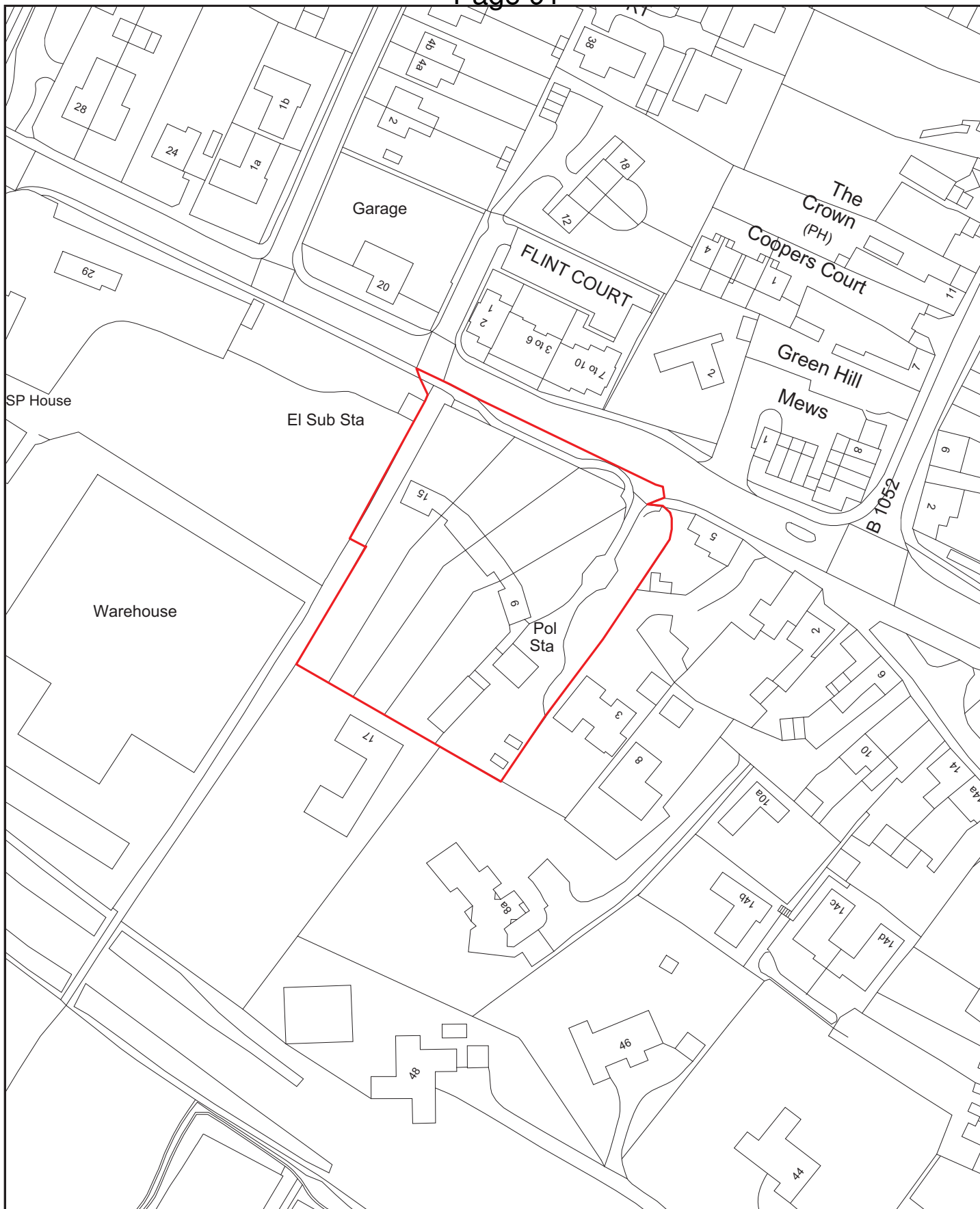
8. Planting

8.1. Black Poplar trees would be welcome, to extend the corridor for moth migration. The memorial tree must be retained. The rather bleak lines of the buildings and enclosures could be softened with appropriate planting schemes.

**If the scheme is approved:-**

- a. This area was long known as "The Rookery", and this historic name should be retained or an alternative sought with consultation from the Parish Council.
- b. The development potential of Linton is extremely limited as development is correctly being halted by the Highways Authority due to their concerns regarding the A1307 – this will create problems with affordable housing for Linton residents and keyworkers. We believe this development if passed will be an exception to policy CH/10 and as such we would like to see the tenancies agreements limited to those with Linton connections.
- c. Developer funding for 30mph speed limit (currently 40mph).

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/2403/12/FL – TEVERSHAM  
Two Storey Extension – South Cambridgeshire District Council**

**Recommendation: Approval**

**Date for Determination: 15 January 2013**

**This Application has been reported to the Planning Committee for determination because the applicant is the Council.**

**To be presented to the Committee by Andrew Winter**

**Site and Proposal**

1. The site comprises a semi-detached dwelling located within a residential cul-de-sac outside of the village framework and in the Cambridge Green Belt.
2. The application, validated on 20 November 2012, seeks permission for a two storey extension to the south-west side of the existing dwelling to provide improved facilities for a person identified with medical issues. The proposal has a hipped roof and would be set down in height from the existing roof ridge of the dwelling. Materials are proposed to match the existing dwelling.

**Site History**

3. No relevant history.

**Planning Policy**

4. The **National Planning Policy Framework (NPPF)** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein.
5. **South Cambridgeshire Local Development Framework Development Control Policies 2007:**  
**DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/7** Development Frameworks  
**HG/6** Extensions to Dwellings in the Countryside  
**GB/1** Development in the Green Belt  
**GB/2** Mitigating the Impact of Development in the Green Belt
6. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
District Design Guide SPD – adopted March 2010

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

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

8. Teversham Parish Council – No recommendation.

**Representations by Members of the Public**

9. None

**Material Planning Considerations**

10. The main issues in this case are:
- the impacts of the proposal upon the Green Belt and countryside;
  - the residential amenity of immediate neighbours;

**Green Belt and Countryside Impact**

11. Paragraph 89 of the National Planning Policy Framework allows for extension or alteration of a building in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.
12. In this instance, the proposal would appear subservient and proportionate to the main dwelling, with a lower roof height and a shorter width and length than the existing building. Overall, the proposal would result in a 22% increase in the gross internal floor area and a 23% increase in the volume of the original building and this is considered to be sufficiently proportionate to the main dwelling to amount to appropriate development in the Green Belt in accordance with paragraph 89 of the NPPF.
13. The design of the proposal is simple and would continue the hipped roof form of the existing dwelling to appear in scale and character with the existing dwelling. The extension would also lead to a relatively limited increase in the floor space of the dwelling, providing further facilities in the building to meet the needs of the occupants but also retaining a small/medium sized 3 bedroom dwelling in the countryside. Consequently, the proposal is considered to accord with the aims and objectives of Policy HG/6.

**Residential Impact**

14. The nearest neighbouring property affected by the proposal is located to the west at 15 Ferndale. The proposed extension would be distanced 3.5m from the side boundary with this neighbour and would face a side, single storey garage and a first floor, obscured window in the north-east elevation of the dwelling. The limited size and scale of the proposal, its orientation and its position near to the neighbouring garage are considered to mitigate its impact upon the immediate neighbour in terms of overbearing and overshadowing impact.

15. No first floor windows are proposed in the south-west elevation of the extension and a condition is recommended to control such openings in the future to avoid significant loss of privacy to the immediate neighbour at No.15.
16. Consequently, the development is not found to result in an unacceptable adverse impact upon the residential amenity of immediate neighbours in accordance with Policy DP/3.

**Recommendation**

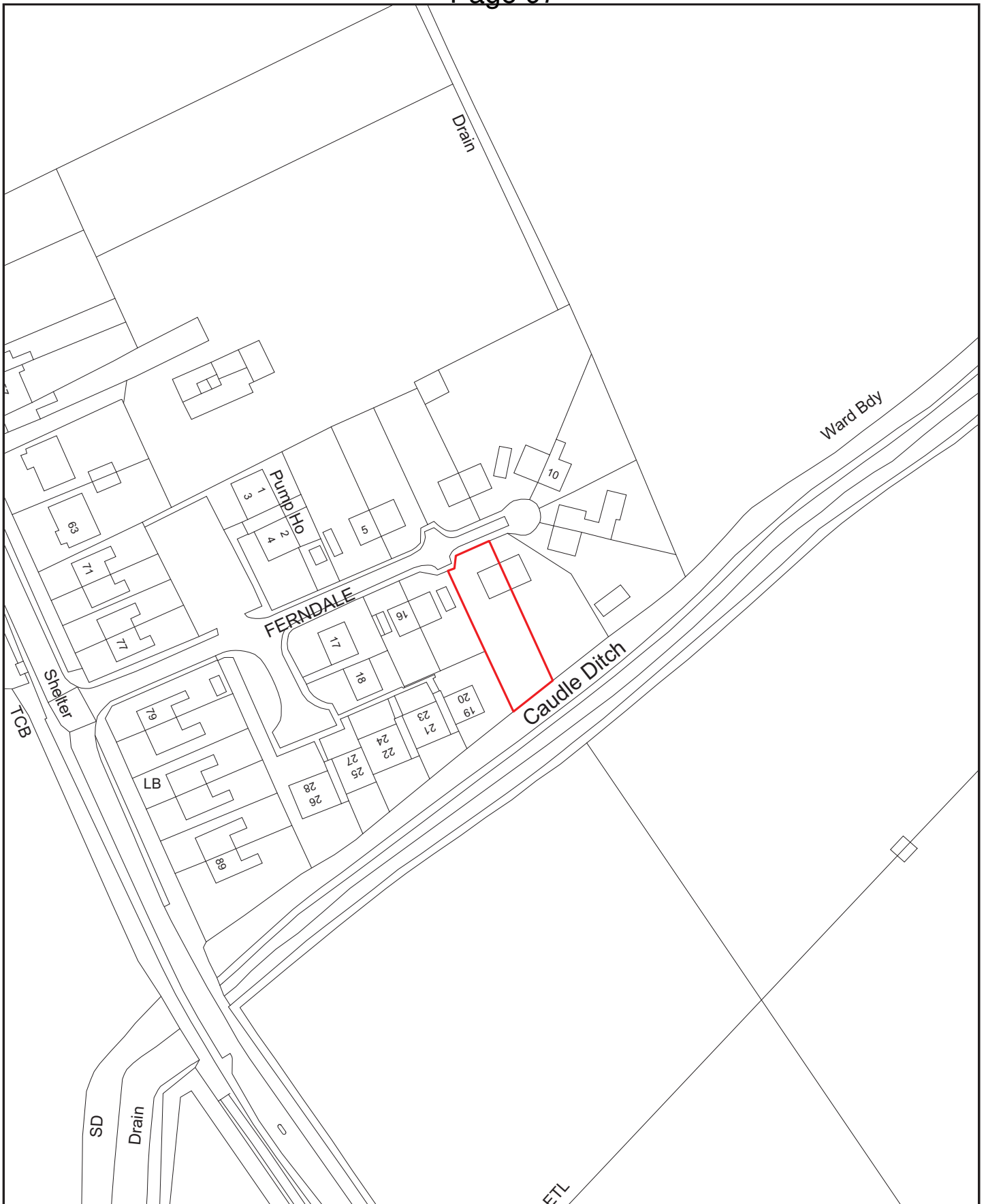
17. Approval, subject to the following conditions:
  1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. **The development hereby permitted shall be carried out in accordance with the following approved plans: FDT-01 and FDT-02.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  3. **The external materials of construction for the building works, hereby permitted, shall be either identical to those used for the existing building or shall be approved in writing by the Local Planning Authority prior to any development commencing. The development shall be carried out in accordance with any approved details.**  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policies GB/1 and HG/6 of the adopted Local Development Framework 2007.)
  4. **Any window, door or opening of any kind constructed in the south-west elevation of the extension at and above first floor level shall be:**
    - (i) permanently fitted with obscure glazing, and
    - (ii) non-opening unless the part of the window, door or opening is more than 1.7m above the floor of the room in which it is installed.  
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- Local Development Framework Development Control Policies DPDs and Supplementary Planning Documents.
- National Planning Policy Framework

**Contact Officer:** Andrew Winter - Planning Officer (Tel: 01954 713082)

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 February 2013

**AUTHOR/S:** Planning and New Communities Director

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**S/1771/12/FL – OVER****Erection of Dwelling – Land S/E of, Mustills Lane, Over for Mr Sean Baker****Recommendation: Approve****Date for Determination: 14 January 2013****Notes:**

**This Application has been reported to the Planning Committee because the Parish Council's recommendation of refusal is contrary to Officer recommendation of approval.**

**To be presented to the Committee by Matthew Hare****Site and Proposal**

1. The application site is a parcel of land that forms part of the garden serving the existing dwelling at 1 Mustills Lane, immediately inside the village development framework for Over.
2. The plot is currently laid to lawn. The boundaries for the plot are characterised by a strong historic hedgerow, which measures approximately 3m in height, that runs along the boundary shared with Longstanton Road to the north, whilst mature planting also separates the plot from the adjoining paddock land to the east and the curtilage serving the neighbouring dwelling to the south.
3. The application seeks approval of the erection of a single storey dwelling including a means of access from Longstanton Road.

**Planning History**

4. **S/0167/11** - Erection of a Dwelling and Garage (Outline) - Refused for design and residential amenity issues largely arising from the scale of the proposal.

**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

**SF/10** Outdoor Playspace, Informal Open Space, and New Developments  
**SF/11** Open Space Standards  
**NE/1** Energy Efficiency  
**NE/2** Renewable energy  
**TR/1** Planning for more Sustainable Travel  
**TR/2** Car and Cycle Parking Standards

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

6. **Over Parish Council** – Recommends refusal, making the following comments:

Our concerns are based on the fact that we believe access onto the main road at the proposed juncture is dangerous as the road is narrow and there is no footpath here either, we also feel that the visibility splays shown on the plan are inaccurate. We also have concerns with the construction traffic and if the Council does grant this application we would like to request that conditions be imposed to ensure all construction and delivery traffic park on site not on the road.

7. **Local Highways Authority** – Has no objections, recommends a number of standard conditions regarding:

- Retention of visibility splays
- Surface water drainage
- Use of a bound material for driveway

**Representations by members of public**

8. 1 Letter of representation received from the occupant of Meadow Mouse Farm, raising the following concerns:

- Loss of privacy to Meadow Mouse Farm (and the proposed dwelling)
- Harm to highway safety

**Material Planning Considerations**

9. The key issues for consideration in this instance are; the principle of development, character and appearance, residential amenity and highway safety.

**Principle of Development**

10. In accordance with the guidance set out in the NPPF it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential in a loose knit form within close proximity of the application site. The site and density of the proposal relate well to the prevailing pattern of development and to this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.



11. The site measures approximately 0.037ha, thus a single dwelling on the site represents a development density of approximately 27dph. This is slightly below the Council's density targets but not to such an extent that the development would represent an inefficient use of land.

### **Character and Appearance**

12. The proposed dwelling is single storey in scale and such would not appear unduly prominent when viewed from outside of the site. The design is relatively simple in form and proposes the use of suitably contextual materials (timber boarding and slates).
13. In the event of approval it would be reasonable and necessary to apply a conditional requirement to control the precise details of external materials to ensure that they relate to other local examples.
14. At present the site is screened from Longstanton Road by a hedgerow. The proposals show this hedgerow to be retained except where the vehicular access to the site is proposed, this would require a 3m section of hedge to be removed with 2m either side reduced to 600mm in height to accommodate the requisite pedestrian visibility splays.
15. The hedge contributes to the character of this part of the village so it is important that it is retained where possible. Currently the hedge benefits from no protection but through granting planning permission the Authority could secure its retention in perpetuity by conditional requirement.
16. Having regard to the above it is considered that the proposals overcome the previous reasons for refusal of planning application S/0167/11 and accord with the Council's general design requirements.

### **Residential Amenity**

17. Officers consider that the scale and location of the proposed dwelling are such that there would be no significant adverse impact upon adjacent residential properties by way of overshadowing or overbearing.
18. The occupant of Meadow Mouse Farm raises concern for loss of privacy to Meadow Mouse Farm as a result of the Proposals. Officers note that Meadow Mouse Farm benefits from a private external amenity area that would be unaffected by the proposals.
19. Furthermore the scale of the development (single storey) is such that there would be no windows that would afford an elevated view of the curtilage of Meadow Mouse Farm. The occupant is concerned for views through the boundary hedge that divides the sites - this could reasonably be addressed through the erection of a close boarded fence and could form a condition of any consent.
20. Concern is also raised that the residential property known as Stable Cottage would afford views over the site that would be to the detriment of end users (should permission be granted). The Council requires a distance of separation of approximately 15m between first floor windows and site boundaries in accordance with the Design Guide SPD. The distance of separation is slightly less at approximately 13m, but given the oblique relationship between these

two sites this is not considered to be a sustainable reason for refusal in this instance.

21. Officers reach the conclusion that there would be no significant adverse harm to residential amenity in this instance.

### **Highway Safety**

22. Residents and the Parish Council raise concerns for harm to highway safety as a result of the proposed vehicular access onto Longstanton Road. The Local Highways Authority however, raises no concerns for the impact of the access upon highway safety.
23. A number of standard conditional requirements are recommended (retention of visibility splays, drainage and use of bound material) and these are all considered reasonable and necessary.

### **Further considerations**

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, community facilities and refuse infrastructure in this instance. To this end the applicant has entered into a S106 agreement which has been engrossed.
25. The Parish Council requests a construction management plan to form a conditional requirement in the event of approval. The reason given is to ensure that construction and delivery vehicles park on the site and not on the road. The highway adjacent to the site is free from parking restriction and blockage or obstruction to the highway during construction would be dealt with under other legislation. As such a condition would not meet the tests of circular 11/95 in this instance and hence would be inappropriate.

### **Conclusion**

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

### **Recommendation**

27. Approve subject to conditions.

### **Conditions**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans & Documents: 1MULA3-01, 1MULA3-02B, 1MULA3-03 & LD12192**

(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure that appropriate tree protection is carried out during construction)

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

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

4. **The 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.)

5. **All hard and soft landscape works shall be carried out in accordance with the approved details as shown on plan ref LD12192. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

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

6. **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 and gates to be erected. The boundary treatment and gates shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.**

(Reason - To ensure that the appearance of the site does not detract from the character of the area and in the interests of residential amenity in accordance with Policies DP/2 & DP/3 of the adopted Local Development Framework 2007.)

7. **The driveway and hardstanding, hereby approved, shall be constructed such that no surface water run-off is discharged on to the public highway. This arrangement shall be retained for so long as the hardstanding remains.**  
(Reason - To ensure that the development does not negatively impact on site highway safety in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
8. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
9. **The visibility splays shown on plan ref 1MULA3-02B shall be provided on both sides of the access prior to the occupation of the dwelling, hereby approved, and shall be maintained free from any obstruction over a height of 600mm in perpetuity.**  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007

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



**South  
Cambridgeshire  
District Council**

**Planning Dept - South Cambridgeshire DC**



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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 February 2013

AUTHOR/S: Planning and New Communities Director

**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 25 January 2013. 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/0114/12/FL	Mr P Bannister 20 Iedo Road Duxford Alterations and Conversion to service yard to utility room, entrance lobby	Allowed	03/01/13
S/0115/12/LB	Mr P Bannister 20 Iedo Road Duxford Alterations and Conversion to service yard to utility room, entrance lobby	Allowed	03/01/13
S/0630/12/FL	Mr J Stephens Middlefield Bassingbourn Road Litlington Dwelling and double garage	Dismissed	03/01/13
S/0624/12/FL	Mr & Mrs Roberts Land at Church Lane Graveley Dwelling	Dismissed	03/01/13
S/0705/12/LB	Mr J Farquhar Homefield High Street Abington Pigotts Rear Extension as Garden Room	Allowed	03/01/13
S/0706/12/FL	Mr J Farquhar Homefield High Street Abington Pigotts Rear Extension as Garden Room	Allowed	03/01/13

S0059/12/FL	The Abbey Group Cambridgeshire Ltd Land at Caxton Gibbet, St Neots Rd Caxton Drive Thru Restaurant, parking and associated work	Withdrawn	15/01/13
S/1569/12/FL	Mrs S Vazhappilly 29 Lucerne Close Fulbourn Two storey side extension	Dismissed	18/01/13
S/1379/12/FL	Mr S Henry-Warby 10 Elin Way Meldreth Rear Extension	Dismissed	21/01/13

## 3. Appeals received

Ref. no.	Details	Decision	Decision Date
S0059/12/FL	The Abbey Group Cambridgeshire Ltd Land at Caxton Gibbet, St Neots Rd Caxton Drive Thru Restaurant, parking and associated work	Refused	04/01/13
S/2221/12/FL	Mr & Mrs B Grove Land adjacent 64 Water Lane Oakington Dwelling	Refused	03/01/13
S/1814/12/FL	Mr P Owers Summerhill Tinkers Lane Kingston Two dwellings following demolition of existing dwelling	Refused	10/01/13
S/2020/12/FL	Dr S Sangray Cadwin Nurseries 37a Rampton Road Willingham Siting of portakabin for educational purposes (Class D1)	Refusal	11/01/13
S/1689/12/FL	Mr P Collis 1 Hinton Road Fulbourn Extensions and widening of existing	Refusal	21/01/13



	access		
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4. **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 6 February 2013.**

Ref. no.	Name	Address	Hearing
S/0041/12/FL	Mrs K O'Brien	WaterLane Smithy Fen, Cottenham	12- February 2013 Offered
S/2317/11	Barretts Eastern Counties & CJ Abbs	Long Lane Cottenham	19 February 2013 Confirmed

**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

6 February 2013

AUTHOR/S: Planning and New Communities Director

## ENFORCEMENT REPORT

## Purpose

- To inform Members about planning enforcement cases, as at 24<sup>th</sup> January 2013. Summaries of recent enforcement notices are also reported, for information.

## Enforcement Cases Received and Closed

Period	Cases Received	Cases Closed
December 2012	24	32
November 2012	39	33
October 2012	62	45
Q 1 (Jan – March) 2012	127	107
Q 2 (April – June ) 2012	107	96
Q 3 (July – September) 2012	98	148
<b>Total YTD</b>	<b>457</b>	<b>461</b>

## Cases on hand:

- Target 150
- Actual 116

## Notices Served

Type of Notice	Period	Year to date
	December 2012	2012
Enforcement	0	4
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	0
S215 – Amenity Notice	0	2
Planning Contravention Notice	2	9

Injunctions	0	1
High Hedge Remedial Notice	0	0

#### Notices issued since the last Committee Report

Ref. no.	Village	Address	Notice issued
PCN008/12	Fen Drayton	Mill Pond High Street	Planning Contravention Notice
PCN009/12	Eltisley	Wood View Potton End	Planning Contravention Notice

7. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
8. Full details of enforcement cases can be found on the Councils Web-site

#### Updates on items outstanding from the disbanded Planning Enforcement Sub-Committee

9. Updates are as follows:
- a. **Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**  
The direct action approved by the Planning Sub-Committee was challenged in the High Court and leave was granted to apply for a Judicial review (JR) – Upon advice from Counsel the direct action was suspended to avoid a costly legal challenge. A comprehensive file has been compiled relating to the planning and enforcement information to-date and is now to be reviewed by Counsel with a view to take alternative action. Further inspection of the land has been carried out with the results being compiled along with witness statements as part of the action currently being instigated. Work in progress.
  - b. **Q8, Foxton**  
Senior Lawyer informed Members that the planning application had still not been made.
  - c. **Moor Drove, Histon**  
Enforcement notice ENF/301/11 issued 13th April 2012 relating to plot 4 Moor Drove, re Storage of scrap materials and stationing of a container – Progress being made re the removal of materials however further inspection carried out on the 29th August 2012 revealed compliance with the enforcement notice still not fully carried out. Matter discussed with Legal - Warning letter issued requesting full compliance by the owner with the enforcement notice. Partial compliance with the notice made - Planning application submitted 1<sup>st</sup> October ref 2062/12/FL to address outstanding matters. Application now validated,

No further progress at the time of this report

**d. 23 Howard Road Meldreth**

Section 106 outstanding payments. Matters now resolved papers to be returned to mortgage provider for execution – Once completed this will put in place an agreement for regular staged payments. No further progress at the time of this report

**e. Whittlesford – Scrapyard**

Issues relating to mud on road have been addressed by County Council. Matters' relating to noise are being progressed - Retrospective planning application to be submitted for the weighbridge and separate planning application for the boundary fencing. Acoustic fencing scheme submitted for consideration – Retrospective application to follow once scheme accepted in principal. Application received, waiting validation – No further progress at the time of this report

**Summary**

10. The number of enforcement cases investigated during the December period showed a 41.5% reduction when compared to the same month in 2011. Year to date 2012 revealed that the overall number of cases was down by approximately 1.51% which equates to 7 cases.

The numbers of cases on hand are 22.6% below the expected number of cases per enforcement officer for the same period.

11. In addition to the above work officers are also involved in the Tasking and Coordination group which deals with cases that affect more than one department within the organisation.

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

**Contact Officer:** Charles Swain  
Principal Planning Enforcement Officer

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