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25 February 2014

To: Chairman – Councillor Lynda Harford
Vice-Chairman – Councillor Brian Burling

All Members of the Planning Committee - Councillors David Bard, Caroline Hunt, Sebastian Kindersley, Raymond Matthews (substitute for Robert Turner), David McCraith, Charles Nightingale (substitute for Val Barrett), Deborah Roberts, Ben Shelton, Hazel Smith, Aidan Van de Weyer (substitute for Tumi Hawkins) 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, 5 MARCH 2014 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

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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 (revised May 2013) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

1. Apologies

To receive apologies for absence from committee members. Apologies have been received from Councillors Val Barrett, Tumi Hawkins, Ben Shelton and Robert Turner.

2. **Declarations of Interest** 1 - 2

3. **Minutes of Previous Meeting**

To authorise the Chairman to sign the Minutes of the meeting held on 5 February 2014 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

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OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study 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 focusing 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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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'.

Agenda Item 2

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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Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2479/13/FL
Parish:	Melbourn
Proposal:	Conversion of B1 office units to holiday accommodation (4 units)
Site address:	Grange Farm, Newmarket Road, Flint Cross
Applicant:	Mr Clive Onslow
Recommendation:	Delegated Approval
Key material considerations:	Principle, residential amenity, character of area, highway safety
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Melbourn Parish Council
Date by which decision due:	30 January 2014

Planning History

1. S/0641/10 – Erection of 3 commercial buildings for B1 and B8 use - Approved

Planning Policies

2. *National Planning Policy Framework*
3. *Local Development Framework*

DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/7 – Development Frameworks

ET/10 – Tourist Facilities and Visitor Accommodation
NE/15 – Noise Pollution
TR/1 – Planning for More Sustainable Travel

4. *Draft Local Plan*

S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
HQ/1 – Design Principles
E/20 – Tourist Accommodation
TI/2 – Planning for Sustainable Travel

5. *Supplementary Planning Documents*

Open Space in New Developments SPD 2009
District Design Guide SPD 2009

Consultations

6. **Melbourn Parish Council** recommends refusal. 'The surprising lack of a design access statement given the nature of this development proposal on a significant commercial site causes refusal.'
7. The **Local Highway Authority** has no objections.
8. The **Environmental Health Officer** acknowledges that there could be possible noise issues given the close proximity to industrial units. Although the application is for holiday let, there is the potential for possible noise nuisance complaints on long-term lettings, therefore it is recommended that the short-term let is specified for a maximum 2-week period.

Representations

9. None received

Planning Comments

10. Grange Farm comprises a house, flat and series of buildings used for commercial purposes. It is located on elevated land north of the A505, west of Flint Cross.
11. The full application, as amended by drawings received 6 February 2014, proposes the change of use of an existing unoccupied commercial building to four holiday units for let, two at ground floor and two at first floor. The proposal involves revisions to the approved fenestration details, and the construction of an external stairwell on the west elevation. Six car parking spaces are provided.
12. The application building is one of three granted consent in 2010 for B1 and B8 use, to replace former buildings on the site destroyed by fire. The other two buildings have not been constructed.
13. To the west of the access roadway, opposite the application site, are two former agricultural buildings, not within the ownership of the applicant, which are now used for commercial purposes. One of these buildings benefits from consent for use as a commercial vehicle body building and painting workshop.

Principle of development

14. The conversion of rural buildings to short-term holiday lets is supported by Policy ET/10, and Policy E/20 of the emerging plan. The applicant has indicated that the building has been advertised for commercial use but occupiers have not been found. The Parish Council's concern is that the application should be accompanied by a Design and Access Statement. This is incorrect and a statement, albeit brief, has been submitted and is sufficient to explain the proposal that has been submitted.
15. Although the site is not served by public transport, and therefore occupiers of the holiday lets will be reliant on the use of the private car, officers are of the view that the limited scale of the use proposed means that the development is not unsustainable.

Residential amenity

16. The location of the building, with commercial uses on three sides, is not one which is ideally suited to residential use. When officers were carrying out the site visit the level of noise emanating from the commercial use of the building, outside the control of the applicant to the west of the site, was such that it would have been likely to cause a nuisance to nearby residential occupiers.
17. The Environmental Health Officer has confirmed that the site would not be suitable for permanent residential use, or long-term lets, however has accepted that if lets are restricted to periods of no more than two weeks, the use on this short-term basis would be acceptable.
18. A condition can be imposed on any consent limiting occupancy to periods of no more than two weeks, and requiring the applicant to keep a log of lets available for inspection.

Character of the area

19. Although the application involves alterations to the fenestration details of the building, and the addition of an external staircase, it will not materially alter the impact of the building on the character of the area.

Highway safety

20. The proposed use as holiday lets is likely to result in a reduction in the number of vehicles movements, which will be mostly by car. Adequate car parking is provided. There is therefore no objection on highway safety grounds.

Recommendation

21. That the application is approved:

Conditions

- (a) Time limit – 3 years
- (b) List of approved plans
- (c) The holiday let accommodation, hereby permitted, shall not be used or occupied by any person(s) permanently as his/her or their home nor occupied or let upon any terms which provide or confer security of tenure; and they

shall not be occupied at all (meaning no personal possessions other than those of the owner that are associated with the holiday lets, shall remain there) for a period of more than 2 consecutive weeks by the same person(s) unless previously agreed with the Council in writing. Evidence of this will be required from the owner when Council monitoring takes place following the commencement of the use, hereby permitted.

(Reason – The site lies in the open countryside outside the village framework where permission would not normally be granted for permanent dwellings for purposes not associated with agriculture or other uses which need to be located in the countryside. It is also close to, and therefore should be protected from, an existing source of industrial noise which could lead to complaints from residents in the long-term in accordance with Policies DP/7 and NE/15 of the adopted Local Development Framework 2007).

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/2479/13/FL

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



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Scale - 1:2500

Time of plot: 10:17

Date of plot: 13/02/2014



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Cambridgeshire
District Council**

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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2616/13/FL
Parish(es):	Meldreth
Proposal:	Development of solar photovoltaic panels and ancillary structures including; field transformers, auxiliary transformer, inverter housing, communication room, district network operator building, switch room building, access tracks, security fencing and security cameras
Site address:	Bury Lane Fruit Farm, Melbourn Bypass, Meldreth, Roston, SG8 6DF
Applicant(s):	EW Pepper Ltd
Recommendation:	Approval
Key material considerations:	Principle of development; Impact upon the landscape character; Ecology; Flood Risk; Highway Issues; Impact upon Residential Amenity; Archaeology; Landscaping; Loss of Agricultural Land; Crime and Disorder Act 1998 and Other Considerations
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Andrew Fillmore
Application brought to Committee because:	The officer recommendation is contrary to the views of the Parish Council
Date by which decision due:	19 March 2014

Planning History

1. No relevant planning history.

Planning Policies

2. National

3. National Planning Policy Framework
4. DCLG Publication: Planning Practice Guide for Renewable and Low Carbon Energy
5. Written Ministerial Statement by the Secretary of State for the Department of Communities and Local Government 'Local Planning and Renewable Energy Developments'
6. *Adopted Local Development Framework, Development Control Policies*
 - DP/1 Sustainable Development
 - DP/2 Design of New Development
 - DP/3 Development Criteria
 - NE/2 Renewable Energy
 - NE/4 Landscape Character Areas
 - NE/6 Biodiversity
 - NE/11 Flood Risk
 - CH/1 Historic Landscapes
 - CH/3 Historic Buildings
 - NE/17 Protecting High Quality Agricultural Land
 - CH/4 Development within the curtilage or setting of a listed building
 - TR/3 Mitigating Travel Impact
7. *Draft Local Plan*
 - S/3 Presumption in Favour of Sustainable Development
 - CC/1 Mitigation and Adaptation to Climate Change
 - CC/2 Renewable and Low Carbon Energy Generation
 - CC/8 Sustainable Drainage Systems
 - CC/9 Managing Flood Risk
 - NH/2 Protecting and Enhancing Landscape Character
 - NH/4 Biodiversity
 - TI/2 Planning for Sustainable Transport
 - TI/3 Parking Provision
8. *Supplementary Planning Document(s)*
 - Listed Buildings SPD – adopted July 2009
 - District Design Guide SPD – adopted 2010

Consultations

9. **Meldreth Parish Council** - Recommend refusal for the following reasons;
 - The size of the proposal (47 hectares), we understand is the largest currently being considered by SCDC and is comparable to the development area of Meldreth village
 - There will be a visual impact from high ground nearby and some local areas
 - Possible reflection hazard for trains passing immediately by the site aircraft overhead from Meldreth airfield
 - Loss of Grade 2 arable farmland for at least 25 years
 - There is already a proposed solar farm at Orwell and another in Melbourn. Our research of the SCDC website has shown there are already 13 applications pending (6 for full planning and 13 requesting EIA clearance) and 4 approved. There may be others at pre-application stage. Meldreth Parish

Council believes that because of this and due to the size of this application it should be looked at a part of the whole solar development within the South Cambs area from the standpoint of how much arable farm land we should lose or what is the fair burden we should bear on the landscape.

10. **Melbourn Parish Council** - Recommend approval. Use of concrete road preferred, S106 needs to benefit all communities affected by the development (Melbourn and Meldreth). A10 traffic management.
11. **South Cambridgeshire District Council (SCDC) Environmental Health (Contaminated Land)** – The application contains the potential to import quantities of soil onto the site, recommend a condition requiring a chain of evidence of all material imported onto the site.
12. **National Grid** – Due to the presence of National Grid apparatus in proximity to the specified area the contractor should contact National Grid before any works are carried out.
13. **Cambridgeshire County Council Archaeology** – The site is located in a landscape of high archaeological potential, with ring ditches likely representing Bronze Age burial mounds and enclosures of pre-historic or Roman date. These significant archaeological remains would be severely damaged or destroyed by the proposed development. Advise further information (archaeological evaluation) is necessary.
14. **NetworkRail** – No objection. To mitigate the impact of glint/glare from the solar panels affecting train drivers vision of signals a condition is recommended requiring screening be provided. Vegetation and planting would provide a suitable means of screening.
15. **Environment Agency** – No objection on flood risk grounds. We have reservations regarding surface water drainage from solar farms and have no long term records to date. We cannot therefore predict what can happen and recommend an ongoing inspection to ensure any problems with runoff are picked up at an early stage.
16. **SCDC Landscape** – No objection. Recommend conditions relating to provision of hard and soft landscaping works, tree/hedgerow protection, 5 year replacement planting plan, boundary treatment and 10 year maintenance and management plan.
17. **English Heritage** – The development would cause harm to the setting of Grinnel Hill Schedule Ancient Monument which could be reduced by sensitive landscape planting along the eastern edge of the solar farm to screen the panels from views from the monument. The proposal is located in an area of high archaeological potential, and it is recommended that determination be deferred until a programme of archaeological assessment has been undertaken to inform the suitability of the proposal
18. **Local Highway Authority** – Object. The Highways Authority has concerns in respect of the movement of HGV's and seeks empirical data showing periods of maximum and minimum deliveries to the farm shop. The applicant will need to provide a Traffic Management plan to demonstrate these time frames will be avoided.

Representations

19. 17 letters of representation have been received, including from the consultation exercise undertaken by the applicant.

20. 16 of these oppose the application for the following reasons;
- excessive size of the development
 - considers it unfair that the price of electricity is inflated due to the subsidies for the installation of solar panels
 - question how farmers can increase food production if the panels are granted
 - the development would be better mounted on either an industrial building or floated on a new agricultural reservoir in Norfolk
 - question if sufficient grass would grow to sustain sheep under solar panels
 - too close to property ruining views across field
 - will lead to an increase in crime
 - will disturb wildlife during construction
 - will be visible from the footpath over the railway bridge
 - result in traffic problems on the A10
 - issues with microclimate
 - concerns over vermin control
21. One letter of support has been received citing the sites ideal location with the development resulting in a low visual impact.

Planning Comments

22. The site includes 45 hectares of agricultural land comprising three fields located to the west of the A10 and Cambridge-London railway line outside the villages of Melbourn and Meldreth. This Grade 2 agricultural land is currently used for crop planting.
23. The land slopes gradually, with the north of the site set circa 10m lower than the southern end. Vegetation can be found around the perimeter.
24. Two public footpaths can be found in the locality. Harcamlow Way (Byeway/Long Distance Route) runs parallel with the southern edge of the site, with a public footpath to the north.
25. Vehicular access is proposed via the existing arrangements serving Bury Lane Fruit Farm during the construction phase (18 weeks), with the temporary storage compound positioned to the rear of the shop. Post construction the maintenance vehicles will access the site from a track directly off the A10 approximately 350m south of the fruit farm entrance.
26. The site lies entirely within the parish of Meldreth.
27. Full planning permission is sought for a temporary 25 year consent for a solar farm with an output of approximately 24MW of electricity on a site of circa 47 hectares. The proposed development involves the installation of approximately 94,000 fixed panels mounted on metal frames set at an angle of 25 degrees facing south with maximum and minimum heights of 2.5m and 0.9m above ground level. These non-reflective panels will be of a dark blue/grey appearance arranged in rows running east to west, with the rows separated between 4-6m to avoid overshadowing. The panels are fixed into position through piles to a depth of between 1 and 2m.
28. Additionally the development includes 15 no. inverter stations (5.6m x 1.3m x 2.3m height), 15 pairs of two transformers (6.1m x 2.5m x 2.6m maximum height), a switchgear enclosure (3.9m x 4.4m x 3m height) along with a number of supporting buildings including site transformer (6.1m x 2.5m), communications building (7.2m x 3m) and underground cabling, temporary construction storage compound and CCTV

cameras installed on 3m high posts (no lighting) all of which is to be enclosed by security fencing around the perimeter comprising 2m high deer fencing with timber posts and a wire mesh.

29. Installation would take approximately 18 weeks, and once constructed the site will be used for grazing sheep. After decommissioning the site would be returned to agricultural use.

The principle of development on this site

30. The proposal represents a major development for the generation of renewable energy and as such receives considerable support from national and local planning policy.
31. Nationally the NPPF has as one of its 12 core principles the requirement to support renewable resources. Reference is made throughout the NPPF to the support of sustainable development and renewable energy whilst paragraph 98 clarifies that applications for energy development ought not to be required to demonstrate the need for renewable energy.
32. The Government's commitment to electricity generation by renewable sources is set out in the Renewable Energy Strategy, and in particular the target that 15% of national electricity production should be derived from renewable sources by 2020. This target has been maintained under the Coalition Government.
33. Locally the development plan comprises the adopted Core Strategy and Development Control Policies DPD. The Core Strategy has as two of its four objectives the effective protection and enhancement of the environment, and the prudent use of natural resources. Development Control policy NE/2 relates to renewable energy and advises the district council will support proposals to generate energy from renewable sources subject to compliance with general sustainable development principles and additionally be able to connect efficiently to existing infrastructure and for provision to be made for the removal of facilities from site should the facility cease to be operational. Policy NE/4 advises development is required to respect, retain or enhance the local character and historic distinctiveness of the individual landscape character area.
34. The site is located within the open countryside. In determining this application, it is necessary to balance the strong policy presumption in favour of applications for renewable technologies against the site specific impacts. These matters are addressed below in turn.

Impact upon the landscape character

35. The proposed solar farm covers approximately 47 hectares in total of which circa 45 will be covered in solar panels. The impact on the site itself would be considerable.
36. Development Control policy (2007) NE/4 advises South Cambridgeshire contains five character areas with Meldreth and Melbourn identified as 'The Bedfordshire and Cambridgeshire Claylands'. The more recent (2010) adopted District Design Guide classifies the parish as part of the 'Claylands' where the landscape character is defined as 'broad scale landscape of large fields, low trimmed hedgerows and few trees. Certain high points have small beech copses which form strong focal points, and these are occasional shelterbelts around settlements'. Key characteristics of this landscape include:

- distinctive landform of smooth rolling chalk hills and gently undulating chalk plateau
 - mostly large-scale landscape of arable fields, low hedges and few trees
37. Key viewpoints of the site are from Harcamlow Way which runs along the southern boundary and offers 'short' views of the development proposal. The public footpath and railway crossing, located approximately 400m and 600m to the north, offer 'long' views. Further long views are offered from elevated ground along Harcamlow Way to the east of the A10.
38. The arrays would potentially be very dominant given their length and uniformity and would generate a very distinctive and uncharacteristic feature in this natural environment. This is exacerbated given photovoltaic panels are a matt dark blue colour when seen from the front, although oblique views of the arrays tend to have a dull lighter grey metallic sheen caused by the framing of the panels. A new 2m high fence is proposed around the sites perimeter. However the application is accompanied by a comprehensive landscape plan with planting proposed primarily along the exposed southern and eastern perimeter. It is further noted grass will grow on the land with the gaps between the rows of solar panels wider than the rows of panels themselves. Given the scale, nature and location of the proposed development in combination with the sloping topography and existing vegetation it is considered that the site is capable of accepting the proposals for a solar farm without any significant adverse effects in landscape and visual terms. Appending appropriate conditions requiring further landscape mitigation, above that proposed within the application, including securing additional planting along the eastern boundary is necessary. This would also address concerns relating to potential glare affecting train drivers and the impact on the setting of Scheduled Ancient Monuments.
39. The council's landscape officer does not offer any objection recommending a number of conditions. In conclusion, it is considered that the site is capable of accepting the proposals for a solar farm without significant adverse effects in landscape and visual terms.

Ecology

40. The application has been supported by an Ecological Appraisal which assesses the site as being of low value for nesting and foraging opportunities for birds, provides 'likely' foraging opportunities for bats and concludes the overall impact will be neutral subject to mitigation measures. Such measures include incorporating a six metre construction offset from all hedgerows and gaps in the fencing to allow badger passage.
41. A request for a Screening Opinion was submitted in August 2012. After due consideration it was determined that the proposed development was not considered to be 'EIA Development', as assessed under the criteria set out in the EIA regulations. Although the development covers a not insignificant land area the characteristics of the development (relatively modest structures) and the character of the area (agricultural land with no landscape or ecological designations) meant that it was not considered to be so significant to warrant an Environmental Statement to accompany the application.

Flood Risk (Surface Water Drainage)

42. The site is located within Flood Zone 1 (low risk) of the Environment Agency (EA) flood map and the District's Strategic Flood Risk Assessment map.

43. The Environment Agency has no objection to the proposed development but expresses concern regarding surface water drainage commenting there is no long term data relating to the management of such sites, with their likely to be an impact but that this is dependent on site specifics. A condition is recommended requiring on-going inspection to ensure any problems with surface water runoff are picked up early.

Highway Issues

44. The site is to be accessed off the A10 which is classified as a Primary Road in the county's hierarchy connecting the M11 with the A505. Access is proposed via the existing Bury Lane shop access during construction, with a further track access to the south proposed for maintenance.
45. Whilst the construction of the solar array will entail a considerable number of traffic movements, once it is operational the traffic to the site would be very light with no operational staff based on site.
46. The construction period is expected to last 18 weeks with deliveries to the temporary construction compound on land behind the farm shop. This area is suitable for parking, loading, unloading, storage, manoeuvring of construction vehicles and staff parking. The layout and operation of this construction compound and its relationship with the existing farm shop carpark will be managed by temporary route signage, fencing and bollards.
47. Throughout the 18 week period approximately 315 HGV deliveries are expected, with the most intense period lasting 7 weeks when there will be a maximum of 7-8 deliveries per day (14-16 movements), with 2 HGV deliveries per day for the remaining 11 weeks. Additionally it is expected 30-40 staff will be working on site. Following construction between 2 and 4 vehicles per month for maintenance are expected.
48. On-site construction is expected to be undertaken between the hours of 07:00-18:30 Monday to Friday and 07:00-13:00 Saturday with deliveries proposed between 06:00-09:00 to avoid conflict with the opening hours of the shop.
49. The highway authority object to the development expressing concern over the potential impact to traffic on the A10 during peak times and request a Traffic Management Plan be submitted prior to determination to fully assess this aspect of the scheme.
50. Officers are of the view that while controlling the hours of delivery is necessary to avoid conflict with construction traffic this can be controlled through a condition requiring the provision of a Traffic Management plan. Such an approach is in conformance with the thrust of the NPPF which advises Local Planning Authorities to adopt a positive approach to fostering sustainable development.

Impact upon Residential Amenity

51. There are no residential properties adjacent to the site. The nearest dwellings to the site are to the north, some 400m away. Other residential properties are even further from the site and would therefore not be affected by this proposal. The arrays would face away from these properties and would be screened by the existing vegetation,

which would be reinforced with additional planting. It is not considered that there would be any significant impact on residential amenity as a result of this proposal.

Effect on Heritage Assets

Schedule Ancient Monument

52. The solar PV array lies 700m to the west of two scheduled Bronze Age bowl barrows (Grinnel Hill and to the south east of Lodge Cottage). Grinnell Hill survives as a substantial earthwork mound measuring 3m in height and is located on a prominent northern facing slope on chalk hills to the south of Melbourn, a second schedule barrow is located 45m to the north of Grinnell Hill and survives as a buried archaeological deposit. These features form part of a wider group of similar monuments extending across the north and west of Royston. Harcamlow Way, public byway and long distance footpath, passes adjacent Grinnel Hill allowing an appreciation of the monument in its landscape setting. The solar PV array will be visible from Grinnel Hill bowl barrow and English Heritage consider this will result in harm to the significance of the monument, but that additional (above that proposed in the application) taller planting along the eastern boundary may reduce the impact from higher views to the east. Subject to securing a landscaping scheme no material harm to the setting of the Schedule Ancient Monuments is identified, taking into account the site is already separated from these monuments by the A10 and railway line.

Archaeology

53. Cambridgeshire County Council Archaeology advise the site is located in a landscape of high archaeological potential, with ring ditches likely representing Bronze Age burial mounds and the enclosures of pre-historic or Roman date. These archaeological remains are considered significant. The county goes on to advise the development would potentially severely damage or destroy such remains and request further archaeological works be undertaken. This view is supported by English Heritage.
54. The applicant is not adverse to undertaking such works prior to commencement of development, but cites the damage to crops and associated loss of income should this be an immediate requirement. The NPPF advises heritage assets are an irreplaceable resource and Members will be updated at the meeting as to whether it is considered the impact on archaeology can be satisfactory addressed through condition.

Loss of agricultural land

55. The site is classified as Grade 2 (very good quality) agricultural land, with the development seeking a 25 year temporary permission with the site continuing to remain in agricultural use during this time. Despite this the development will result in a 'loss of agricultural productivity' with sheep grazing replacing crop planting on good quality agricultural land and this is material in considering the application. Officers are of the view this loss of productivity is not so significant as to justify refusal of permission or conflict with the overall thrust of policy NE/17. Policy NE/17 seeks to protect high quality agricultural land. It states that permission will not be granted where the loss is 'irreversible' unless sustainability considerations and the need for the development were overriding factors.

Crime and Disorder Act 1998

56. Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. Overall, it is considered that the security measures proposed (2m high mesh security fence to perimeter with 3m high CCTV cameras) by this application are adequate and take into account the requirements of Section 17 of the Crime and Disorder Act whilst balancing the need to protect the open countryside from visual harm. No flood lighting is proposed within the site, with the CCTV cameras operating using infrared technology

Other Material Considerations

57. The site lies adjacent the London-Cambridge railway line, with NetworkRail recommending a condition requiring planting along the eastern boundary to prevent reflection affecting train drivers. Whilst the panels are non-reflective NetworkRail would be a consultee to the discharge of the landscaping condition.
58. Concerns are raised by the Environmental Health (contamination) officer over the potential for soil to be imported onto the site and contaminating the land, and a condition is recommended requiring details (source, type, amount, copies of transfer documents) of any imported soil to be provided and agreed by the Local Planning Authority.
59. National Grid does not raise any material planning issues.
60. A number of representations have been received from third parties opposing the application, including those relating to vermin control and S106 payments. The development does not trigger any S106 payments, with vermin control being undertaken by the site operator.

Conclusions

61. The development is of a kind that receives very considerable support in national and local planning policy and that, following the guidance in the National Planning Policy Framework there must be a strong presumption in favour of it.
62. The proposal would have an impact on the landscape, but this would be mitigated by appending a landscaping condition including management plan. The form of the landscape on the site lends itself to the scheme and the existing framework of hedges and trees, which would be supplemented, would make the proposal an acceptable feature of the landscape.
63. There is no outstanding amenity issue. Conditionally there are no outstanding highways, flood risk, nature conservation or historic environment issues.
64. With the conditions recommended below, it is concluded that on balance the benefits of the scheme in respect of renewable energy production, outweigh the harm over the temporary 'loss' of agriculture productivity.

Recommendation

65. 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: promap location plan, 'proposed 94030 panel site layout' Drawing number '255/167/001', '44 panel, ground mount array plan and elevations' Drawing number '255/167/002', 'deer fence and gate elevations' Drawing number '355/167/003', 'deer fence (including mammal access) and gate elevations' Drawing number '355/167/004', 'cctv mast elevation' Drawing number '255/167/005', 'client side substation building plan and elevations' drawing number '255/167/006', 'communications building plan and elevations' drawing number '255/167/007', 'dno and client witch room building plan and elevations' drawing number '255/167/008', 'ukpn 33kw dno substation plan and elevations' drawing number '255/167/009', 'inverter compound plan and elevations' drawing number '255/167/010', 'inverter station plan and elevations' drawing number '255/167/011', 'site aux transformer plan and elevations' drawing number '255/167/012', 'transformer compound plan and elevation' drawing number '255/167/013' and 'field transformer plan and elevations' drawing number '255/167/014'
(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 be commenced until a schedule of materials for the inverters and substation and details of the precise colours of the solar panels, their supports, the inverters, substation and mesh fencing have been first submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details and all must be so maintained for the lifetime of the development.
(Reason: In the interests of visual amenity)
4. No development shall take place until full details of both hard and soft landscape works including 10 year maintenance plan have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first exportation of electricity from the site or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of ten years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that

originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

6. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior consent in writing of the Local Planning Authority. Any trees, shrubs or hedges which die, are removed, or become seriously damaged or diseased within ten years of being planted, shall be replaced with trees, shrubs or hedge plants in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.
(Reason: To ensure the existing trees, shrubs and or hedges are retained and thereafter properly maintained, in the interests of visual amenity and nature conservation.)
7. All solar panels, their supports, the inverter, the substation and any underground concrete to a depth of 1.5m must be removed from site within 6 months of the solar farm ceasing to be operational.
(Reason: The application site lies in the open countryside and it is important that once the development has ceased the site is brought back into a full agricultural use in accordance with the provisions of the NPPF and policy NE/2.)
8. All works shall be carried out in accordance with the mitigation measures referred to in Section 5.2 Proposed Mitigation of the 'Ecological Appraisal' by the landscape partnership dated December 2013.
(Reason: To ensure the protection and enhancement of natural habitat on the application site, in the interests of nature conservation.)
9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage including monitoring arrangements 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.)
10. No development shall commence until a Travel Plan for construction traffic has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.
(Reason – in the interests of highway safety in accordance with policy TR/3 of the adopted Local Development Framework 2007.)
11. The development, hereby permitted, shall be removed and the land restored to its former condition or to a condition to be agreed in writing by the Local Planning Authority on or before 25 years of the date of this permission in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

(Reason - Approval of the proposal on a permanent basis would be contrary to Policy NE/2 of the adopted Local Development Framework 2007 and the land should be reinstated to facilitate future beneficial use.)

12. 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.)

13. No development shall commence until a detailed scheme for the importation of soil onto the site has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.

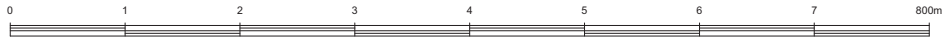
(Reason – To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

Background Papers

The following list contains links to the documents on the Council's website or elsewhere at which copies can be inspected.

- Nation Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Local Development Framework, Development Control Policies, Adopted July 2007
<http://www.scamb.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013
<http://www.scamb.gov.uk/localplan>

Report Author: Andrew Fillmore – Senior Planning Officer
Telephone: (01954) 713180



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Time of plot: 14:27

Date of plot: 24/02/2014



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Cambridgeshire
District Council**

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2379/13/FL
Parish(es):	Orwell
Proposal:	Erection of 15 affordable dwellings including associated external works, roads and parking
Site address:	Land adjacent to 13 Hurdleditch Road, Orwell SG8 5QG
Applicant(s):	Joseph Mulhare, Hill Partnerships Limited
Recommendation:	Delegated Approval
Key material considerations:	Impact on amenity of nearby residents
Committee Site Visit:	4 March 2014
Departure Application:	No
Presenting Officer:	Ross Leal
Application brought to Committee because:	Application of local interest and concern
Date by which decision due:	19 February 2014

Executive Summary

1. This proposal seeks permission for 15 affordable units as an exception site under policy HG/5.
2. The proposed development meets locally defined housing needs and is considered to be acceptable in principle. The parish council generally supports the application and its detailed concerns can be largely dealt with by appropriate conditions. Other matters raised by consultees can also be mitigated through the use of conditions.
3. This is considered to be an instance where the benefits of the proposal are such that planning permission should be granted.

Planning History

4. **S/0938/88/F** – Erection of 12 houses – Refused, 26.07.88. Reason(s): Development outside settlement framework. Development in excess of what is appropriate for Orwell. Unacceptable relationship with existing development.

5. **S/2092/99/F** – Erection of 8 dwellings – Withdrawn, 10.01.2000. Reason(s): Not indicated on file.

Planning Policies

National Planning Policy Framework

6. Paragraph 2 – Introduction

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

Paragraphs 6 to 10 – Achieving sustainable Development

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraphs 11 to 16 – The presumption in favour of sustainable development

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

For **decision-taking** this means:

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Paragraph 17 – Core Principles

Included in these 12 principles are that planning should:

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraphs 47 to 55 – Delivering a Wide Choice of Quality Homes.

Amongst other things, the NPPF in particular states at paragraph 50 that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

Paragraphs 56 to 68 – Requiring Good Design

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraphs 186 and 187 – Decision taking

Decision taking should be approached in a positive manner. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Paragraphs 196 to 198 – Determining applications

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraphs 203 to 206 – Planning Conditions and obligations

Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. 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 respects.

Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

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 respects.

7. *Local Development Framework, Core Strategy*

Strategic Vision for South Cambridgeshire
ST/2 Housing Provision
ST/6 Group Villages

8. *Local Development Framework, Development Control Policies*

Development Principles – Objectives

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Development

DP/7 Development Frameworks

Housing Objectives – HG/a and HG/b

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

HG/5 Exception Sites for Affordable Housing

SF/6 Public Art and New Development

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

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/2 Renewable Energy Technologies in New Development
NE/4 landscape Character
NE/6 Biodiversity
NE/8, NE/9, NE/10, NE/11 and NE/12 Water and Flooding
TR/1 Planning for More Sustainable Transport
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

9. *Emerging Proposed Submission Local Plan*

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/10 Group Villages
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Development
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
HQ/2 Public Art and new Development
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
H/10 Rural Exception Site Affordable Housing
SC/4 Meeting Community Needs
SC/6 Indoor Community Facilities
SWC/7 Outdoor Plan Space, Informal Open Space and New Developments
TI/2 Planning for Sustainable Transport
TI/3 Parking Provision

10. *Supplementary Planning Document(s)*

District Design Guide 2010
Affordable Housing SPD 2010
Proposed Revised Affordable Housing SPD 2014

Consultations

11. **Parish Council** – The Parish Council (PC) recommends approval and but also raised a number of issues:

1. It is difficult to assess the impact on the adjoining dwelling as it is not shown as extended and altered. The PC wishes to be assured that recent changes to that property have been taken into account and that there is no adverse impact on the property.
2. Clarification is requested as to the open space proposed. Is it to be landscaped or grassed as there are concerns about use for ball games.
3. The PC is also concerned about longer term maintenance of the site and whether it will be the responsibility of the Housing Association (HA). The PC has concerns about maintenance should the HA cease to trade. The

PC is concerned it might become responsible for maintenance or upkeep of the site or part of it now or in the future.

4. The PC wishes to be certain that water quality is monitored and maintained and that the Environment Agency is satisfied with sewage and drainage.
 5. There is concern as to heating of the dwellings since natural gas is mentioned. The village is not connected to a gas main however.
 6. There is also concern that construction traffic movements should not conflict with school drop off and pick up times.
12. **Police Architectural Liaison Officer** – Comments in respect of parking and surveillance and landscaping to prevent anti-social behaviour. These comments were raised with the applicant and the scheme has been satisfactorily revised to address them as far as is reasonably possible.
 13. **SCDC Landscape** – No objections subject to conditions relating to full details of hard and soft landscaping, maintenance, surface materials, street furniture, recycling, cycle parking and bat bricks/boxes.
 14. **Environment Agency** – Raises no objection in principle. Disappointed that a connection to public foul water is not proposed and comments that the applicant will be required to demonstrate that a connection is not available and the suitability of any alternative methods. Recommends a condition relating to foul drainage.
 15. **Anglian Water** – Anglian Water has previously advised the applicants in respect of drainage options for the site and the most feasible method. This was identified as being an on-site treatment plant for reasons of cost and sustainability. The cost is circa £26,000 compared to either £170,000 or £363,000 to achieve an on-site pumping station and connection to the Meadow Craft Way pumping station.
 16. **County Archaeologist** – Recommends a post consent archaeological condition requiring investigation prior to commencement of development, as the site is in an area of high archaeological potential.
 17. **Ecology Officer** – No objections.
 18. **Housing Officer** – Comments that having completed an analysis of the housing register I can confirm that the current local housing need for Orwell is 11 households. This is for rented accommodation only. I can confirm that the mix as proposed by the applicant is one that we would support as the demand is presently highest for 2/3 bed accommodation in this location.

I note that the Cambs Acre Housing Needs Survey in 2009, was quoted in support of the application and showed a large % of 1 bed being required. However having reviewed the housing register that need has changed and what is proposed on the planning application currently matches the need that we have identified.

We also note that there is a proposal for 2 x 2 bed bungalows. It is proposed that one of these units will be adapted fully to meet a local need that has been identified through our research. This is very much welcomed and supported and all of the adaptations that are to be considered will be made to suit that individuals specified need.

7 of the 15 units being proposed will be made available on a shared ownership basis. It is intended that in relation to all of the 15 units priority will be given to those with a local connection to Orwell. Initial tranches of the shared ownership units will be available from 30%-50% and they will be restricted to 80% thereafter allow them to remain affordable in perpetuity.

19. **Local Highway Authority (LHA)** has recommended that conditions be attached to any planning permission to address:
- i. Construction works traffic.
 - ii. Access construction, including no water draining to the public highway.
 - iii. Access materials to ensure no debris spreading onto the public highway.
 - iv. Parking space depths and details.
 - v. Parking space visibility splays.

The LHA has advised that any private water from the area in the vicinity of the turning head which the Highway Authority is not intending to adopt will need to be drained into a private system.

In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

Representations

20. Letters have been received from Petersfield C.E. Primary School and the occupier of an adjoining dwelling. Also a letter/email in respect of the submitted Housing Needs Survey being out of date.
21. The School has commented that it welcomes the provision of affordable housing in the village but that it has the following comments/concerns:
- i. School buses reverse into the school car park entrance 2 times a day. This is only possible when the road is clear of parked cars. Access to plots 12 to 15 will be from a shared drive opposite the school access and may be problematic.
 - ii. The bell mouth to the main access road to the housing will require the ditch to be culverted. The proposed road layout and tandem parking provision is likely to result in on-street parking provision. Parking associated with the school and with the new development will result in conflict. Bus turning provision and adequate parking provision should be considered.
 - iii. It would be prudent to move the current 30mph restriction along the road to take in the development for highway safety reasons.
22. The County Highway Engineer has advised in response to the concerns of the school that:
1. The proposed access will ease the ability of buses of school buses to enter the school as it will create unobstructed carriageway width for reversing into the

school. The impact of manoeuvring buses is more a matter of inconvenience than highway safety. The design is such that domestic motor vehicles can enter and leave satisfactorily.

2. Culvert design is important if the development is offered for adoption. But it will have to be approved by the County Council to meet current standards. The use of tandem parking is widespread throughout the County and in this small lightly trafficked development is unlikely to result in difficulties. Impact on the nearby lay-by from on-street parking is unlikely.
 3. Road design is such that it can readily accommodate on-street parking and service vehicles such as refuse vehicles and also visitor parking.
 4. The majority of schools nationally experience some difficulties during pick up and drop off times. However it is difficult to see any justification that the proposed development will make this situation any worse and it will not be possible to seek measures to address an already existing situation. The development can provide visibility splays for the speed of the road and it is not therefore possible to insist that the speed limit be moved.
23. The adjoining occupier objects on the grounds that:
- i. Their home has been recently extended and this may not have been taken into account. The dwelling now has a bedroom window overlooking the field and are concerned that plot 15 will be able to see directly into the bedroom and thus affecting privacy. Also that users of the proposed open space may be able to see into their property.
 - ii. The public open space proposed will give rise to noise and disturbance particularly at night.
 - iii. Plot 11 may be able to see into the back of their property.
 - iv. Plot 15 may affect light to their kitchen and bedroom windows.
 - v. The Affordable Housing Survey (2009) may be out of date and needs may have changed.
 - vi. Previous planning history has not accepted development and question what has changed.
 - vii. There has been village and Parish Council concern over sewage and flooding issues connected with drainage and concerned that the development will cause further problems in this area.
24. Whilst concern has been separately expressed as to the submitted Housing Needs Survey being out of date, consideration of this application has been based on up to date information and it has been confirmed by SCDC Housing that having reviewed the housing register that need has changed and what is proposed on the planning application currently matches the need that has been identified.

Planning Comments

25. This application relates to a part of an arable field adjacent to the developed area of Orwell. The application site adjoins, but is outside of the Development Framework for Orwell and is therefore a part of the open countryside. The application site boundaries to the north-west and south-west are open and unenclosed, facing out onto the open field which the site forms a part of. To the south-west the site boundary is formed for the most part by a substantial hedgerow, although this hedgerow is absent in a limited area beside 13 Hurdleditch Road. To the front of the site are limited a number of small trees which do not provide any meaningful screening of the

site from the road. The site has an existing field access adjacent to the boundary with no.13.

26. To the south west of the site and on the same side of the road are dwellings. The closest are a two-storey semi-detached pair. Opposite the site is farmland. To the south west and on the opposite side of the road is Petersfield C.E. Primary School.
27. The development proposed is the erection of 15 dwellings, together with the road serving them. The dwellings to be erected would be 13 two-storey houses and 2 bungalows. The two-storey dwellings will be for the most part semi-detached, with a single small 3 unit terrace. The 2 bungalows will be semi-detached. The scheme includes landscaping and enhanced boundary screening on all boundaries. Frontage dwellings will have hipped roofs to reflect the existing character of the area and materials will match existing buff brick and slate roofs in the area. The design of the dwellings seeks to be complimentary to the appearance of existing development in the immediate area. The layout of the scheme has been revised to accommodate as far as possible comments from the Police Architectural Liaison Officer.
28. An area of public open space is proposed within the site (580 sqm). This is to be the subject of a S106 Agreement relating to contributions and it is to be offered for adoption. It is intended that the Parish Council should not be required to accept a transfer of the on-site open space area.

	Head of Terms
Community facilities:	£6,417.24 To be paid prior to the occupation of the 9 th dwelling
Public art:	A scheme for the provision and timetable for public art works to be submitted to the Council for approval prior to the commencement of development. The value of the public art scheme is to be not less than £7,500 In the event that the public art scheme cannot be agreed prior to the occupation of the first dwelling the applicant is required to pay the sum of £7,500 to the District Council
Public open space:	Offsite open space contribution of £14,134.88 To be paid prior to the occupation of the 9 th dwelling Onsite public open space to be laid out and available for use prior to the occupation of the 9 th dwelling
Transport:	£0
Waste receptacles:	£1,042.50
Section 106 monitoring:	£1,500

District Council legal fees:

To be confirmed. Requirement to verify title ownership may result in additional legal fees being incurred.

29. The development will be served by a sewage treatment plant located at the north-west front corner of the application site. This will be of an underground type and will be screened by hedging and fencing to meet Anglian Water requirements. Clean water along with surface water will be discharged to the existing watercourse adjacent.

30. The application is supported by the following:

- i. Flood Risk Assessment
- ii. RECAP Waste Management Design Guide
- iii. Site Waste Management Plan
- iv. Affordable Housing Statement
- v. Design and Access Statement
- vi. Planning Policy Statement
- vii. Cambridgeshire ACRE Housing Needs Survey, April 2009
- viii. Energy Statement
- ix. Arboricultural Impact Assessment
- x. Code for Sustainable Homes, Ecology Report
- xi. Preliminary Ecological Appraisal
- xii. SAP Report, Proposed Dwellings

31. The key issues for this application are:

- i. The impact of the development on the appearance of the area.
- ii. The impact of the development on highway and pedestrian safety.
- iii. The impact of the development on the amenity of nearby occupiers.
- iv. Whether the development meets local housing needs.
- v. Whether drainage arrangements proposed are satisfactory.
- vi. Whether the development is consistent with policy.

The impact of the development on the appearance of the area.

32. The site is a part of a wider area of arable field and is relatively flat in terms of topography. There is limited frontage screening provided by small trees. Development will therefore be readily visible on the approach to the village. The proposed dwellings are set out so that they become closer to the frontage northwards and on leaving the village. The development will be clearly visible on approaching and leaving the village, however it will be read visually against the backdrop of the existing development. The development proposed is of a sympathetic design to that which exists on the immediate area, which also includes hipped and pitched roofs. Taken in its context, the development proposed is not considered to be unduly prominent and is well related to existing development. Landscaping associated with development will also mitigate visual impact. The development is considered to be acceptable in terms of impact on the appearance of the area.

The impact of the development on highway and pedestrian safety.

33. Given the absence of objection from the LHA and the recommendation of conditions which would satisfactorily ensure that there was no adverse impact, it is not considered that there is likely to be adverse impact on highway or pedestrian safety. Concerns expressed in relation to the school have been addressed in the response of the LHA referred to earlier in this report. It is considered that the development proposed is acceptable in highway and pedestrian terms.

The impact of the development on the amenity of nearby occupiers.

34. The proposed development includes the introduction of dwellings alongside no.13 Hurdleditch Road. The pair of dwellings proposed are largely set forward of no.13 and only slightly overlap the side elevation of that dwelling. The proposed dwellings are also to the north of that existing dwelling. The side of the new dwellings are separated from the adjoining dwelling by a distance of 6.3m and from the joint boundary by 4.2m. The proposed dwelling design includes a small window at ground floor in the side elevation facing no.13 and this is located towards the front of the dwelling and serves the entrance hall/bottom of the stairs. At first floor, a small window is proposed to light the landing.
35. It is considered that given siting and orientation of the proposed dwellings, the separation between proposed and existing and the nature of the small windows proposed, there will not be any unduly adverse impact on the amenity of the occupiers of number 13 in terms of privacy or overlooking or light.
36. In respect of the open space, this will be screened by a 1.8m high fence on the site boundary adjoining the existing hedgerow on the site boundary. It is not considered that there would be adverse impact from the open space adjoining no.13, given existing and proposed screening.
37. Plot 11 would have a gable facing the very bottom of the rear garden of no.13 and the front elevation would be set at a right-angle to the rear garden of no.13. The side elevation includes a very small secondary first floor bedroom window and this is not considered likely to give rise to overlooking or privacy loss given the nature of the room. The larger front first floor bedroom window is set at right angles to the rear garden of no.13 and again is not considered likely to give rise to overlooking or privacy loss given the nature of the room.
38. Whilst the proposed development will result in some limited impacts on amenity, these are not significant and nor are they particularly adverse. The development is therefore considered to be acceptable in terms of impact on nearby occupiers.

Whether the development meets local housing needs.

39. The Housing Officer has confirmed that the proposed development meets current housing needs for Orwell having reviewed the housing register that need has changed since the Acre Survey and what is proposed on the planning application currently matches the need identified.
40. It is also worth noting that the proposal includes 2 x 2 bed bungalows and that it is proposed that one of these units will be adapted fully to meet a local need that has been identified through research. This is very much welcomed by the Housing Officer and supported and all of the adaptations that are to be considered will be made to suit that individual's specified need.

41. Units proposed to be made available on a shared ownership basis will be subject to priority for those with a local connection to Orwell. Initial tranches will be available from 30%-50% and they will be restricted to 80% and this will avoid stair casing out and to that extent should allow them to remain affordable in perpetuity.

Whether drainage arrangements proposed are satisfactory.

42. It is clearly evident that the drainage arrangements for this site have been the subject of careful consideration by the applicant prior to submission of the planning application. The Environment Agency (EA) has raised no objection in principle, but has requested that the applicant demonstrates that a connection is not available and the suitability of any alternative methods. In this case, the applicant has discussed matters with Anglian Water and in respect of the most feasible method of drainage for the site. The solution is on-site treatment for reasons of cost and sustainability. The cost of the drainage solution would be significantly greater for a sewer connection and would impact on the viability of the scheme. The solution proposed is considered to be justified in terms of ensuring viability of the scheme and delivery of affordable housing. Drainage can be satisfactorily delivered by the method proposed and the EA does not object.

Whether the development is consistent with policy.

43. SCDC Housing has confirmed that this scheme meets known local needs and is satisfied with the mix and type of housing proposed and a tenure split of 8 dwellings for rent and 7 for shared ownership. Clearance of the affordable housing condition will deal with the development generally meeting the criteria of the Councils Affordable Housing policy.
44. In this case, a standard condition can be utilised with some minor modifications relating to the site circumstances. The main modification being to permit a start on site so as not to delay development and prejudice funding of the affordable housing. This would allow the contractor(s) to start on site at an early stage but not allow development beyond damp proof course for the dwellings. Affordable Housing would therefore not be the subject of a Section 106 Agreement (S106). A S106 will however be required to deal with the other matters set out in the Heads of Terms. These are waste, art, community facilities, open space and monitoring. The wording of this planning condition is set out below:

No development above damp proof course level shall take place until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing outlined below.

The scheme shall include:

- i) the numbers, type and tenure of the affordable housing provision which shall comprise of all of the 15 dwellings
- ii) the timing of the construction of the affordable housing
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

For the purpose of this condition, the following definitions apply:

Affordable housing is:

Affordable housing includes Social rented, Affordable rented and Intermediate housing, provided to eligible households whose needs are not met by the market. Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households.

Social rented housing is:

Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

Affordable rented housing is:

Rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 percent of the local market rent, provided that the rental levels of any individual affordable housing dwelling shall not exceed the Local Housing Allowance Level (or any equivalent benefit level) for that dwelling unless otherwise firstly agreed in writing by South Cambridgeshire District Council or unless Government Policy dictates.

Intermediate affordable housing is:

Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared ownership/equity products (e.g. HomeBuy) and intermediate rent but does not include affordable rented housing.

Other matters

45. In respect of the specific issues raised by the PC, the applicant has responded as follows:

- 1) Party Wall Agreements and Loss of Light has been taken into consideration and not seen as a concern in this instance.
- 2) It is our clients preference to have the open space area adopted however this would be confirmed within the section 106 agreement.
- 3) Roads and footpaths are to be adopted as part of a section 38 agreement.
- 4) The sewage system which is to be used will be remotely monitored, in the same way a pumping station would, and should a problem be detected the maintenance company would be contacted to rectify any problem.

5) The properties are to be heated using Air Source Heat Pumps and will be the same as those used on a similar scheme at Ashwell Road, Steeple Morden.

6) Site delivery times will be subject to planning conditions and would have to be adhered to.

Conclusions

46. The proposed development is consistent with policy in terms of scheme proposed and does not give rise to detrimental impacts such that planning permission ought to be refused.
47. The balance of the benefits of the proposed scheme for the local community and the changing funding circumstances and justification provided by the NPPF mean that it is reasonable for the Council to conclude that planning permission ought to be granted.

Recommendation

48. Delegated Approval subject to:

Section 106 agreement securing the obligations set out in this report.

Conditions to include:

- (i) Time Limit (3 Years)
- (ii) Approved Plans
- (iii) Landscape Scheme and implementation
- (iv) Surface Materials
- (v) Street Furniture
- (vi) Foul and Surface Water Drainage and details of Treatment Plant
- (vii) Archaeology
- (viii) Construction Works Traffic
- (ix) Access Construction and materials
- (x) Tree and Hedge Protection
- (xi) Details of Open Space and implementation plan
- (xii) Boundary Treatment
- (xiii) Vehicle Parking
- (xiv) Cycle Parking
- (xv) Vehicle Visibility
- (xvi) Restriction of Permitted Development rights – Extensions
- (xvii) Restriction of Permitted Development rights – Windows
- (xviii) Glazing (Obscure)
- (xix) Noise During Construction
- (xx) Levels
- (xxi) Contractors access and compound
- (xxii) Recycling
- (xxiii) Bat Bricks/Boxes
- (xxiv) Affordable Housing

Informative(s)

- (i) Works in Public highway

Background Papers

The following list contains links to the documents on the Council's website or elsewhere at which copies can be inspected.

- National Planning Policy Framework
- Local Development Framework, Development Control Policies, Adopted July 2007
- South Cambridgeshire Local Plan, Proposed Submission July 2013
- South Cambridgeshire District Design Guide March 2010
- South Cambridgeshire District Affordable Housing SPD
- South Cambridgeshire District Affordable Housing SPD, Proposed Revisions

Report Author: Ross Leal – Senior Planning Officer
Telephone: (01954) 713159

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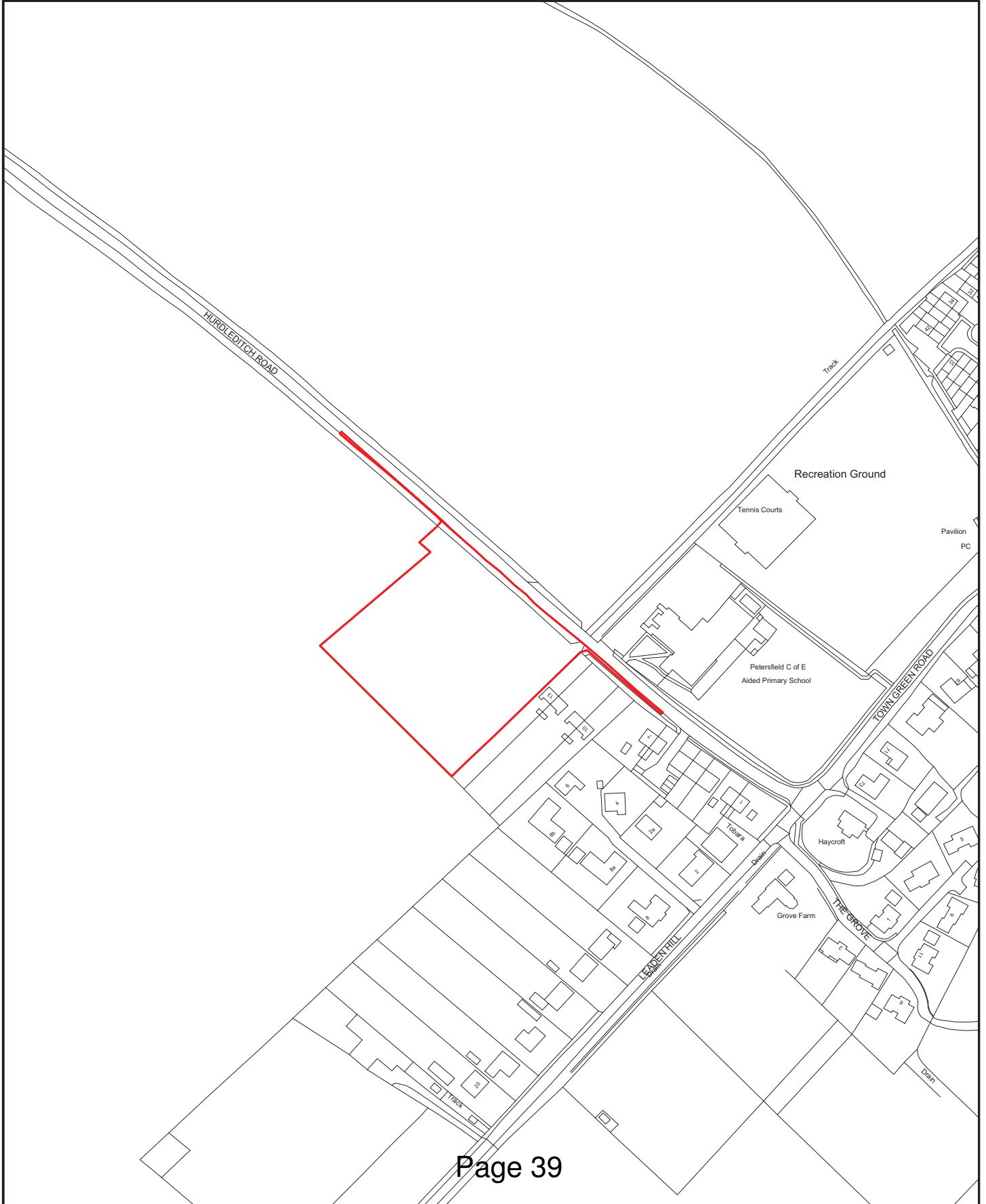
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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/1329/13/FL
Parish:	Swavesey
Proposal:	Erection of nine residential units
Site address:	Rear of Cygnus Business Park, Middle Watch
Applicant:	Starburst Limited
Recommendation:	Delegated Approval
Key material considerations:	Principle and sustainability, density, and affordable housing, character of area (including setting of listed buildings), residential amenity and highway safety
Committee Site Visit:	Yes
Departure Application:	Yes
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Swavesey Parish Council
Date by which decision due:	26 August 2013

Planning History

1. S/0703/08/F – Erection of seven new business units in alteration of planning permission ref: S/1453/04/F - Approved
2. S/1453/04/F – Conversion of barns into offices and erection of offices and children's day nursery – Approved

Planning Policies

3. *National Planning Policy Framework*
4. *Local Development Framework*

ST/6 – Group Villages
 DP/1 – Sustainable Development
 DP/2 – Design of New Development
 DP/3 – Development Criteria
 DP/4 – Infrastructure and New Developments
 DP/7 – Development Frameworks
 HG/1 – Housing Density
 HG/2 – Housing Mix
 HG/3 – Affordable Housing
 HG/8 – Conversion of Building in the Countryside to Residential Use
 ET/6 – Loss of Rural Employment to Non-Employment Uses
 SF/10 – Outdoor Playspace, Informal Open Space and New Developments
 SF/11 – Open Space Standards
 NE/1 – Energy Efficiency
 NE/6 – Biodiversity
 NE/9 – Water and Drainage Infrastructure
 NE/11 – Flood Risk
 NE/12 – Water Conservation
 CH/4 – Development Within the Setting or Curtilage of a Listed Building
 TR/1 – Planning for More Sustainable Travel

Draft Local Plan

S/3 – Presumption in Favour of Sustainable Development
 S/7 – Development Frameworks
 S/9 – Minor Rural Centres
 CC/3 – Renewable and Low Carbon Energy in New Developments
 CC/8 – Sustainable Drainage Systems
 CC/9 – Managing Flood Risk
 HQ/1 – Design Principles
 NH/4 – Biodiversity
 NH/14 – Heritage Assets
 H/7 – Housing Density
 H/8 – Housing Mix
 H/9 – Affordable Housing
 H/11 – Residential Space Standards for Market Housing
 H/16 – Re-use of Building in the Countryside for Residential Use
 E/14 – Loss of Employment Land to Non Employment Uses
 SC/7 – Outdoor Play Space, Informal Open Space and New Developments
 SC/8 – Open Space Standards
 TI/2 – Planning for Sustainable Travel

5. *Supplementary Planning Documents*

Open Space in New Developments SPD 2009
 District Design Guide SPD 2010
 Listed Buildings SPD 2009
 Affordable Housing SPD 2010

Consultations

6. **Swavesey Parish Council** recommends refusal.

7. 'The site is outside the village development framework and therefore contrary to Policy DP/7 of the Local Development Plan. The Parish Council also raises the following comments:
8. The vehicle access road is primarily single vehicle width. With business use the traffic flow would predominantly be in one direction – into the site in the morning and out of the site late afternoon. Residential use would most likely bring traffic flow in both directions at all times of the day and evening.
9. There is no pedestrian footpath on the east side of Middlewatch, all pedestrian traffic to and from the development would have to cross the road at the point of access.
10. The Council does not think that business and residential mix on one site would be ideal.
11. Residential use of the site would affect the surrounding land and its use more than business use would. Business use being predominantly from approx. 8am – 6pm Monday-Friday, whereas residential use and associated noise would be all day, every day.
12. Agricultural and equestrian business use takes place on land surrounding the development site. Noise from the residential development and use would have a greater constant effect on this existing use than business use. The Council also has concerns that if permission is given for residential development on this site, outside of the development framework, what would that decision have on other potential similar sites elsewhere in the village which might then put development applications through'?
13. The **Conservation Officer** comments that the proposed drawings are very similar in plan and elevation, although more openings are proposed on the 'outside' elevations than for the commercial scheme. The largest change is the substitution of an open car port for some of the accommodation, and whilst this is a good idea in principle the proposal to make it two-storey is not supported. The splitting of plots into separate gardens is more of an intrusion in the countryside, and would introduce clutter and paraphernalia which would over domesticate the character and setting of this listed group. Any garden areas should be communal.
14. In conclusion there is a general preference for commercial rather than residential use where agricultural buildings are concerned, however as the approved scheme is considered to be poorly fenestrated there is an opportunity for improvement by reducing openings.
15. The **Local Highway Authority** has no objection
16. The **Environmental Health Officer** has no objection
17. The **Housing Development Officer** comments that 4 of the properties will be for intermediate housing, which is not in accordance with the Affordable Housing SPD, which indicates that tenure mix should be a 70/30 split in favour of rented. Three of the four properties should therefore be for rent in this case.
18. The **Environment Agency** has no objection, but requests a condition requiring investigation of any contamination found during development.
19. The **Middle Level Commissioners (Swavesey IDB)** comments than an appropriate Flood Risk Assessment has not been submitted and should be required. The document should advise whether there is any material prejudice to the Boards systems, local water

level management systems, natural or built environment. Flows from the development must be restricted to greenfield run-off rate, and no additional volumes will be consented to the Board's system. Evidence has not been provided that the application can comply with relevant development plan policies and is therefore opposed.

20. The **Landscapes Officer** has no objection, but would wish to see additional tree planting within the proposed boundary native hedgeline.
21. The **Ecology Officer** accepts that the change from office use to residential will have no greater impact upon biodiversity associated with this site

Representations

22. Letters have been received from the occupiers of Mill Farm House (87 Middle Watch), 93 and 95 Middle Watch, along with Analytik Ltd and Cambridge Marketing Colleges, companies that occupier two of the existing Cygnus Business Park units, objecting on the following grounds:
23. Outside village framework and previously understood that barns could only be used for commercial use. Permission for houses previously rejected in the area outside framework.
24. Existing units used only from 8am to 6pm, residential use would be outside these hours leading to greater noise disturbance from traffic/use.
25. Width of road not adequate for two cars to pass and will cause bottleneck. Mixing residential and commercial will create significant access issues, and conflicts at certain access and exit times. There is no separate pedestrian access along the main driveway.
26. Number of cars seriously underestimated – the 20 allocated car parking spaces will not be enough, and this does not take into account visitor parking needs.
27. When all three office units are occupied car parking will be full, and any future parking for occupiers of the housing could have serious implications for safety, as there is nowhere else to park, other than the main road. The number of spaces allocated for parking for the business units should be clarified.
28. The entrance to the residential parking area should be separate, leaving the business car parking clear.
29. Site borders Mill Farm/Mill Farm Stables which is in constant use for agriculture, animal grazing and equestrian leisure purposes, and seasonal farming activities. Noise from these activities may affect the proposed residential dwellings
30. The equestrian use involves a floodlit, all-weather ménage, which is in constant use, especially in the evening. Horses can be easily spooked by sudden unfamiliar elevated sound.
31. Dwellings could have negative effect on future plans for expansion of the existing farming business at Mill Farm., or any changes in farming policy required to enable the business to remain viable.
32. Confirmation is sought that adequate consideration has been given to drainage, sewage and other services, the use of which will be higher for residential units.

Planning Comments

33. Cygnus Business Park is located to the east of Middle Watch and comprises three commercial buildings, which were formed by the conversion of existing barns under a planning consent granted in 2004. One of these buildings remains unoccupied. Two of the barns are Grade II listed buildings.
34. The 0.4ha site to the rear of the existing Business Park benefits from an extant consent for the erection of seven new business units. Slabs of the approved buildings have been laid.
35. The full application, as amended, proposes the erection of nine residential units, including four affordable dwellings. The scheme is based on the footprint of the approved scheme for commercial buildings, although as amended Units 1 and 2 are reduced in size and moved away from the north boundary to provide an extension of the access roadway to the rear of the site. The market units comprise three 3-bedroom units and two 4-bedroom units.
36. The scheme comprises a mix of single-storey and two-storey buildings. A total of 21 car parking spaces are provided. Access is provided by the existing driveway to the north of Cygnus Court. As amended a separate area of parking, comprising 15 spaces is provided for the three commercial units. The width of the access is shown as being 3.5m at its narrowest point. It is proposed to provide a separate access for pedestrians to the south of the existing Cygnus Court building, and this pathway already exists.
37. To the west, at its northern end, the site adjoins the rear parking area of Cygnus Business Park, and at its southern end it adjoins the rear of Mill Farm House, a Grade II listed building. To the north the site adjoins agricultural land, and to the east land used for agricultural/equestrian purposes, with buildings adjacent the south east boundary of the site.
38. The application is accompanied by a Planning, Design and Access Statement and Heritage Assessment, Marketing Report and Records, Environmental and Ecology Report, Contamination letter, and Draft Heads of Terms.

Principle of development and sustainability

39. The site is outside the village framework and therefore the application has been advertised as a departure from the development plan
40. Policy DP/7 'Development Frameworks' states that outside of urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses, which need to be located in the countryside will be permitted. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations. Therefore the proposal is deemed unacceptable in principle by this policy.
41. However, the site is brownfield land, with the 2008 consent for commercial development having been implemented. The applicant has supplied marketing information for the site, and the remaining unoccupied building between the site and the main road from 2010. No occupiers have been found.
42. The principle of new built development on this site has previously been accepted. The site in its current state does not enhance the character of the area. The proposed development has the potential to result in an environmental upgrading of the site, and

help to contribute towards the districts housing and affordable housing need. On balance, it is considered that this material consideration carries significant weight consideration to support the proposal. The detailed implications for a residential use are considered below.

43. Swavesey is identified as a Group Village in the adopted Local Development Framework, where residential development can be permitted within the village framework for schemes with an indicative maximum size of eight dwellings. The draft Local Plan submission proposes to designate Swavesey as a Minor Rural Centre.
44. Although the site is outside the village framework the site is within walking distance of village facilities with the Village Centre and Village College being 900m and 400m away respectively. There are properties 1.1km south of the application site which are within the village framework. There are bus stops at the site entrance. Officers therefore consider that the location of the site is sustainable.

Housing density, and affordable housing

45. The density of development equates to approximately 22 dwellings per hectare. The development is based on the footprint of the approved commercial buildings, and in officers view is appropriate for this site given its location adjacent next to a series of listed buildings, and the more open countryside beyond.
46. The scheme provides four affordable dwellings, which meets the percentage required by Policy HG/3, however the Housing Development Officer has highlighted the need to revise the proposed tenure, and further negotiations will be needed on this point.

Character of the area and impact on setting of listed buildings

47. The existing approval for new commercial buildings on this site has set a precedent for its development. The residential scheme, as amended, reduces the footprint proposed from that previously approved.
48. If Members are minded to support the principle of development on this site further negotiations can take place with the applicant regarding the detailed elevational treatment of the buildings and plot subdivision to address the concerns of the Conservation Manager.
49. Permitted development rights can be withdrawn to prevent the further additions to the buildings, further openings, and the erection of outbuildings etc, in order to protect to setting of listed buildings and the rural character of the area.

Residential amenity

50. Whilst a residential use of the site will result in an increased level of activity at evening and weekends, officers are of the view that it will not have an unreasonable impact on the amenity of existing residential dwellings. The main existing dwelling that will be affected by the use is Mill Farm, however officers are of the view that the layout proposed will not have an undue adverse impact on this property, provided that adequate additional boundary screening is provided to the front of the building, to protect the amenity of occupiers from additional use of the footpath link. This boundary is currently formed by a low wall.

51. Concern has been expressed locally about the suitability of a mixed use development, and the relationship of the proposed residential use to the adjoin land to the north and east which is used for agricultural and equestrian activities.
52. In respect of the mixed-use officers are of the view that whilst the vehicular access to the site will be shared between the two uses, the residential use within the site, will be relatively self-contained. The parking area for the commercial units abuts the west elevation of the proposed dwellings on plots 1 and 2, and a boundary wall will be required. The private space for these dwellings face into the site, and will be protected from the use of the commercial car park.
53. Officers do have some concern about the relationship of the residential curtilages of dwellings on the east and south east boundaries of the site. The layout of the buildings was originally designed to support the commercial use, and the need to provide curtilages for residential use would not therefore have been a factor in the siting of the buildings. As a result buildings are located close to the east and south east boundaries of the site, which allows for limited private amenity space for some units, and restricts the ability to provide boundary landscaping.
54. The Environmental Health Officer will have considered the relationship of the site to the adjacent agricultural and equestrian uses and has not objected to the proposal.

Highway safety and parking

55. The Local Highway Authority has not objected to the application. As amended the application proposes a separate pedestrian access to the site to the south of the commercial buildings.
56. The width of the access roadway at the front part of the site is restricted, although allowing two cars to pass for part of its length.
57. There is no pedestrian footpath from the site entrance towards the village on the east side of Middle Watch and pedestrians will have to cross to the other side of the road to access the existing footpath. Whilst this is not an ideal situation there is no existing footpath on this side of the road from the site until the centre of the village, and therefore no opportunity for the applicant to make such provision.
58. Adequate parking is retained for the existing commercial buildings to comply with the adopted car parking standards. A total of 21 car parking spaces are provided to serve the 9 dwellings proposed, which again meets the adopted parking standards.

Other matters

59. Whilst the comments of the Internal Drainage Board are noted, there is an approved scheme for the development of this site, and the built form now proposed is reduced from that previously consented. A scheme for surface water drainage was approved as part of the consent for commercial buildings and a similar condition can be attached to any new consent. The site is not within Flood Zones 2 or 3 and therefore a Flood Risk Assessment is not required by the Environment Agency.
60. The applicant has provided a draft heads of terms and has accepted the need to provide affordable housing, and the required contributions for public open space and community facilities. A Section 106 agreement securing these will need to be completed prior to the issuing of any planning consent.

61. Concern has been expressed about a precedent being set for further residential development being permitted outside the village framework should this scheme be permitted, however officers are of the view that any support of this application would be based on the extant consent. As such, any planning permission would not be seen as a precedent for any other potential edge of village sites.

Conclusion

62. Officers are of the view that although this site is outside the village framework it is well related to it and development of the site for residential purposes would be sustainable. The applicant has marketed the site with the existing commercial consent over a period of time, but occupiers have not been found.
63. Subject to the detailed matters referred to above officers are of the view that there is a case here to permit a residential development of the site, as a departure from the development plan

Recommendation

64. Delegated approval subject to the completion of a Section 106 Agreement in respect of affordable housing, public open space and community facilities, and to the receipt of further amended drawings addressing the concerns of the Conservation Manager.

Conditions (to include)

- a) Time limit – 3 years
- b) Approved plan
- c) Landscaping
- d) Implementation of landscaping
- e) Surface water drainage
- f) Provision of footpath and screening
- g) Parking provision
- h) Withdrawal of pd rights
- i) No Further openings

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/1329/13/FL and S/1453/04/F

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



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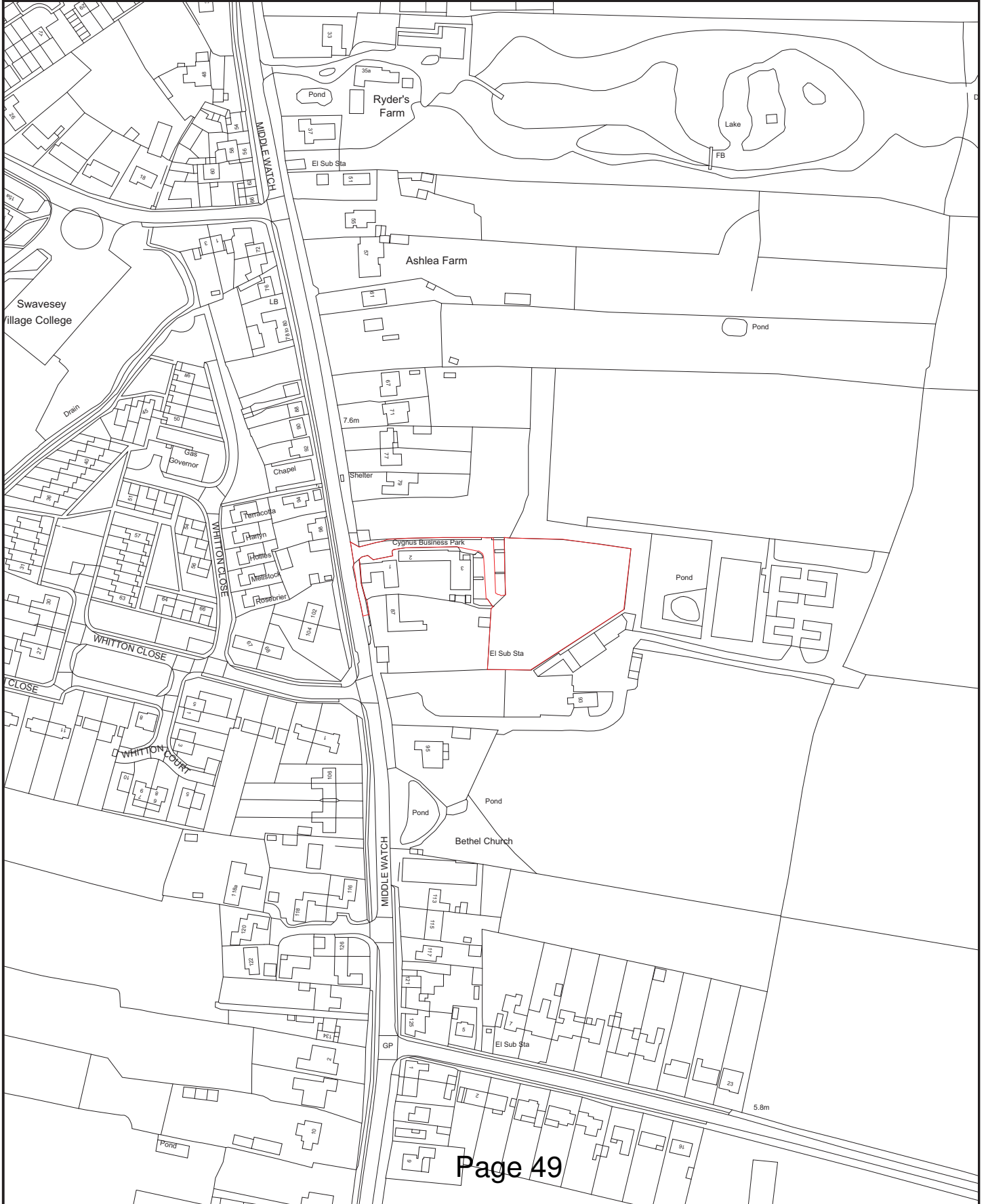
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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2639/13/FL
Parish:	Gamlingay
Proposal:	Erection of single storey dwelling and construction of new vehicular access to 10 Cinques Road
Site address:	10 Cinques Road
Applicant:	Mr and Mrs Smith
Recommendation:	Delegated Approval
Key material considerations:	Principle, residential amenity, character of area, highway safety and parking
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Gamlingay Parish Council
Date by which decision due:	18 February 2014

Planning History

1. S/0976/13/F – Single storey 3 bedroom detached dwelling - Withdrawn

Planning Policies

2. *National Planning Policy Framework*
3. *Local Development Framework*

ST/5 – Minor Rural Centres

DP/1 – Sustainable Development

DP/2 – Design of New Development

DP/3 – Development Criteria

DP/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
HG/1 – Housing Density
SF/10 – Outdoor Playspace, Informal Open Space and New Developments
SF/11 – Open Space Standards
NE/1 – Energy Efficiency
TR/1 – Planning for More Sustainable Travel

4. *Draft Local Plan*

S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
S/9 – Minor Rural Centres
HQ/1 – Design Principles
H/7 – Housing Density
H/15 – Development of Residential Gardens
S/7 – Outdoor Playspace, Informal Open Space and New Developments
S/8 – Open Space Standards
TI/2 – Planning for Sustainable Travel

5. *Supplementary Planning Documents*

Open Space in New Developments SPD 2009
District Design Guide SPD 2010

Consultations

6. **Gamlingay Parish Council** expresses strong objections and recommends refusal.
7. “The Council has received eight letters of objection from all neighbours in the vicinity. Councillors considered planning policy and recognised that the site is potentially large enough for a property – however the proposal has an extremely large footprint in relation to the size of the site, and is still very close to two boundaries. Visual impact has a significant effect on neighbours’ amenity.
8. In addition there are privacy issues – the proposed dwelling would be overbearing in nature, within two metres of the site boundary in some cases. Noise issue was also considered – the new driveway would create disturbance along boundary of numerous dwellings.
9. Access and traffic – the site off Cinqes Road is opposite the post office and first school with significant vehicular and pedestrian pressures – already a congested spot with post office vans, deliveries, and school traffic. The introduction of additional access way makes the area opposite the post office even more congested, reducing the amount of space for informal parking, and making the route/path for pedestrians even more hazardous with three driveways within a ten metre stretch.
10. Crime/fear pf crime – neighbours have expressed concern that the proposal would make unpermitted access to the rear of their properties easier by the creation of the new driveway/access.
11. Ecology – the site is mainly grass, and not of great ecological value, however with over half the site developed it will mean less rainwater will permeate soil directly.

12. Concern was also expressed about the height of the property – it will be significantly higher than the existing fencing, so will be visible and intrusive structure viewed from neighbouring properties. It was noted that there is now a pitch to the roof. Cumulative impact is therefore quite significant on the neighbouring properties in particular. It was noted that a S.106 contribution would be made as part of the development.
13. The scale and size of the proposed property and nearness to boundaries was discussed. Concern was also expressed about the level of daylight being very low – particularly on the bedroom windows.
14. In conclusion, the Council was concerned that the plot is too small for the size of the dwelling proposed, and the siting of the proposed dwelling was inappropriate, due to its proximity to boundaries. Councillors requested that SCDC Planning Committee visit the site, should the application be determined by the Planning Committee and that member/s of the Parish Council be allowed to speak.’
15. The **Local Highway Authority** has no objection. Conditions should be imposed to ensure that the falls and levels of the proposed driveway are such that no private water from the site drains across or onto the public highway, and that it is constructed in a bound material.
16. The **Environmental Health Officer** has no objection. A condition restricting the hours of use of operation of power driven machinery during the construction process should be imposed.

Representations

17. Letters have been received from the occupiers of Nos.2 and 8 Cinqes Road, Nos 2, 6, 8, 10, 12, 15 and 17 Dolphins Way, and No.37 Waresley Road, objecting on the following grounds:
18. Loss of quiet, mature open rear garden space, which is fully enclosed by existing mature gardens, with loss of privacy and amenity to adjoining residents. Constitutes unacceptable garden grabbing.
19. Overshadowing of adjacent properties and gardens due to bulk of proposed building.
20. Overlooking of adjacent properties. Existing boundary fencing of varying heights and inadequate to prevent loss of privacy.
21. Unacceptable visual impact from adjoining properties being only 2m from the boundary.
22. Will add to existing parking problem on this stretch of Cinqes Road – visitors to school and users of Post Office opposite – parked cars will restrict visibility from driveways. New driveway will reduce available off-street parking, which will affect livelihood of Post Office.
23. Additional noise and smell from cars using extended driveway - driveway finish not specified – location of bin storage area.
24. Increase security to existing rear gardens.
25. No garage is provided and details of the proposed cycle shed are not provided.

26. Concern that structure will need to be made higher to support proposed roof construction.
27. Driveway to new dwelling is not wide enough for emergency vehicle access.
28. Precedent for other similar developments.
29. Amendments from previous scheme do not overcome objections/concerns.
30. New access driveway will present drainage problems if of impervious material due to additional surface water.
31. Ecology – site is green lung in the middle of village with nesting birds.
32. Damage to roots of trees on adjacent properties due to driveway construction.
33. Concern that gravity fed foul water system may not be adequate due to distance from road.
34. No improvement to the pedestrian pavement in Cinques Road is proposed.

Planning Comments

34. No.10 Cinques Road is a detached house set back from the road, with a single storey extension and garage/store on its north west side. It has a large mature garden to the rear.
35. To the north west of the site is a semi-detached bungalow on the corner of Cinques Road and Dolphins Way. To the south east is No.8 Cinques Road, a detached house, the garden of which runs alongside the south east boundary of the site. To the north are the rear gardens of houses in Dolphins Way, and to the north east is the rear garden of a property in Waresley Road.
36. Opposite the site is the village post office.
37. This full application proposes the demolition of the existing garage/store and the extension of the existing driveway alongside the north boundary of the site to serve a new detached, 3-bedroom, single storey dwelling on a 0.048ha section of the existing rear garden. Of No.10 Cinques Road. The existing dwelling will retain a 14m deep garden.
38. The proposed dwelling is low profile, with a green roof and cedar weatherboarding. It will have a ridge height of 3.3m and an eaves height of 2.7m. It will be located 2m from the boundary with the gardens of properties in Dolphins Way and Waresley Road, and 3m from the boundary with No.8 Cinques Road.
39. Sufficient parking space to meet adopted standards and a turning area are provided within the site, along with a cycle store. No details of this structure are supplied, but this can be covered by way of a condition should the application be approved..
40. The proposed driveway will be within 0.5m of the fenced boundaries of properties in Dolphins Way. The width of the driveway narrows to 2.8m at the rear of the existing house, but widens towards Cinques Road. The application also proposes a new vehicular access from Cinques Road to serve the existing dwelling, with the provision

of three off-street parking spaces for that property. The application form states that the access and hardstanding will be constructed in permeable paving.

41. The application is accompanied by a Design and Access Statement and Draft Heads of Terms.

Principle of development

42. The site is within the village framework and therefore the principle of development is acceptable, subject to compliance with other policies in the development plan.
43. Policy H/15 of the emerging Plan sets out the Council's proposed approach to dealing with applications for development of residential gardens. Although the emerging plan currently carries limited weight in the determination of applications, the criteria the Policy lists to be taken into account when considering this type of application, are essentially those which Members will have been considering when previously considering proposals for development in existing rear gardens. These include the character of the local area; any direct and on-going impacts on the residential amenity of nearby properties; the proposed siting, design, scale and materials of construction of the building; the existence of or ability to create a safe vehicular access; the provision of adequate existing on-site parking or the existence of adequate existing on-street parking; and the impacts on biodiversity and important trees. These matters are considered below.

Character of the area

44. The site comprises part of a mature residential garden, which is bounded on two sides by existing rear gardens, and on the third side by a side garden. Although the introduction of a new building on this location will alter the character of the area, the fact that it will have a low profile means that its wider impact will be limited. Its footprint is not large by modern standards and it does not dominate its plot or have an imposing effect on neighbouring properties. It will not set an automatic precedent for development of other gardens in the vicinity, with each having to be considered on its merits, having regard to the ability to provide adequate access etc.
45. The design of the property has been kept low to reduce impact on adjacent properties. Whilst the use of cedar boarding, green roof and overall design does not reflect adjacent buildings, officers are of the view that the low nature of the building will mean that it does not have an unreasonable impact on the character of the area.

Residential amenity

46. Although the proposed dwelling will be sited within 2m of the rear boundaries of properties in Dolphins Lane, the dwellings are set approximately 10m from the boundary. Officers do not consider that the proposed dwelling, with ridge height of 3.3m, will appear overbearing or result in significant loss of light to those houses, or overshadow their garden areas. The proposed dwelling will be a similar distance from the rear boundary with the bungalow in Waresley Road, however that dwelling is 25m from the boundary, and again officers are of the view that the impact of the building on that property is acceptable. Appropriate boundary fencing should be secured by condition where necessary to prevent overlooking.
47. There will be a minimum distance of 3m from the boundary of the garden of the adjacent property in Cinques Road, and although that boundary is more open, a condition requiring the provision of appropriate boundary fencing will prevent any

overlooking, and the property will not appear overbearing from the garden of that dwelling.

48. The proposed driveway will be within 0.5m of the rear gardens of properties in Dolphin Way, and will extend along the boundaries of three properties. Although there will be some increase in noise and disturbance due to the use of the driveway, officers are of the view that as its use is to serve a single dwelling only, provided an appropriate surfacing material is used, which can be secured by condition, the level of disturbance (including any associated smells) to existing properties will not be such as to justify refusal of the application. An area for bin storage is provided within the site, away from the boundary with adjacent properties.

Highway safety and access

49. The Local Highway Authority has not objected to the application. The existing access serves No.10 Cinques Road, whereas it will now serve the new dwelling. Visibility from that access to the north west is restricted and it is therefore not suitable to serve more than a single dwelling. The previous application, which was withdrawn showed both the proposed and existing dwelling served from the existing access.
50. Adequate off-street parking is provided for the new dwelling and there should be no need for vehicles to park on Cinques Road. The proposed new access to Cinques Road to serve the existing dwelling, along with the provision of three parking spaces in the existing front garden, will provide adequate off-street parking for that property. Although the proposed access is opposite the village post office, and its creation will result in the loss of some on-street parking on the east side of Cinques Road, in an area where parking can be difficult at certain times of the day, the effect will not be so significant as to justify a reason for refusal. The impact on pedestrians will also be negligible.
51. The proposed access will need to be constructed so as to avoid damage to the existing tree on the site frontage. This can be secured by condition.
52. Concern has been expressed that the width of the proposed driveway is not sufficient to allow access for emergency vehicles. This matter has been discussed with the Building Control section and provided that the width of the access is increased slightly at the front of the site, which can be achieved, it will allow an emergency vehicle to get within the required distance of the proposed property to satisfy the appropriate regulations.

Biodiversity and trees

53. There are no significant trees within the application site which will be affected by the development and although the existing garden provides an open green area, it is primarily laid to lawn. Boundary planting can be retained.

Other matters

54. Surface water drainage can be dealt with by way of condition. Foul water details will be dealt with by the Building Inspector. It is not uncommon for new private access drives to be constructed along the rear boundaries of existing properties and this fact alone is not considered sufficient to make any resulting fear of crime a reason to refuse the application.

55. The applicant has submitted a draft heads of terms which recognises the need for contributions under Policies DP/4 and SF/10 in respect of open space, community facilities and waste receptacles. Any decision to grant consent will need to be delegated to allow prior completion of a Section 1066 Agreement to secure these contributions.

Conclusion

56. Officers recognise that existing rear gardens are generally quiet and free from development. Nonetheless, it is considered that the proposal has been sensitively designed to reflect its location such that it will have no discernible impact on the character and appearance of the wider area or any material impact on the amenity of surrounding residential occupiers subject to the imposition of safeguarding conditions where necessary.

Recommendation

57. Delegated approval subject to:

Section 106 Agreement securing contributions to open space, community facilities and waste receptacles.

Conditions (to include)

- a) Time limit – 3 years
- b) Approved plans
- c) Hard and soft landscaping/boundary treatment
- d) Implementation of landscaping
- e) Surface water drainage
- f) Details of proposed cycle store
- g) Parking and turning to both proposed and existing dwelling
- h) Restrict hours of operation of power driven machinery during the construction process
- i) Temporary parking during the construction period

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/2639/13/FL and S/0976/13/FL

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

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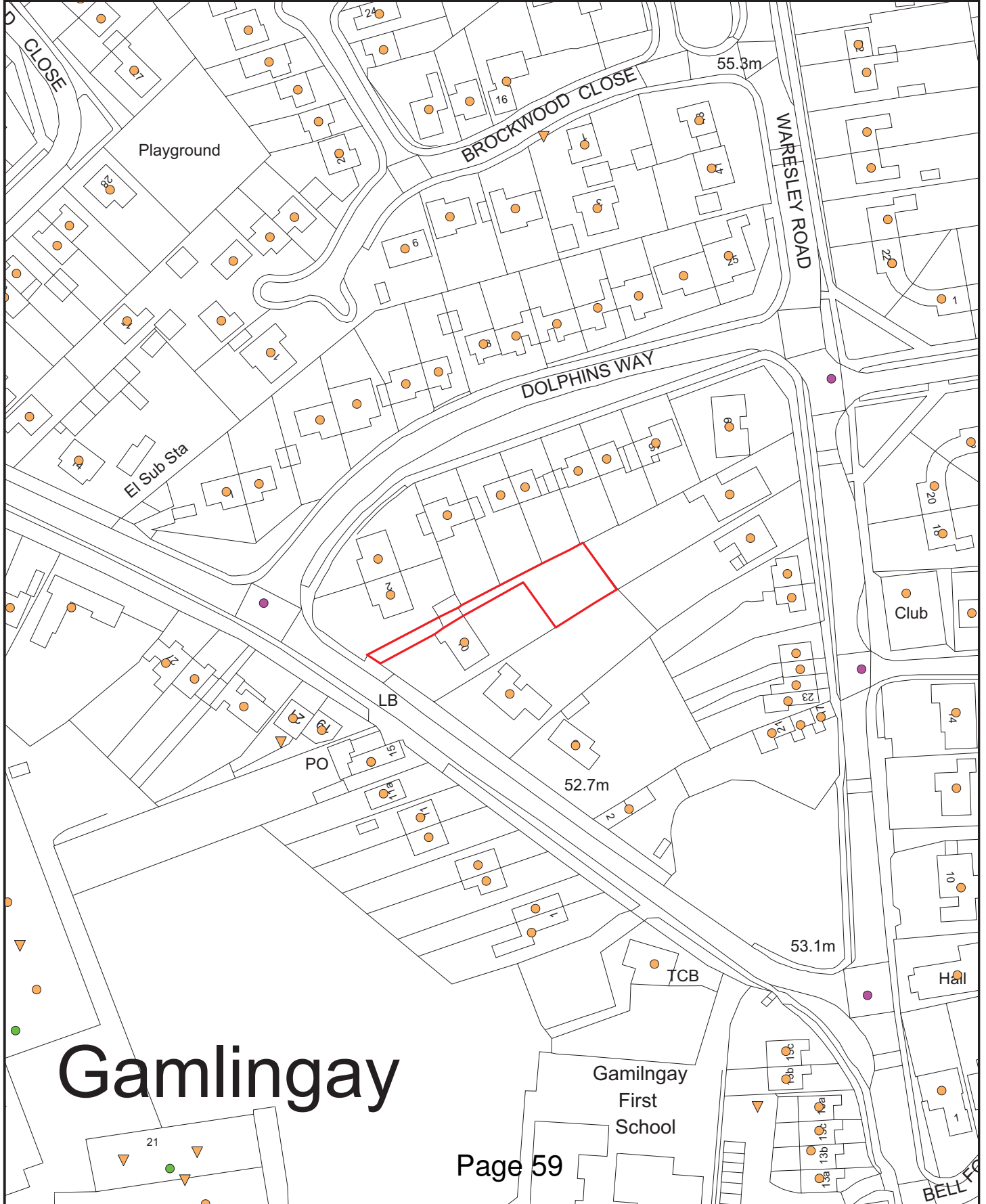
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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2702/13/FL
Parish(es):	Cottenham
Proposal:	Replacement of No.3 The Lakes (two-bedroom basement flat) with single-storey three-bedroom dwelling through the change of use and minor alteration of an existing outbuilding
Site address:	The Lakes, Twentypence Road
Applicant(s):	Mr & Mrs G Clandillon
Recommendation:	Approval
Key material considerations:	Principle of development
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	Dylan Jones
Application brought to Committee because:	The Officer recommendation conflicts with the recommendation of Cottenham Parish Council
Date by which decision due:	17 March 2014

Executive Summary

1. The Lakes currently comprises six lawful dwellings and two unauthorised dwellings. The application proposes to relinquish the use of one of the lawful dwellings (a 2-bedroom basement flat) and to convert the two unauthorised dwellings (contained within an outbuilding) into a single 3-bedroom property.
2. Last year, an application to regularise the use of the two unauthorised dwellings was refused and dismissed at appeal on sustainability grounds. As the current application would not result in any increase in the lawful use of the site for six dwellings, it is not considered to result in an unsustainable form of development in this rural location. As such, the reasons behind the appeal being dismissed are considered to have been addressed in the current scheme, and the Officer recommendation is one of approval.

Site and Proposal

3. The Lakes is located outside the village framework and within the countryside between the villages of Cottenham to the south and Wilburton to the north.
4. The applicants first acquired The Lakes in May 2002. At that time, the property was a six-bedroom dwelling and a self-contained basement flat. In 2005, the applicants subdivided the building to form six independent dwellings by demolishing connecting sections and making alterations to the retained floorspace. These works were completed in 2008 and all of the dwellings subsequently occupied by separate households. A Certificate of Lawfulness confirming the lawful use of the six dwellings was issued by the Council last year.
5. The site also includes an outbuilding that was originally a detached garage and store associated with the main dwelling. It was converted, without planning permission, to form two semi-detached dwellings. An application to regularise this use was submitted last year. This application was refused and subsequently dismissed at appeal.
6. The current application proposes to relinquish the use of one of the lawful six dwellings (a two-bedroom basement flat known as No.3 The Lakes) and to replace this property by converting the aforementioned outbuilding to a single dwelling.
7. The proposed physical works comprise the following:
 - Basement flat: the demolition of No.3 The Lakes would be achieved by removing the walls and tanking/lining; and
 - Outbuilding/proposed dwelling: the works would consist of internal alterations to convert the building from the currently unauthorised two dwellings to one dwelling. Externally, two French windows on the front elevation would be replaced with half-height casement windows, one of two front facing doors removed, and a new secondary access door and window inserted on the rear elevation.

Planning History

8. S/1529/12/FL – Application for change of use and alteration to outbuilding to form 2 no. dwellings (retrospective) refused for the following reasons:
 1. The site is located in the countryside, approximately 3 miles from the edge of Cottenham, the closest settlement. Twentypence Road, off which the site is accessed, is a busy, poorly-lit 60mph road with no footpaths or cycleways. Occupiers of the site would, in all likelihood, be forced to rely on the private car to travel to facilities and services. The increase in the number of dwellings within this isolated location represents an unsustainable form of development. The proposal is therefore contrary to the Local Development Framework 2007: Policy DP/7, which states that, in countryside locations, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside will be permitted; and Policy HG/8, which states that residential conversion will only be appropriate in locations close to larger villages. The proposal is also contrary to the aims and objectives of the National Planning Policy Framework 2012, which contains a presumption in favour of sustainable development.

2. The access is from the Twenty Pence Road, a B-classified road that is subject to a 60mph speed limit and has a recorded history of accidents, including a number of fatalities. The proposal would result in the number of dwellings utilising the existing access increasing from 6 to 8. The existing access is substandard and suffers from inadequate vehicle visibility in both directions and substandard kerb radii. The proposal will result in an intensification in the use of the access. The application fails to demonstrate how the access can be improved to ensure that highway safety would not be compromised, and is therefore contrary to the requirements of Policy DP/3 of the Local Development Framework 2007.

The application was then dismissed at appeal on the grounds that the site is not in a sustainable location. The Inspector did not concur with the highway safety issue, stating that an appropriate access could be achieved within the land controlled by the appellants and that this matter could therefore be dealt with by condition if permission were granted.

9. S/2379/12/LD – Certificate of lawfulness for existing development comprising the conversion of single dwelling to six dwellings – granted.
10. S/1048/09/F – Alterations and change of use of dwelling to form 4 holiday lets and replacement access – refused, contrary to officer recommendation, at Planning Committee, on sustainability grounds.
11. S/1979/08/F – Alterations and change of use of dwelling to form 4 holiday lets and replacement access – refused for biodiversity reasons.
12. S/0919/08/F – New access – withdrawn.
13. S/0386/08/F – Part demolition and conversion of house to 4 dwellings (retrospective) – refused due to unsustainable location, increase in traffic, failure to comply with mix policy, neighbour amenity problems, and no affordable housing or public open space contributions.
14. S/1502/07/F – Part demolition and conversion of house to 4 dwellings – withdrawn.
15. S/1535/06/O and S/1536/06/O – Two separate applications for three residential units on land to the north of The Lakes refused.
16. S/1534/06/F – Relocation of access – refused.
17. S/0099/06/LDC – Existing use as 3 dwellings – refused.

Planning Policies

18. National Planning Policy Framework 2012
19. Local Development Framework

South Cambridgeshire LDF Development Control Policies DPD 2007:
DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
DP/7: Development Frameworks
HG/2: Housing Mix

HG/7: Replacement Dwellings in the Countryside
HG/8: Conversion of Buildings in the Countryside for Residential Use
NE/11: Flood Risk
NE/15: Noise Pollution
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Cottenham Village Design Statement – Adopted November 2007
Open Space in New Developments – Adopted January 2009
District Design Guide – Adopted March 2010

20. Draft Local Plan

S/1: Vision
S/2: Objectives of the Local Plan
S/3: Presumption in Favour of Sustainable Development
S/7: Development Frameworks
CC/1: Mitigation and Adaptation to Climate Change
CC/9: Managing Flood Risk
HQ/1: Design Principles
H/9: Conversion of Buildings in Countryside to Residential?
NH/4: Biodiversity
SC/11: Noise Pollution
TI/2: Planning for Sustainable Travel
TI/3: Parking Provision

Consultations

21. **Cottenham Parish Council** – Recommends refusal on the following grounds:

- The reasons that the Planning Inspectorate gave in their appeal decision of 29th October 2013 are still valid (Ref: APP/W0530/A/13/2197336)
- We believe section 12 of the application form is incorrect. The applicant has stated that the site isn't within 20m of a watercourse but there is a drainage ditch in very close proximity to the site (the site itself is an 'island' surrounded by zone 3 flood plains).
- The application is contrary to Policy HG/7 of the SCambs Local Development Framework. The proposal is not a like for like replacement, we believe it to be more than a 15% enlargement and the dwelling has been abandoned because it is uninhabitable.

Representations

22. None

Planning Comments

Principle of development

23. The site is located outside any defined village framework and within the countryside between the villages of Cottenham to the south and Wilburton to the north.
24. The Lakes was originally a large detached dwelling that, through alterations and demolition of connecting sections of the original building, has been subdivided over time to form six independent dwellings. A Certificate of Lawfulness for these six properties was issued by the Council last year.
25. The outbuilding that is included within this application was originally a garage/store associated with the main house. This has been converted, without the benefit of any planning permission, to form two additional dwellings, thereby increasing the number of dwellings on the site from six to eight.
26. A retrospective application for the conversion of the outbuilding to two dwellings was refused last year on the grounds that it would result in an unsustainable form of development, and for highway safety reasons.
27. This application was dismissed at appeal solely on sustainability grounds. The Inspector stated that the site is in a very remote location, and that the distance to the nearest settlements, together with the nature of the busy road leading to the site, would mean that residents could not safely walk or cycle. As a result, residents would, in all likelihood, be reliant on private motor vehicles. Given the high number of vehicle movements associated with residential properties (approximately 17 daily movements for two properties), the Inspector considered the proposal represented an inherently unsustainable form of development.
28. The Parish Council has objected to the current application, stating that it does not address the reasons behind the appeal being dismissed.
29. The site has a lawful use for six dwellings. The proposal would result in the use of one of these dwellings (the 2-bedroom basement flat) ceasing and its replacement with a 3-bedroom dwelling created through the conversion of an existing outbuilding. Therefore, there would still be six dwellings on the site and, unlike the previous application that was dismissed at appeal, the current proposal would not increase the number of properties on the site. The appeal decision was based on the increase in the number of dwellings and the associated increase in the number of vehicle movements (in excess of 100 movements per week) in this unsustainable location. As there would be no net gain in the number of properties on the site, it is considered that the sole reason behind the appeal being dismissed has been addressed within the current application.
30. The proposal represents the one-for-one replacement of an existing dwelling in the countryside. Policy HG/7 of the LDF states that the Council will permit the one-for-one replacement of dwellings in the countryside subject to the requirements of the General Permitted Development Order (ie – a maximum enlargement of 15% of volume) where:
 - It can be shown the use of a dwelling has been abandoned.
 - The proposed replacement dwelling is in scale with the dwelling it is intended to replace and is in character with its surroundings.

- The proposed replacement would not materially increase the impact of the site on the surrounding countryside.
31. The Parish Council has objected on the grounds that the proposal would conflict with Policy HG/7, stating that the replacement property (ie – the outbuilding) would be more than 15% larger than the basement flat, and also on the basis that the basement flat is uninhabitable and has been abandoned.
 32. The applicant's agent has advised that the cubic content of the basement flat is 331m³, whilst the volume of the outbuilding (excluding space within the shallow pitched roof) is 365m³. This represents an approximately 10% increase in volume and is therefore within the policy limits. It is also important to stress that part of the reason behind this guideline enlargement is to ensure that development would not have a greater visual impact on the countryside. In this instance, the outbuilding exists and is lawful, and the proposal would not therefore have a materially harmful visual impact on the character of the surrounding countryside.
 33. With regards to the abandonment issue, the applicant's agent has advised that, due to the finished floor height of the basement flat being below water level, it suffers from chronic damp and will soon be unviable to maintain without remedial works. It has only recently become vacant after a long-term tenant departed, but has been continually occupied as a dwelling since at least 2004. Whilst suffering from damp issues, the basement flat is neither uninhabitable, nor can the use be said to have been abandoned.
 34. The application is therefore considered to be in compliance with Policy HG/7.
 35. Given that there are presently two unauthorised dwellings on the site within the outbuilding, any consent would need to be subject to a Section 106 Legal Agreement to relinquish the use of the basement flat and to convert the outbuilding from two dwellings to one dwelling in accordance with the drawings and schedule of works included with the application. The applicant has agreed to these works being carried out within 3 months of the date of the decision.

Infrastructure requirements

36. All residential developments are required to contribute to the off-site provision and maintenance of open space, to the off-site provision of indoor community facilities, and towards the provision of household waste receptacles. In this instance, the level of contributions would be based on the net impact and the additional bedroom in the replacement dwelling. A Heads of Terms confirming acceptance of these contributions has been submitted with the application, and would need to be secured through the prior completion of a Section 106 Legal Agreement.

Flood Risk

37. The site lies within Flood Zone 1 (low risk). The Environment Agency stated, in connection with a previous application, that the site is effectively a 'dry island', with the surrounding area being within zones 2 and 3, and raised no objections. The current application is therefore considered to be acceptable from a flood risk perspective.

Recommendation

38. Approval, subject to the prior signing of a Section 106 Agreement as set out within paragraphs 35 and 36 above.
39. As the use of the outbuilding as two dwellings is unauthorised, and given that a decision cannot be issued until the Legal Agreement has been resolved and completed, it is also recommended that an Enforcement Notice be served immediately requiring the cessation of the use of the outbuilding as two dwellings within a six-month timescale.
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: Site location plan, No.3 The Lakes (Proposed Floor Plan and Finished Perspective) and drawing number A272 02.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: District Design Guide, Landscape in New Developments
- Proposed Submission South Cambridgeshire Local Plan 2013
- Planning File Reference: S/2702/13/FL

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

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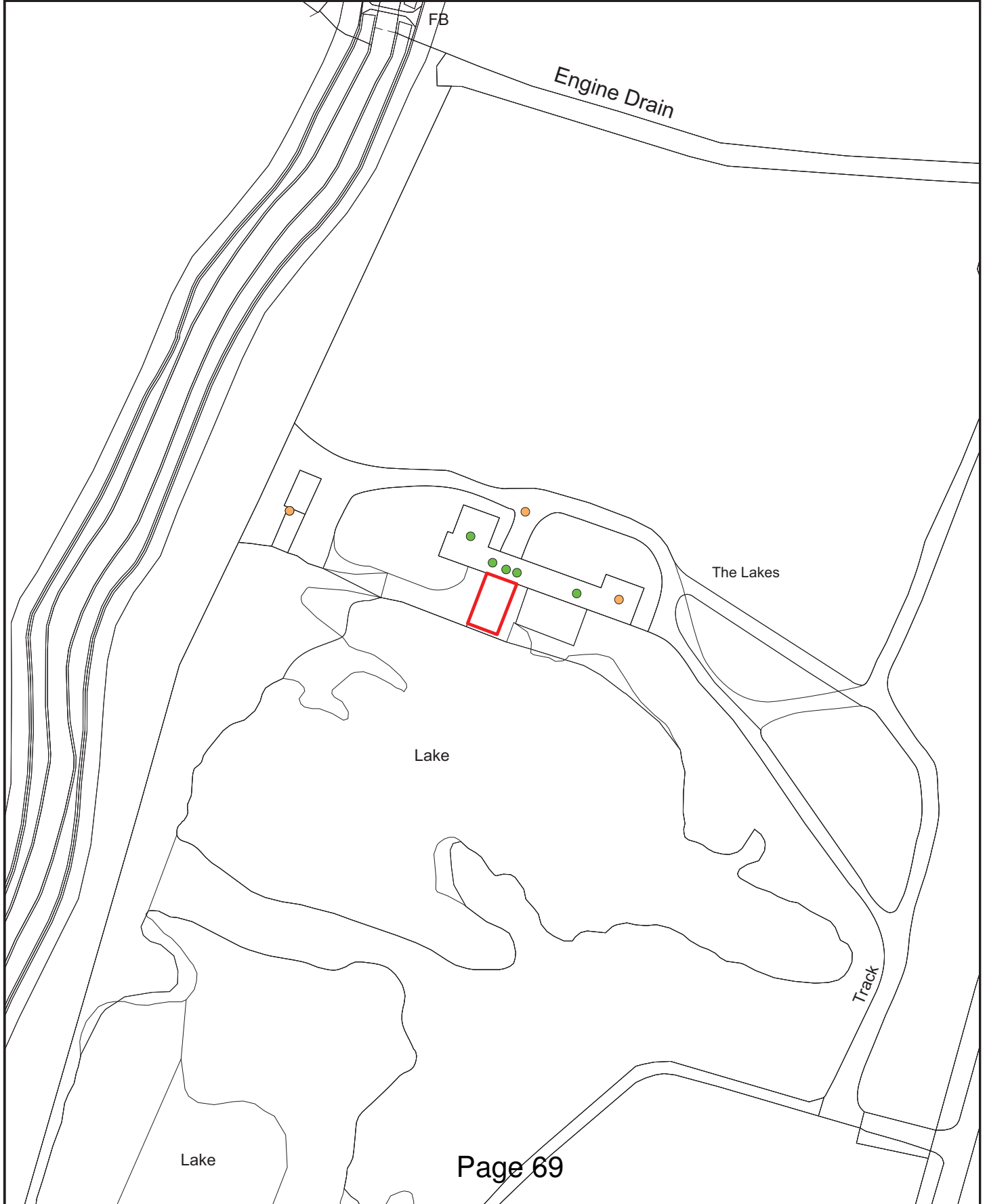
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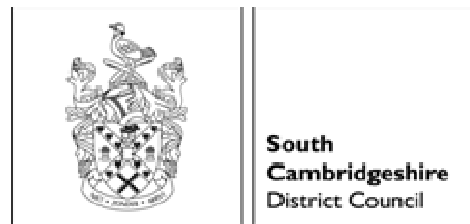
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Agenda Item 10



REPORT TO: Planning Committee
LEAD OFFICER: Planning and New Communities Director

5th March 2014

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 13th February 2014. Summaries of recent enforcement notices are also reported, for information.

Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
1 st Qtr. (Jan – March) 2014	*	*
2 nd Qtr. (April – June) 2014	*	*
3 rd Qtr. (July – Sept) 2014	*	*
4 th Qtr. (Oct – Dec) 2014	*	*
January 2014	42	29
2014 YTD	42	29
1st Qtr. (Jan – March) 2013	109	133
2nd Qtr. (April – June) 2013	147	157
3rd Qtr. (July – Sept) 2013	145	155
4 th Qtr. (Oct – Dec) 2012	110	127
2013 YTD	511	572

Enforcement Cases on hand:

3. Target 150
4. Actual 86

Notices Served

5.

Type of Notice	Period	Year to date
	January 2014	2014
Enforcement	0	0
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	0
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	0
Injunctions	0	0
High Hedge Remedial Notice	0	0

Notices issued since the last Committee Report

6.

Ref. no.	Village	Address	Notice issued
None Issued			

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 that are of particular note

9. Updates are as follows:
 - a. **Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**
 Work still in progress regarding legal action relating to the current breach of enforcement. Additional concern noted since the March report regarding the stationing of a mobile home on the nursery land section and the importation of brick rubble to form a track to link the upper field to the main residence. Assessment to the Planning Contravention response and the site inspection 10th May 2013 has confirmed the breach of planning control relating to the engineering operation to the new track, and breaches relating to the planning

enforcement notices. A report to the planning committee was prepared and submitted. The Committee authorised officers to apply to the Court for an Injunction under Section 187B of the Town and Country Planning Act 1990. Members agreed the reasons for the application as being the desire to protect and enhance the character and amenity of the immediate countryside and the setting of Cambridge, Stapleford and Great Shelford in view of the site's prominent location, and the need to address highway safety issues arising from access to the site directly from the A1307

The Injunction statement has now been considered by Counsel with further information being requested in order that the Injunction application can be submitted.

b. Q8, Foxton

Planning application in preparation - No further update available at this time

c. 1-6 Pine Lane – Smithy Fen

Previously the subject of a planning consent resulting from an appeal decision 14th October 2003 under reference APP/W0530/C/03/1113679 The planning permission is no longer valid as the owners have failed to comply with their planning permission relating to conditions. Additionally a further permission granted at appeal for plots 4 & 5 Pine Lane 30th August 2012 under reference APP/W0530/A/12/2170121 has also lapsed due to planning conditions contained in the appeal decision not being complied with/met. A planning application for plots 4/5 has been submitted but not validated. An application for the remaining plots in Pine Lane, 1, 2, 3 & 6 is in the process of being submitted.

Valid planning applications relating to plots 1-6 inclusive have not been received as requested therefore a file has been submitted to legal requesting the issue of a planning enforcement notice. Notices are currently being compiled following clarification of policies to be used.

d. Portelet High Street, Croydon

Complaint received regarding a statutory noise nuisance following a change of use at the property to a dog breeding business. Investigations so far have revealed that there is a change of use at Portelet but a statutory noise nuisance has not been substantiated. Retrospective planning application for the change of use has been submitted – Still awaiting validation as some information has not yet been provided – Case officer progressing.

e. Buckingway Business Park, Swavesey

Complaint received regarding the stationing of buses belonging to Sun Fun Travel on land adjacent to the business park without the benefit of planning. Retrospective planning application submitted – Still awaiting validation as some information has not yet been provided - Case officer progressing.

f. Co-Op School lane Cambourne

Erection of two signs contrary to the Town & Country Planning (Control of Advertisements) (England) Regulations 2007. One of the signs erected had been the subject of a planning application but was refused prior to installation. Negotiations continue with the agent acting for the Co-Op for the signs to be removed. Negotiations concluded. The entrance sign is to be removed on

safety grounds. The totem sign to remain under permitted development but not illuminated. Contractors timetable to be confirmed?

Summary

10. As previously reported Year to date 2013 revealed that the overall number of cases investigated by the team totalled 511 cases which was an 11.8% increase when compared to the same period in 2012. January 2014 has continued the trend and shows that there was a 27% increase in new cases when compared to the same period in 2013
11. The number of enforcement officer posts within the team remains at two members of staff following the end of a fixed term position. Situation continues to be monitored.
12. 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, including Environment Health, Planning, Housing, Anti-Social behaviour Officers, Vulnerable Adults and Safeguarding Children Teams.

Effect on Strategic Aims

13. This report is helping the Council to deliver an effective enforcement service for Members, Parishes and members of the Public including businesses

Aim 1 - We will listen to and engage with residents, parishes and businesses to ensure we deliver first class services and value for money

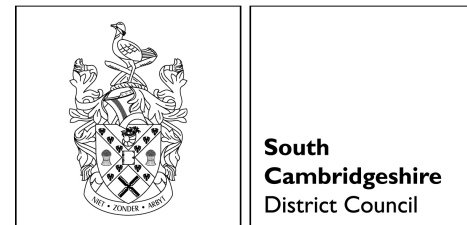
Aim 3 - We will make sure that South Cambridgeshire continues to offer an outstanding quality of life for our residents

Background Papers:

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

Report Author: Charles Swain – Principal Planning Enforcement Officer
Telephone: (01954) 713206

Agenda Item 11



REPORT TO: Planning Committee
LEAD OFFICER: Planning and new Communities Director

5 March 2014

Appeals against Planning Decisions and Enforcement Action

Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as 21 February 2014. Summaries of recent decisions of importance are also reported, for information.

Decisions Notified By The Secretary of State

Ref.no	Details	Decision	Decision Date
S/1513/13/FL	Mrs A Heywood 9 Coles Lane Oakington 2 Storey Extension	Allowed	02/01/14
S/0988/13/FL	Mr C Sharp 11 Merton Road Histon Extension	Dismissed	21/01/14
S/1344/12/LB	Mr F Difranto Impington Village College Opening of projection gallery	Dismissed	06/02/14
S/0813/13/FL	Dr Reimann 18 Bartlow Road Linton 2 storey side extension and additional window on first floor	Allowed	07/02/14
S/0817/13/LB	Dr Reimann 18 Bartlow Road Linton 2 storey side extension and additional window on first floor	Allowed	07/02/14
S/1617/13/FL	Mr N Arnold 31 Westfield Road Great Shelford Revised Roof Design	Allowed	07/02/14
S/1927/13/FL	Mr S Gautrey Longmeadow main Street Caldecote	Dismissed	10/02/14

S/1582/13/VC	Mr T Byrne 1 College Road Impington Overlooking Condition	Allowed	17/02/14
S/1064/13/FL	Mr & Mrs A Frost 67 Whitton Close Swavesey Bungalow to the rear of no 67.	Dismissed	20/02/14

Appeals received

3.

Ref. no.	Details	Decision	Decision Date
S/2098/13/FL	Mr A Cox Odsey House Baldock Road Guilden Morden Demolition & replacement of flint wall erection of wall & gates	Refused	29/01/14
S/2099/13/LB	Mr A Cox Odsey House Baldock Road Guilden Morden Demolition & replacement of flint wall erection of wall & gates	Refused	29/01/14
S/2187/13/FL	Mr & Mrs Downham 34 Home Close Histon First Floor side and rear extension	Refused	14/02/14

Local Inquiry and Informal Hearing dates offered or confirmed in the next few months.

4.

Ref. no.	Name	Address	Hearing
S/0041/12/FL	Mrs K O'Brien	Water Lane Smithy Fen, Cottenham	Inquiry-Confirmed 18-20 March 2014
Plaenf.592	Mr J Calladine	4 Scotland Drove Park Rose & Crown Road Swavesey	Hearing-Confirmed 7 May 2014

S/0691/13/FL	Mr A Hartwig	Ryders Farm 35 Middlewatch Swavesey	Hearing 28/05/14 Offered
S/0645/13/FL	Manor Oak Homes	Cody Road Waterbeach	Inquiry
S/1359/13/OL	Persimmon Homes East Midlands	Bannold Road Waterbeach	Inquiry

Summaries of Appeals

5. None

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

Contact Officer: Nigel Blazeby – Development Control Manager

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