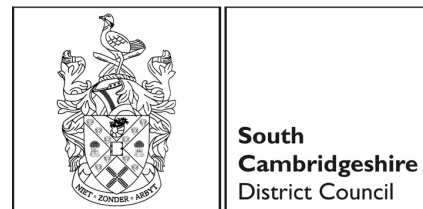


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5 May 2015

**** Please note start time! ****

To: Chairman – Councillor Lynda Harford
Vice-Chairman – Councillor Brian Burling
All Members of the Planning Committee - Councillors David Bard (substitute for Cllr Pippa Corney), Anna Bradnam, Kevin Cuffley, Tumi Hawkins, Caroline Hunt, Sebastian Kindersley, David McCraith, Deborah Roberts, Tim Scott, Ben Shelton and Robert Turner

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, 13 MAY 2015 at 9.30 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 note apologies from Councillor Pippa Corney (substituted by Councillor Dr. David Bard) and to receive apologies for absence from other committee members.

2.	Declarations of Interest	1 - 2
3.	Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 1 April 2015 as a correct record. The minutes are available on the Council's website.	
4.	Arrangements under Section 106 of the Town and Country Planning Act 1990 To receive a verbal update from the Interim Development Control Manager	Verbal Report
PLANNING APPLICATIONS AND OTHER DECISION ITEMS		
5.	S/2822/14/OL Foxton (Land off Shepreth Road) (TO REDUCE PRESSURE ON AVAILABLE PUBLIC SEATING, ITEM 6 WILL NOT BE CONSIDERED BEFORE 11.00AM)	3 - 36
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10.	S/0296/15/FL Waterbeach (Land at Cody Road) Appendix 1 is attached to the website version of the agenda	79 - 92
11.	S/2781/14/FL Girton (Gretton School, Manor Farm Road)	93 - 104
12.	S/0139/15/FL Impington (24 Hereward Close)	105 - 116
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14.	S/3035/14/FL Great Wilbraham (Land r/o 12-18 The Lanes)	129 - 140
INFORMATION ITEMS		
15.	Enforcement Report	141 - 146
16.	Appeals against Planning Decisions and Enforcement Action	147 - 150

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.

OUR VALUES

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

- Working Together
- Integrity
- Dynamism
- Innovation

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EXCLUSION OF PRESS AND PUBLIC

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

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

Notes

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

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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 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2822/14/OL
Parish:	Foxton
Proposal:	Outline application for development of up to 95 houses (Class C3) with access, open space and associated infrastructure and with all other reserved
Site address:	Land off Shepreth Road, Foxton
Applicant:	Gladman Developments Ltd
Recommendation:	Refusal
Key material considerations:	The main issues are whether the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and housing land supply, scale of development and impact on character and landscape. impact on heritage assets, services and facilities, access and transport, drainage, and ecology.
Committee Site Visit:	Yes
Departure Application:	Yes
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The application proposal raises considerations of wider than local interest.
Date by which decision due:	2 March 2015

Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 95 dwellings outside the adopted village framework and in the countryside on a greenfield site. The development would not normally be considered acceptable in principle as a result of its location. However two recent appeal decisions on sites in Waterbeach have shown that the district does not currently have a 5 year housing land supply, and therefore the adopted LDF policies in relation to the supply of housing are not up to date. The NPPF states there is a presumption in

favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

2. In this case, given the scale and location of the development, officers are of the view that the adverse impacts of the development on the character of Foxton village, and impact on the setting of Foxton House, a Grade II listed building, significantly and demonstrably outweigh the benefits that include a contribution of up to 95 dwellings towards the required housing land supply, including 40% affordable dwellings.

Planning History

3. There is no relevant planning history on the application site.

Policy

4. **National**
National Planning Policy Framework
Planning Policy Guidance
5. **South Cambridgeshire Local Development Framework Core Strategy**
ST/2 Housing Provision
ST/6 Group Villages
6. **South Cambridgeshire Local Development Framework Development Control Policies**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/6 Public Art and New Development
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 – Water and Drainage Infrastructure
NE/10 – Foul Drainage – Alternative Drainage Systems
NE/11 – Flood Risk
NE/12 – Water Conservation
NE/14 – Light Pollution
NE/15 – Noise Pollution
NE/17 – Protecting High Quality Agricultural Land
CH/2 – Archaeological Sites
CH/4 – Development Within the Curtilage or Setting of a Listed Building
CH/5 – Conservation Areas
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

TR/4 – Non-motorised Transport

7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**

Open Space in New Developments SPD - Adopted January 2009

Affordable Housing SPD - Adopted March 2010

Listed Buildings SPD – Adopted July 2009

Trees & Development Sites SPD - Adopted January 2009

Landscape in New Developments SPD - Adopted March 2010

Biodiversity SPD - Adopted July 2009

District Design Guide SPD - Adopted March 2010

Health Impact Assessment – Adopted March 2011

8. **Draft 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/7 – Development Frameworks

S/10 – Group Villages

S/12 – Phasing, Delivering and Monitoring

CC/1 – Mitigation and Adaptation to Climate Change

CC/3 – Renewable and Low Carbon Energy in New Developments

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/3 – Protecting Agricultural Land

NH/4 – Biodiversity

NH/6 – Green Infrastructure

NH/14 – Heritage assets

H/7 – Housing Density

H/8 – Housing Mix

H/9 – Affordable Housing

SC/8 – Open space standards

SC/11 – Noise pollution

T/1 – Parking provision

Consultation by South Cambridgeshire District Council as Local Planning Authority

9. **Foxton Parish Council** – objects strenuously and recommends that it be refused.

10. “By way of context:

11. As explained below, in view of the size of the application, in addition to the usual ‘soundings’, the Parish Council undertook a formal consultation exercise with its residents; the views of the Parish Council reflect the views of the overwhelming majority of the residents of Foxton.

12. The Parish Council note that the proposal is founded on the alleged absence of a five-year supply of housing land in South Cambridgeshire, with the corollary that if a

five-year supply could be demonstrated then the proposal has no merit whatsoever. In any event, the Parish Council are of view that even if there was a shortfall in the five-year supply, the adverse impacts of the proposal so significantly and demonstrably outweigh the alleged benefits that the application should be refused.

13. In this context, Foxton Parish Council object to the application proposal on the following grounds:
14. The adverse visual impact of the scheme, including the impact on the landscape, the wider setting of the village and a nearby designated heritage asset;
15. The adverse impact on the character of the village; and
16. The adverse impact on the existing community at Foxton, including (but not limited to) the impact on community infrastructure and services.
17. To explain these points further:
18. Foxton has historically been designated as a 'Group Village' for many decades, allowing small developments of up to 8 dwellings (or exceptionally 15). The character and appearance of the village, and its level of service provision has been driven by this designation. The application completely disregards this designation and the new Local Plan currently under examination, does not identify this site as a development option for good reasons, and it is noteworthy that it was not put forward by the landowner in the recent call for sites.
19. The application site is rated a grade 2 BMZ (Best and Most Versatile) agricultural land, and has historical and archaeological significance. The pasture survives from early medieval times, and would be lost if the development were to proceed.
20. A major part of the application site provides the setting of the Grade II Listed Building of Foxton House, and has done so since it was built in 1825. The scale of development proposed would inevitably harm the setting of Foxton House (despite the application's claims that it would *enhance* it), which is important due to the quality of its architecture and surrounding landscape, and historic connections relevant to the development and history of the village. Permitting the proposed development would be in breach of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 112 and 133 of the National Policy Framework, and SCDC local development control policies CH/1. CH/4 and DP/7 (adopted July 2007).
21. The impact and scale of the development proposed will significantly harm the village landscape character of the approach to the village from Shepreth. The Shepreth Road is ancient thoroughfare with wide grass verges and an absence of road kerbs, which is appropriate for this small ancient village. Equally, the proposal will adversely affect the visual separation and scale of buffer zone of the village from the A10 highway, which is also appropriately sized, visually satisfactory and something to aspire to in terms of the quality of the visual environment and landscape.
22. Additionally the outlook from several properties and roads in the village will be adversely affected.
23. The impact of a development of 95 new dwellings (representing an increase of approximately 20% in the size of the village) would overwhelm the character of this small, historic village settlement. Foxton's status as a group village means that it has

grown organically (as it has done over hundreds of years) and small developments can be carefully planned to maintain the character of the village.

24. The impact of such a large development would be seen in the following ways:
25. The increase in traffic will cause problems at the exits from the village onto the A10. The application underestimates the problem, as despite attempts to promote public transport, we still live in a 'driving' culture, which will take some time to change. The closure of Foxton Level Crossing is currently under consideration – this has not been considered in the application, but this would result in the A10 traffic becoming more free flowing and exacerbate traffic problems at the junctions out of the village.
26. The school has space for 18 extra children, and these spaces will mostly be taken up by development already taking place in the village, which may result in up to 20 children of primary school age. The development on Shepreth Road is likely to produce up to 60 additional children, for which the school would need to build two new classrooms. The proposed S106 monies for this development would not even cover a single classroom at the school, and the County Council would need to find additional funding of £19,000 per child.
27. Local doctors' surgeries and NHS dentists are effectively full, and could not cope with the increase.
28. Foxton currently has a need for some affordable housing (understood to be approximately 20-25). However, planning permission has already been granted for 39 dwellings (of which 23 are affordable, 15 of these being social housing for rent). This meets identified local need, and demonstrates that the village is not against development per se, and is happy to accept appropriate small-scale (and planned) growth.
29. The application does not offer any solutions to infrastructure issues. There are several large planning applications locally (at Melbourn, Harston/Hauxton, and Barrington): taken together these would have a huge impact on the local infrastructure. Since all of these applications are outside the Local Plan, the County Council has no planned expenditure (available or already allocated) to provide for improvements to infrastructure that speculative applications for developments such as these would need.
30. The promises to provide pedestrian access to the A10 (and therefore an east cycle route to the station and Royston/Cambridge) are completely impractical due to this being a busy main road and a danger to cross.
31. If the proposed development were permitted, such determination would be contrary to Sections 11, 12, 133, 156 and 178 of the National Planning Policy Framework, SCDC core development control policy ST/6 (adopted Jan 2007), and development control policies CH/1, CH/4 and DP/7 (adopted July 2007).
32. The Parish Council has noted that that the application also contains typographical and other errors, which in some cases misrepresent the actual situation and put the application in a more positive light than it merits; these are self-evident. It is fundamentally wrong in land use planning terms to promote or permit a development of this magnitude in such a small historic village, with limited local services and infrastructure, which would overwhelm the local community.

33. The Parish Council's view is supported by numerous comments received and the overwhelming response of the local community requesting that this application be refused. The Parish Council has conducted two written consultation exercises in the village to gauge support the response to this development. Both elicited a response from over 50% of the village, and in each case over 95% of respondents were against the development.
34. **Cambridgeshire County Council Highways Development Control** – originally recommended refusal, commenting that the applicant had failed to provide sufficient information in respect to detail design for the proposed access and pedestrian connectivity to the existing public highway network.
35. It states that the recommendation could be overcome with the installation of a 3.5m wide footway/cycleway on the development side of Royston Road to provide access to Foxton Station. This point of access onto the A10 could also be used as an emergency secondary access if designed correctly. The proposed use of the existing pedestrian/cycle route accessed by an uncontrolled pedestrian crossing point to the other side of the A10 was unacceptable to the Highway Authority.
36. In respect of the revised details it maintains the recommendation of refusal, but on the grounds that the applicant has failed to provide a drawing which shows the required visibility spays at the junction of the new access road with Shepreth Road. It retains severe reservations with regards to connectivity within the site and strongly recommends that the applicant engages with the Urban Design Team and the Highway Authority to progress a more suitable internal arrangement.
37. **Cambridgeshire County Council Transport Assessment Team** – in respect of the application as originally submitted requested that further assessments were required in respect of junction modelling; detailed design for the proposed access and pedestrian connectivity to the existing public highway network; revision to person trip rates to include those working from home; provision of distances to local services; details of the proposed cycle box provision at Foxton Rail Station and how these will be reached by suitable cycle routes; further details of the two new bus stops proposed on Shepreth Road; additional information on distribution of traffic from the site; and additional details in respect of the proposed Travel Plan.
38. Following extensive discussions with the applicant, and the receipt of additional information in respect of the above, it raises no objection subject to the following being secured through Section 106 or planning condition.
39. Pedestrian/cycle path from the northern access to Foxton Station on the development side of the A10 should be provided by the developer prior to occupation of the site and should meet design standards.
40. The developer should carry out the installation of bus stops at the frontage of the development prior to occupation of any dwelling. The bus stops should include raised kerb, bus shelter and real time information, although the design and maintenance should be agreed with the County Council and the Parish Council.
41. Cycle parking should be provided by the applicant at, or close to, Foxton Station prior to occupation. The design, provision and location should be agreed with the County Council.

42. The Travel Plan should be provided to the County Council for agreement prior to occupation of the development, and contributions will be sought from the applicant to secure the above.
43. **SCDC Historic Buildings** has commented as follows:
44. *Setting of Foxton House*
45. Foxton House originally stood in 18 hectares of land, which included the proposal site. In the applicant's 'Heritage Statement', Figure 27 indicates the two garden frontages of Foxton House, which show that it also has had little intervention during its lifetime. This almost total retention of its historic fabric adds substantially to its significance. In common with many country houses, it stood in immediate formal gardens comprising lawns that incorporate specimen trees, with informal tree parkland used for grazing beyond, and this landscape setting also contributes to the significance of Foxton House. Despite having a negative contribution to the significance of Foxton House and affecting one's ability to appreciate that significance (as indicated by Figure 24), the group of Leylandii has great reliance placed on it in the application statements that when supplemented by further tree planting within the proposal site, it will provide screening between Foxton House and the proposed development. This is despite the fact that no such screening was a feature of the original formal garden design. In addition, the group of Leylandii is not within the control of either the applicant or the Local Planning Authority (LPA) as it is not covered by TPO or within the Conservation Area boundaries. Therefore it could be removed to enhance the setting of the Listed Building by returning its garden closer to its original design with views over the parklands. This will in turn affect the screening effect intended by the proposals.
46. Over the centuries, parcels of land formally belonging to Foxton House have been sold off for a number of purposes including residential plots. However, despite being in differing ownership, the outer parkland setting of Foxton House has been retained, apart from the introduction of the inappropriate Leylandii on the new boundary. Officers disagree with the applicant's assessment of the proposed development's impact on its setting, as the situation on the ground does not support the application's main premise that Foxton House is, and should continue to be, contained within an 'inclusive' setting as a country residence comprising only the formal garden and remnant of a paddock.
47. LPA's are obliged to take account of Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 over setting issues. The degree of harm on the setting of the Foxton House from the proposed development is considered as less than substantial. The applicant has disregarded any assessment of the historic curtilage and extent of setting at this stage in order to indicate the land available for the building of dwellings. Consequently, in relation to Paragraph 134 of the 'NPPF' (2012), the public benefits that the proposed development would bring, e.g. affordable housing, meeting 5-year land supply, do not justify destroying forever the setting of a finite heritage resource.
48. The proposed 95 units (density of 28.5 dph) with the provision for public open space would bring the development too close to the Listed Building, Foxton House. This is substantiated by Figure 7.2 illustrative masterplan (Page 53 of the Design and Access Statement). In our judgement, such a quantum would be difficult to be accommodated on the application site without harming the setting of Foxton House. If the applicant considers that this is achievable, then they need to be demonstrated at this outline stage. The illustrative masterplan fails to justify this case.

49. *Heritage Statement Content*
50. The Heritage Statement gives a generic review of the relevant portions of National, Local and English Heritage planning policy documents to be considered, and a section specifically relating these to Foxtton House. Both of these only include a selection of quotes which support the proposal rather than a balanced assessment. In addition, Foxtton House's historic curtilage is not specifically addressed and only the paddock is referred to with regard to its current curtilage. Furthermore, the submitted document contains a number of omissions/factual errors, e.g. Fig 3 on Page 6 of the CgMs report does not include Foxtton House as a heritage asset. Therefore the submitted application is considered contrary to Paragraph 192 of the 'NPPF' (2012) which states that LPA's taking decisions need sufficient information to understand the issues involved.
51. **SCDC Urban Design**
52. *Character of the Proposed Development*
53. Whilst this is an outline application, the applicant states that the purpose of the illustrative masterplan is to provide a template for the detailed design stage of Reserved Matters Applications (page 50 of the 'Design & Access Statement'). It is therefore important that the masterplan is designed to a good standard in order to inform the detailed layout at a later stage.
54. The development form of Foxtton village neighbouring the site is dominated by detached buildings in large plots. The proposed illustrative layout shows a dense urban grain and the proposals include scattered separate open spaces (e.g. central green, pond and orchard). It appears "generic" and fails to demonstrate a relevance to Foxtton. Furthermore, the scale and grain of the proposed development does not reflect the character of the existing built environment. The density of the surrounding areas are relatively low in comparison to the proposed development, e.g. the density of the development on Shepreth Road on the southwest corner of the site and on the northeast corner of the site on Station Road are 12 dph and 22 dph respectively, whereas the proposed development has a density of 28.5 dph (as demonstrated on pages 30 – 31 of the Design and Access Statement). Therefore the proposed density does not provide a comfortable transition across the site to relate to its immediate context, as it is significantly higher than the adjacent conservation area. This scheme also represents a very significant increase in the overall size of the village. Therefore the proposed development form is at odds with its immediate character. The proposed development gives the impression of a "stand alone" development which is not well integrated with or complimentary to Foxtton village. The proposed quantum of development is considered too high to successfully accommodate building typologies, amenity, edge relationships that is harmonious with the existing character of the village.
55. The proposed access point is unfortunate as it is located beyond the southwest extremity of the existing settlement. Whilst the new pedestrian link to the station is acknowledged, any new footpath connections to the village centre would be strongly encouraged to reduce the distance to the village amenities, school etc. The proposed illustrative layout seeks to sever the site's former connection with Foxtton House completely by obliterating any views, rather than indicating any inter-relationship between them. As such the proposed layout is considered unacceptable.

56. The proposed layout indicates that its southeast boundary comprises a row of tightly packed dwellings with secondary access and private drives, located close to the site boundary with Foxtton House. There is therefore little opportunity for a landscape buffer as the resultant density on the area where built form would be permissible would be too great to achieve the likely dwelling mix required by the Council to allow landscape to predominate. As such the applicant has failed to illustrate that the site can comfortably accommodate up to 95 dwellings without affecting the setting of Foxtton House. Furthermore, the proposed layout fails to illustrate how the design principles set out in page 42 – 44 of the 'Design & Access Statement' can be applied to create a high quality layout, e.g. the proposed dwellings on the north-western edge of the site ('wooded edge') area, have large areas of blank frontages facing the main spine road and results in poor quality public realm. In addition, the parking proposed to the terraced blocks is poorly arranged and would create adverse visual impact on the street scene. The location of the proposed pumping station is not satisfactory and would form a poor terminating vista for the main access route to the pond. There is also a lack of access to the community orchard.
57. **SCDC Landscape and Trees**
58. At Foxtton House, qualitatively, the tree population comprises original plantings of large deciduous and evergreen trees of species fashionable in the mid to late nineteenth century, including a Wellingtonia. This species is the largest in the world and almost ubiquitous within gardens of large, historic dwellings. A large proportion of the boundary trees/screening at Foxtton House is made up of Leylandii, this species is out of context with a historical property currently undergoing renovation of the house and grounds. The Leylandii would not have been present on site in 1974 when TPO 02/74 was served, and this strongly indicates that at this time and before (1970s) the boundary was open affording expansive views across the proposed development site. In this historical context, the owner(s) of Foxtton House would be best advised to remove all of the Leylandii to open up views to the northwest which would historically have been within the grounds of the house. The applicant therefore cannot conceivably cite the presumably permanent retention of these Cypress trees as a site screening justification as they are unprotected; not in the ownership of the applicant; and their removal is desirable from a historical standpoint.
59. The proposed development site has strong associations with Foxtton House and pleasure grounds. However, the siting of the proposed development indicates that there is a mere 20 metres between the nearest corner of Foxtton House and the garden boundary before the application site is reached. The proposals will therefore cause deleterious effect on the context and scale of the remnants of the designed garden and pleasure grounds to Foxtton House (the tree population), as well as the wider landscape.
60. The applicant has included within the application a Landscape and Visual Impact Assessment ref no: GLA 19. This document has considered the potential landscape and visual effects around the proposed site. Whilst the site is well contained and screened by intervening topography, field boundaries and trees from medium and long range views, adverse landscape and visual effects from short range views would be experienced along the south, south-eastern and south-western sides of the site particularly during the construction phase.
61. The applicant has indicated a number of visual receptors around the site notably 01, 02, 03, 04 and 07. Whilst a hedgerow and vegetation are proposed along the western boundary as mitigation works to reduce this adverse environmental impact, in the long-term (15 years+), a native hedgerow (approx. finished height of 2m) with

native trees planted at intervals would be insufficient as screening or enhancement works. Therefore the proposed development's roof tops and open views into the site would be still visible from the west of the village, particularly the A10 motorway and Shepreth Road. Foxton House, a Grade II listed property, is situated adjacent to the south east boundary. The proposed development would have an unacceptable adverse impact to the historic and landscape setting due to the lack of a wide public open space between the development and the listed building. The applicant has not included the assessment of this historic setting and character within the LVIA. Ideally, a historic character assessment with visual receptors within and surrounding the site should have been considered.

62. *Concluding Comments of SCDC Historic Buildings, Trees and Landscapes and Urban Design*
63. The submitted information demonstrates that the site is not capable of being developed with the proposed number of dwellings in a manner which would be in keeping with the character of Foxton Village, or provide an appropriate setting for the Grade II Listed Foxton House and acknowledge the role that the application site previously played in providing a parkland setting for the house. With the proposed built form being located so close to the house and grounds of Foxton House, it is inappropriate to depend on the presumption of the permanent retention of Leylandii as a buffer/screen for the proposed development.
64. The application also fails to incorporate sound urban design principles and has issues concerning connectivity, building layout and form, street frontages and parking arrangement. The application and its associated documents, by being in outline only, are not as thorough or detailed as might have been expected given the quality of the site's neighbouring Grade II Listed Building, Foxton House, with factual errors, inconsistency, ambiguity and poor justification for the as yet indicative proposals. Given English Heritage's operation of a precautionary principle, this leads to a marked degree of doubt as to the extent that the proposal site can accommodate the proposed development without detriment to the setting of the finite heritage resource of Foxton House and its historic curtilage. As such the proposed development is contrary to the following national and local planning policies:
- Paragraph 128 of the 'NPPF' (2012) - the level of detail is insufficient to assess impact on significance
 - Paragraphs 132, 133 & 134 of the 'NPPF' (2012) - the level of detail is insufficient to assess impact on significance – issues concerning the impact of the proposed development on the significance of a heritage asset
 - 'Planning Policy Statement 5' (2012) – issue of views into & from site, current & historic uses in area & urban grain
 - *Policy CH/4 of the 'SCDC Development Control Policies (DPD)' (2007) – development affecting the curtilage or setting of a Listed Building*
 - *Policy DP/1 of the 'SCDC Development Control Policies (DPD)' (2007) – issues of conserving local landscape character and cultural heritage.*
 - *Policy DP/2 of the 'SCDC Development Control Policies (DPD)' (2007) – issues of achieving a high quality permeable layout*
 - *Paragraphs 4.37, 4.38 & 4.41 of the 'SCDC Listed Buildings (SPD)' (2009) – issues in relation to the setting of Listed Buildings*
 - *Policy NH/14.2 of emerging 'SCDC Local Plan' – issues in relation to sustaining and enhancing 1) Significance of heritage asset; particularly if designated, including their setting;*

2) Special character and distinctiveness of historic environment of district including villages.

65. The proposed quantum of development would have an adverse effect on the historic and landscape setting of the Grade II Listed Building Foxton House and harm the character of Foxton village and hence object to these proposals. However, there is potential for a lower quantum of development on this site with an appropriate response to character and setting. This should be informed by a sound historic and contextual analysis of the site.
66. **Design Enabling Panel** – was not convinced that the site is capable of being developed with the proposed number of dwellings in a manner which would be in keeping with the character of Foxton, or provide an appropriate setting to Foxton House, including an acknowledgement of the role that this site previously played in providing parkland setting for the house. There were concerns as to whether the site had sufficient connectivity to the existing community.
67. In its conclusion it considered it to be likely that 95 dwellings would comprise inappropriate development in this location. It was also considered that the housing layout represented a relatively uniform spread and regular pattern across the site. This would not be conducive to creating character areas within the development itself but, more importantly, appeared uncharacteristic of Foxton, and did not respect the character of the adjoining conservation area. If built out as drawn, the development would result in a degree of harm to Foxton House through the impact on its setting.
68. **Cambridgeshire County Council Education** – states that there is not sufficient early years capacity in the area in the next two years to cater for the proposed development. The development is expected to generate a net increase of 25.8 early years aged children. Based on the limited capacity that already exists it is reasonable to seek contributions on 11 early years aged children based on £8,400 per child, giving a total of £92,400 to be sought.
69. Foxton Primary School currently has insufficient capacity over the next 5 years to accommodate the primary school places that would be generated by net increase of 31.4 spaces that would need to be provided to serve the development. Based on current information it is reasonable to seek contributions on 16 primary aged pupils which reflects that a very limited capacity based on £8,400 per pupil, giving a total of £134,400 to be sought.
70. There is sufficient capacity at Melbourn Village College over the next five years to accommodate the places generated by this development, and therefore no secondary school contribution is sought.
71. **Cambridgeshire Archaeology** – records indicate that the site is located in an area of high archaeological potential. It is located to the west of the historic village core and earthwork traces of the medieval village layout are evident within 200m to the east. Geophysical survey to the east also suggests the presence of Iron Age settlement in the vicinity. Cropmarks to the west of the site are indicative of extensive and intensive Roman land use. Part of this complex is designated as a Scheduled Monument. Archaeological investigations in this area identified evidence for Roman settlement and architecture, including features interpreted as of potentially military origin, and an inhumation cemetery. Features within the application area include a cropmark of ring ditch of probable Bronze Age date and finds of Roman, Saxon and medieval date. It is likely that significant archaeological assets will survive in the area and that these would be severely damaged or destroyed by the proposed development.

72. It is strongly recommended that the site is subject to an archaeological evaluation to be carried out prior to the determination of the application. The evaluation results should allow for the fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains within the area. An informed judgement can then be made as to whether any planning consent will need to include provisions for the recording and, more importantly, the preservation of important archaeological remains *in situ*.
73. Comments on the report received following trial trenching requested will be reported.
74. **Cambridgeshire County Council Minerals and Waste** – recognises that information is quite limited at the outline application stage. However, it is essential that waste design and the requirements set out in the RECAP Waste Management Design Guide SPD are used to help inform the final design. The reference to resource minimisation within the Planning Statement is welcomed. A construction method statement should be secured by condition.
75. The site falls within a mineral safeguarding area (MSA), and the inclusion of a minerals assessment for consideration is welcomed. The conclusions of the assessment are accepted and there is no objection to the loss of land within the MSA.
76. A Construction Environmental Management Plan (CEMP) and related waste audit should be sought at the reserved matters stage, which should consider the associated traffic movements.
77. The submission documents do not appear to make reference to a waste audit and best practice measures to try and reduce the level of waste during the construction phase. These matters should be dealt with through the CEMP and waste audit strategy at the reserved matters stage. These requirements can be secured by condition.
78. The need for recycling facilities and a contribution to the Household Recycling Centre service must be considered as part of the RECAP Tool Kit and Contributions Assessment that will need to be submitted at the reserved matters stage. This can be secured by condition.
79. **Cambridgeshire County Council Floods and Water** – welcomes the use of source control SuDS features such as permeable paving, however there may be restrictions on the ability of the Highways Authority to adopt these types of SuDS as part of the residential roads, therefore it should be considered at an early stage whether there are other types of SuDS such as the use of rain gardens or swales, which might be a more acceptable option. Overall there is limited emphasis on greenways across the site to try and enhance the ecology, amenity or street scene benefits that SuDS can bring more widely. Additionally there is still reliance on piping the majority of surface water drainage across the site to the infiltration basin. The development should look to optimise these benefits wherever possible following more detailed design. Further detailed design is required to show how exceedance flows above the 1 in 100 years plus climate change event will be dealt with across the site without negatively impacting on adjacent areas.
80. There is a need to ensure that run off from new developments is carefully managed so that surface water flood risk is not increased in surrounding areas or water quality reduced to nearby water bodies. Also that SuDS are adopted and provision is made for its maintenance, in perpetuity.

81. **Cambridgeshire County Council Sports, Arts and Museums** – reference about how the new population will be accessing sports, museums and arts facilities should be provided.
82. **Cambridgeshire County Council Libraries and Lifelong Learning** – Foxton is currently served by the County Council mobile library service, with 3 stops in the village. The large increase in population from this development means that a contribution of £7,335.56 would be sought to provide an additional stop or equivalent provision, and additional stock and resources.
83. **Environment Agency** – no objections subject to conditions relating to a detailed surface water drainage scheme, contamination, and foul water drainage.
84. In respect of foul water drainage it comments that the sewage treatment works (STW) at Foxton is overloaded and in breach of discharge permit conditions. The increased discharge from the STW is likely to cause failure of the statutory water quality objectives if this development is occupied ahead of improvement or extension of the existing system.
85. At present Anglian Water, the sewerage undertaker, does not have programmed improvement measures to prevent the detrimental impact to surface water quality, however it has confirmed that a satisfactory programme of improvements can be put in place to mitigate the impact on river quality, and this could happen within the lifetime of the planning permission.
86. **Anglian Water** – The foul drainage from this development is in the catchment area of Foxton Recycling Centre, which currently does not have capacity to treat the flows from the development site. Anglian Water is obligated to accept the foul flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted.
87. The sewerage system at present has capacity for these flows.
88. If planning consent is granted a condition is included so that no development commences until a wastewater strategy has been submitted and approved, and that no dwelling is occupied until the works have been carried out in accordance with the approved strategy.
89. **Environmental Health (Contaminated Land Officer)** – The site contains agricultural buildings and is for a sensitive end use. The site is within an area known to have used Asbestos Containing Materials as hardcore on tracks and farmyards, provided by a nearby asbestos cement board manufacturing site. The recommendation of the report submitted with the application that further investigation is supported, although asbestos in soils, particularly within the farmyard, should also be assessed.
90. The above can be controlled through a condition requiring further investigation prior to the commencement of development.
91. **Environmental Health Officer** – is satisfied in principle with the Noise Assessment report submitted with the application. It acknowledges the known noise sources in the locality, namely the Royston Road (A10), Burlington Industrial Estate, and the small industrial site to the north off Royston Road. It also highlights what attenuation methods are feasible to ensure compliance with recognised standards and protect

future residents. He concurs with the inclusion in the report that 'final proposals for glazing and ventilation options would need to be reviewed as the final master plan of the site is developed at the reserved matters stage' as at present there is no proposed site layout plan detailing the position of dwellings. When this is available the issue of noise exposure will need to be revisited to identify exact levels at all properties proposed on site. Thereafter, appropriate noise mitigation measures can be determined to ensure compliance with recognised national and adopted standards.

92. Conditions in respect of hours of operation of power driven machinery during the period of construction, noise attenuation measures for the new properties, artificial lighting details, no bonfires and burning of waste during the period of construction, and the use of driven pile foundations, should be included in any consent.
93. **Housing Development Officer** – notes that the level of affordable housing proposed is policy compliant at 40%. For 95 dwellings this would equate to 38 affordable dwellings. The tenure of the affordable housing should be 70% rented and 30% intermediate. The affordable housing should be built to at least the old HCA housing standards as a minimum as affordable homes are not under-occupied. The affordable housing should be evenly distributed throughout the development, and good quality design and layout should allow for tenure neutrality.
94. **NHS Property Services** – states that the information submitted with the application on the capacity of existing services is incorrect. The number of GP's is significantly overstated as the actual number has been used, not whole time equivalents which takes account of part-time staff. The assessment takes no account of building capacity. Both Melbourn and Harston surgery are significantly undersized for their current list sizes. The assessment does not take account of the impact of other agreed or proposed developments within the catchment area, at Hauxton, Melbourn and Barrington.
95. The measure of 1800 patients per GP is a very crude, historic measure that does not take account of actual workload, dependent on demography and epidemiology of the patient list and of other staff, such as Nurse Practitioners, delivering services that in the past would have been delivered by GP's. Neither does it take account for the plurality of service models used for delivery of Primary Medical Services.
96. A table is provided that shows that between the two surgeries they are currently over physical capacity by 4686 patients. Using an alternative measure for sizing GP premises, on the basis of square floorspace required per whole time GP, each Practice would require 455 sq.m, which would mean Harston is currently undersized by 182.1 sq.m and Melbourn by 163.63 sq.m
97. The calculations indicate that there is currently both insufficient service capacity and physical infrastructure to provide Primary Healthcare services to the residents of the proposed development, and increased capacity is essential. Both Practices are currently developing plans to extend their premises and submit suitable business cases for approval to NHS England. The additional capacity is to provide services to for the increased population arising from the current permissions or known applications. It is not yet known how much additional space can be provided, nor an estimated cost, but it is likely that both buildings will still be undersized for their expanded list sizes.
98. It is close to the point where the only way to provide services to further development would be building replacement facilities, and that may not be feasible or viable.

99. The agreed rate for contributions in South Cambridgeshire has been at a rate of £635 per dwelling, index-linked, which for this application would result in a contribution to Health of £60,325.
100. **Network Rail** – no comments received
101. **Environmental Health (Public Health Specialist)** - comments will be reported.

Representations

102. A total of 40 letters of objection have been received from the occupiers of 27 households in Foxton. The principle areas of concern are:
- i. Outside village framework – does not comply with Local Plan
 - ii. Scale and size of development too large for Foxton, and will spoil the integrity and character of a small South Cambridgeshire village, which is classed as a Group Village.
 - iii. Adverse impact on the setting of Foxton House, a Grade II listed building. The significance of the building and impact are considered to be significantly understated in the application, which are locally considered to be substantial. Development will be on land which formerly comprised part of the grounds of Foxton House. There are errors in the Heritage Statement. ‘Intervisibility’ of Foxton House should be increased not harmed.
 - iv. Adverse impact on adjacent Conservation Area.
 - v. Although Foxton benefits from good public transport links the road network will be adversely affected by increase in cars on the A10.
 - vi. Junctions from Foxton with A10 at Station Road, and Shepreth Road are already dangerous, and there have been several serious accidents. Eventual replacement of level crossing will result intermittent breaks in traffic will vanish.
 - vii. Area around the shop and junction between High Street and Station Road frequently get congested already. There is already a parking problem in Station Road and High Street.
 - viii. Cycle path is on the wrong side of the road for this development.
 - ix. Primary school near capacity – would not cope with increased number of pupils
 - x. Health (Melbourn and Harston) and dental facilities already full to capacity, despite applicant’s claim to the contrary.
 - xi. Sewer and surface water drainage services wholly inadequate for this size of development.
 - xii. Other services such as phones and lighting are already at capacity.
 - xiii. Small village shop will not be able to cope with 33% additional people.
 - xiv. No need for additional affordable housing in the village.
 - xv. Speculative application and there is no provision in the local budget for any infrastructure, health or education improvements that will be required, particularly when assessing cumulative impact of other large developments proposed in Melbourn and Barrington.
 - xvi. Village currently benefits from a buffer zone between the A10 and residential properties, of which this site is an essential part.
 - xvii. Adverse impact on wildlife. Site is important habitat for some rare species.
 - xviii. The applicant dismissed the trees on site as of no significance. There are a number of Lime, Plane, Oak, Beech and Sycamore on the site, planted in recent years, which are now 15-20 feet high, and in years to come will enhance the environment greatly.

- xix. Loss of residential amenity to adjoining residents.
 - xx. Applicant's claim the Council do not have a 5-year housing land supply, therefore allowing free rein to build on greenfield sites. However, Foxton already has a lot of development either underway or committed, which in total is around 40 houses, including 15 Council houses.
 - xxi. Development is not compatible with long-term sustainability of the spatial structure of the region, which should not be based on an *ad hoc* decision on individual applications. It is unfortunate that the Local Plan has not yet been approved,
 - xxii. In a village survey well over 90% of respondents (over 50% of households) were opposed to this development.
 - xxiii. Development not sustainable.
 - xxiv. Impact of construction traffic.
 - xxv. Loss of agricultural land.
103. One letter has been received with no objection to the proposed development.
104. County Councillor Susan van de Ven has submitted comments on the application, which are attached as Appendix 1.

Site and Proposal

105. The site comprises 5.7 hectares of land on the south west side of Foxton. The site is bounded on the north west side by the A10, with the majority of this boundary comprising a planting belt, which is the subject of a Tree Preservation Order.
106. The site is largely open, but contains a group of barns and concrete hardstanding close to the south west boundary. To the south west of the site is agricultural land, with the south west boundary being currently undefined, extending into what is currently an open field.
107. To the south east the site adjoins the rear of residential properties on Shepreth Road, including at its north east end, the grounds of Foxton House, a Grade II listed building. To the north east the site adjoins paddock land to the rear of the Burlington Press site in Station Road.
108. The outline application, with all matters reserved with the exception of access, proposes development of the site by up to 95 dwellings, and associated public open space. Vehicular access is proposed onto Shepreth Road at the south west end of the site. The scheme, as amended includes a pedestrian access to Royston Road, in the north east corner, and the provision of a new footpath on the south side of Royston Road from that point to Station Road.
109. The application includes an illustrative masterplan, which includes 2.64ha of public open space.
110. The application is accompanied by a Planning Statement, Design and Access Statement, Landscape and Visual Assessment, Transport Assessment, Travel Plan, Ecological Report, Arboricultural Report, Phase 1 Site Investigation Report, Flood Risk Assessment, Heritage Assessment, Archaeological Assessment, Noise Assessment, Statement of Community Involvement, Sustainability Appraisal, Socio-Economic Sustainability Assessment, Foul Drainage Report and Minerals Assessment Report.

Planning Considerations

111. *Housing Land Supply*
112. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
113. On the 25 June 2014 in two appeal decisions for sites in Waterbeach the Inspector concluded that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. He identified either a 3.51 or 3.9 year supply (each appeal was judged on its own evidence and slightly different conclusions reached). This is against the Strategic Housing Market Assessment figure for objectively assessed needs of 19,000 homes between 2011 and 2031, which he concluded had more weight than the Core Strategy figure. It is appropriate for the conclusions reached within these appeal decisions to be taken into account in the Council's decision making where they are relevant. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. Those policies were listed in the decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be policies "for the supply of housing".
114. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans).
115. *Principle of development*
116. The site is located outside the Foxton village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 95 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply.
117. Foxton is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan. These are generally less sustainable settlements than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing some of the day-to-day needs of residents to be met without the need to travel outside the village. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. However, this policy is considered out of date due to the current lack of a 5 year housing land supply.
118. *Deliverability*

119. The applicant has stated that following the granting of consent the site would be marketed immediately, and sold as expeditiously as possible to one or more house builders who would submit the requisite reserved matters applications. The application states that there are no technical constraints to the sites delivery and that the site is demonstrable suitable, available and achievable, and therefore wholly deliverable in the short term. It is stated that it is likely, subject to market conditions, on average around 25 to 35 market dwellings would be completed per annum and that the site would take around 3 years to complete.
120. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.
121. *Sustainability of development*
122. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
123. *Provision of new housing*
124. The development would provide a clear benefit in helping to meet the current shortfall in South Cambridgeshire through delivering up to 95 residential dwellings. 40% of these units will be affordable. The applicant indicates that the mix of housing will be in accord with Policy HG/2. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 95 houses is a benefit and significant weight should be attributed this in the decision making process.
125. A number of third party representations draw attention to there not being a local need for affordable housing within the village, with this need having already been met by approved or current schemes for an exception site, and other developments in the village. However, developments on schemes requiring affordable housing provision on-site are not required to only meet the level of local need identified, but provide accommodation for the wider need within the district.
126. Areas of public open space are shown on the indicative layout plan, and these will need to be secured through a Section 106 agreement, along with appropriate off-site and maintenance contributions.
127. *Impact on character of the village and landscape*
128. The application proposes new housing at a density of 28.5 dwellings per hectare. The density of surrounding development is relatively low, as outlined in the comments of the Urban Design Officer in paragraph 54 above.
129. The surrounding area is characterised by detached buildings in large plots, with Foxton House being one example of this. The south west end of Foxton, and on the north side of Shepreth Road in particular retains a very rural character at the edge of the village and Conservation Area.
130. The concerns regarding the location, scale, density of the proposed development, and how this relates to the location of the site, existing character of the village, the adjacent conservation area and Foxton House, have been fully set out earlier in the report in the comments of the Urban Design, Landscapes and Trees Officer in

paragraphs 53-65 above, and have therefore not been rehearsed again in detail in this section of the report. Reference to this aspect of the development has also been made in the comments of the Design Enabling Panel, Foxton Parish Council, and local residents.

131. Paragraph 58 of the NPPF states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
132. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
133. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
134. Officers are of the view that the development proposed is alien to the existing pattern and character of development at this end of Foxton village and as a result will cause significant and demonstrably harm to the current rural character of this part of the village and the adjacent conservation area.
135. The site benefits from existing screening to the A10 boundary, and new/reinforced planting is proposed on other boundaries. However, officers are of the view that this will not adequately mitigate the adverse impacts referred to above, and earlier in this report. In addition to the new buildings proposed, the impact would include the introduction of substantial amounts of additional lighting, in the form of street lighting, and internal and external lighting to dwellings, features which are currently not present within the site. This would further add to the adverse impact of the proposed development.
136. *Heritage Assets*
137. The concerns of the Historic Buildings Officer have been fully rehearsed in paragraphs 45-50 above, and again are not rehearsed in detail in this section of the report. Reference to this aspect of the development has also been made in the comments of the Urban Design Officer, Landscapes Officer, Design Enabling Panel, Foxton Parish Council, and local residents.
138. The applicant has submitted an updated Heritage Assessment during the course of the application and has provided a specific response to the points raised by the occupier of Foxton House, and the comments of the Historic Buildings Officer.
139. A copy of the letter in response to the comments of Historic Buildings is attached as Appendix 2.
140. Paragraph 128 of the NPPF states that in determining applications Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This assessment should be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

141. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
142. Officers have identified that the degree of harm to the setting of Foxtton House is considered to be less than substantial. Having considered the case made by the applicant officers are of the view that the public benefits, in terms of affordable housing and contribution towards the 5 year housing land supply, do not significantly and demonstrably outweigh the harm that would be caused by the permanent destruction of the setting of a finite heritage resource.
143. Although the application is in outline only, the illustrative masterplan clearly indicates that development would be too close to the listed building, with the developed area coming to within 20 metres of the boundary, and that the scale of development proposed cannot be accommodated without harming the setting of Foxtton House.
144. Cambridgeshire Archaeology has identified the site as having high archaeological interest and requested an investigation prior to determination of the application. This has now been carried out and its findings passed to Cambridgeshire Archaeology for its further comments. These will be reported to the meeting.

Services and Facilities

145. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising '*housing should be located where it will enhance or maintain the vitality of rural communities*', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
146. Foxtton village is served by relatively few services and facilities but including a Primary School, Public House, Church, Village Hall, shop and some formal sporting facilities along with an extensive area of public open space. There are no further retail facilities such as a bakery, butchers, pharmacy or hairdressers and residents are required to commute outside the village to access these day-to-day services. There are employment opportunities within the village, mainly along Station Road.
147. This relative lack of services is reflected in Foxtton being designed a 'Group Village' on the Core Strategy settlement hierarchy. Group villages are described as '*generally less sustainable locations for new development than Rural Centres and Minor Rural Centres, having fewer services and facilities allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village*', and new housing proposals are restricted to limited development which will help maintain remaining services and facilities.
148. Pedestrian access to all services and facilities, with the exception of the railway station will be via the new site access from Shepreth Road. As a result residents of properties at the eastern end of the site (based on the illustrative layout plan), would be approximately 1.3km from the Primary School and recreation ground, 1.2km from the Church and 1km from the village shop and public house. For residents at the eastern end of the site this distance would reduce by 0.2km.
149. A footpath link will be provided from the point of access along the north side of Shepreth Road to a point where pedestrians can cross to join the existing footpath on the south side of the road. Although some of the distances referred to in the paragraph above are slightly greater than the 1km recommended maximum distance for pedestrian access to facilities, officers are of the view that this is not significant in

this case. A number of residents will be within the 1km recommended distance, although a greater level of connectivity from the site to the existing village would be preferable. However, the applicant does not control land needed to achieve this.

150. The railway station will be accessible by the new pedestrian/cycle link from the site to the A10, and the new route to be provided along the south side of the A10 (the two proposed A10 crossing points having now been deleted from the application). Properties with the development site will be within 1km of the railway station. The applicant is proposing to provide additional bike boxes at Foxtton station to provide facilities for the additional number of cyclists that may use the railway.
151. The development overall is considered to be located within an acceptable distance of local services such as to not dissuade residents from looking at alternative means of transport other than the private car.
152. Two additional bus stops are proposed either side of Shepreth Road, close to the junction with the new access road. Contributions to secure these, and other highway improvements referred to above, will be required by the County Council. The village benefits from an hourly bus service on a link between Royston and Cambridge until early evening, although there is no Sunday service.
153. The provision of up to 95 new houses will assist in maintaining the existing level of services offered in both Foxtton and surrounding villages and some weight is given to this benefit, as per the advice of paragraph 55 of the NPPF.
154. However the scale of development would represent a significant increase in the size of the village, which does not have a range of services and facilities new residents would be expected to use.
155. Residents living in Foxtton access primary health care services at both Melbourn and Harston surgeries. The NHS advises that there is no spare capacity at either surgery and requests appropriate contributions to mitigate this. Many of the representations from local residents draw attention to the difficulty in obtaining an appointment and finding parking at both surgeries. Officers have visited both surgeries and discussed potential options to expand the practice, and whilst any future development would be subject to obtaining consent it is likely this could be achieved (without losing car parking provision) in respect of Harston, however whilst the building at Melbourn could be expanded to a limited extent, additional car parking cannot be provided. However, officers are of the view that for the scale of development proposed, and given that patients would be split between the two surgeries, the needs arising from this development could be catered for. The contributions required by the NHS would be secured through a S106 Agreement.
156. The County Council requires funding for provision of additional primary school places in Foxtton, which can be secured through a Section 106 Agreement. Sufficient capacity exists at Melbourn Village College to accommodate the increased number of pupils anticipated.
157. The County Council has requested a contribution toward early years provision. The applicant considers this request unnecessary and unreasonable, and would not meet the terms of the CIL Regulations 2010, as it is not necessary to make the development acceptable in planning terms. The applicant comments that parents are not required by law to send pre-school aged children to pre-school and no evidence has been provided by the Education Authority as to the necessity. Officers are of the view that the requirement towards early years provision has been supported at

appeal in other cases and would seek to secure this contribution through a Section 106 Agreement.

158. *Access and Transport*

159. The Local Highway Authority has assessed the updated information submitted by the applicant and has concluded that the impact of the traffic that would be generated as a result of the development, including at the junctions and areas where local concern has been expressed, is acceptable. Revised modelling has been produced where requested by the County Council.

160. The applicant has been requested to provide a plan showing the required visibility splays at the junction of the new access road with Shepreth Road. These can be achieved, but are required to be shown as the application seeks approval of access at the outline stage.

161. Aspects of highway improvements, such as footpaths and cycleway, and additional bus stop provision, have already been referred to under 'services and facilities' above. A Travel Plan, and Traffic Management Plan can be secured by condition.

Surface water drainage

162. The site lies in Flood Zone 1. The Environment Agency has not raised an objection and is of the view that surface water drainage from the site will not be an issue, subject to suitable conditions being included in any consent

Foul water drainage

163. Anglian Water has stated although there is not currently capacity to deal with foul drainage flows from the development, it accepts that it would need to take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted. It indicates that this is achievable within the likely timescale of the development. The improvements required can be secured by condition.

Ecology

164. The application is accompanied by an Ecological Report.

165. The report states that habitats within the application boundary comprised of ploughed arable field compartment, amenity grassland, semi-improved grassland, two plantation woodlands and scrub. It states that the managed semi-improved grasslands was dominated by common grass species with herb species concentrated in small patches across the grassland. Loss of these habitats would not be expect to adversely affect the local nature conservation of the area, and are therefore not considered to be a constraint to the development of the site. The report considers that any minimal impact on biodiversity could be easily compensated for within the proposed development through good design and appropriate landscaping and habitat creation.

166. Hedgerows are largely non-native, with only a small section consisting of native species and being classed as a habitat of principal importance. Proposals should enhance the value of the site through the creation of new native species hedgerows around the site, which provide continuous corridors of movement into the wider countryside.

167. All mature trees within the site provided potential habitats for invertebrates, nesting birds and other local wildlife in addition to providing structural diversity and continuity of habitat and should be retained wherever possible. Where it is not possible to retain mature trees safely within the proposal, suitable replacement planting should be undertaken. All trees being retained should be protected from damage and soil compaction during works by maintaining fencing around Root Protection Areas.
168. Adequate bat surveys have been carried out, and low bat activity has been recorded across the site. There limited opportunities for roosts except for native trees which are currently to be retained. No badgers were recorded on the site, and there are low reptile opportunities.
169. Any conditions, should consent be granted, would bring forward the relevant parts of the Ecological Reports recommendations.
170. *Residential amenity*
171. The current high level of residential amenity and outlook from the rear of properties adjoining the site in Shepreth Road will be adversely affected by the scale of the development proposed for the application site. The issues of detailed layout and design of properties would be a matter for consideration at the reserved matters stage. However, Officers are of the view that issues of direct impact on residential impact in terms of overlooking, loss of light and overshadowing, and any overbearing impact could be mitigated by appropriate layout and design.
172. The Environmental Health Officer is satisfied that the amenity of the future occupiers of new dwellings can be sufficiently protected from noise from the A10. This can be resolved at the reserved matters stage through layout and appropriate noise mitigation measures, which can be secured by condition.
173. *Loss of agricultural land*
174. Although the land is classified Grade 2 land the applicant has undertaken a survey of the site which concludes that most soils are deep well drained medium loams of variable depth over gravel. The land is of best and most versatile quality in grade 2 or sub-grade 3a. The area of the site is below that which would trigger consultation with Natural England.

Renawable Energy

175. The applicant has indicated that the scheme will comply with the need to provide renewable energy generation technology to comply with Building Regulation targets, plus the additional 10% reduction and 10% on-site energy generation targets, but has stated that this can only be resolved at the detailed stage as further design and layout information becomes available.
176. The applicant has indicated that measures such as increased insulation, reducing the effects of thermal bridging, effective air tightness, improved controlled ventilation, and energy efficient lighting will be considered in the design details.
177. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities.
178. *Other matters*

179. Matters raised concerning the need for dealing with potential contamination, and compliance with the RECAP Waste Management Design Guide can be dealt with by condition, or at the reserved matters stage.
180. *Benefits of the development*
181. The applicant sets out a number of areas where it is considered that there will be benefits as a result of the development. In respect of the housing element of the proposal these include the increased housing supply to help meet the Council's immediate housing needs; the provision of a wide choice of homes, including affordable housing; provision of public open space and children's play facilities to benefit both new and existing residents (approx. 38% of the total site area will be public open space); pedestrian link to the A10 which will also give easier access to existing residents of Shepreth Road to the A10 pedestrian/cycleway which leads to the train station; provision of new shared pedestrian/cycleway along the A10 north east to Foxton Station; provision of bike boxes at Foxton Station; footpath provided along the vehicular entrance to the site to provide a safe pedestrian access to the footpath on the opposite side of the road; and the extension of the 30 mph limit along Shepreth Road (subject to negotiations with the County Council).
182. The applicant states that the scheme has the ability to contribute to job creation through the development and investment in infrastructure. It is expected that 85 jobs will be created spread over the construction period, and would lead to an additional 93 full-time jobs in associated industries. There would be a boost to local shopping. The scheme would contribute to the New Homes Bonus.
183. The applicant considers that there are no adverse impacts from the housing element of the scheme that would outweigh the significant benefits that the application identifies.
184. Officers recognise that the factors outlined above need to be considered when carrying out the final assessment of whether the benefits of the development are significantly and demonstrably outweighed by any identified harm.
185. *Planning Obligations*
186. The application involves significant financial contributions to be secured by way of a Section 106 Agreement, which are referred to in the report. Planning obligations which are directly relevant to the application, proportionate and absolutely necessary for the scheme to be acceptable and so meet the CIL Reg. 122 test are:
- Education (Foxton Primary school and Early Years) where capacity is confirmed
 - pedestrian and/or cycle links to Foxton station
 - highway improvements, bus stop improvements and
 - health care provision where over capacity is confirmed
- These would require significant contributions, or the provision of a new classroom and GP surgery extension, the cost of which should be met by the development.

Other contributions may be sought for public open space, community facilities, waste/bins, household recycling centre, libraries and lifelong learning, but are not regarded as necessary to make the scheme CIL compliant and acceptable. A S106 agreement would also need to secure the provision of affordable housing, in accordance with policy.

Conclusion

- .184. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply
- :
- ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
DP/7: Village Frameworks
- 187 This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
- 188 Officers have identified in the report the areas where they consider that significant and demonstrable harm will result from proposal, in terms of the scale of development and impact on the character of this part of the village, the impact on the setting of Foxton House, a Grade II listed building, and the policies referred to above.
- 189 These adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
- 190 In this case the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole. Planning permission should therefore be refused because material considerations do not clearly outweigh the substantial harm identified, and conflict with out of date policies of the LDF.

Recommendation

191. That the application is refused for the following reasons:
1. The proposed development of the site by up to 95 dwellings, by reason of its scale and location, would result in an alien form of urban development which would be out of character with the existing pattern and scale of development to the north of Shepreth Road. The proposal is therefore considered to be contrary to the aims of Policy DP/2 and DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD, which state that planning permission will not be granted where the proposed development would have an adverse impact on the countryside.
 2. The proposed development would have a materially adverse impact on the setting of Foxton House, a Grade II listed building. The proposal is therefore contrary to the aims of Policy CH/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD which seeks to protect the setting of listed buildings.

Background Papers

Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and

- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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/2822/14/OL

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



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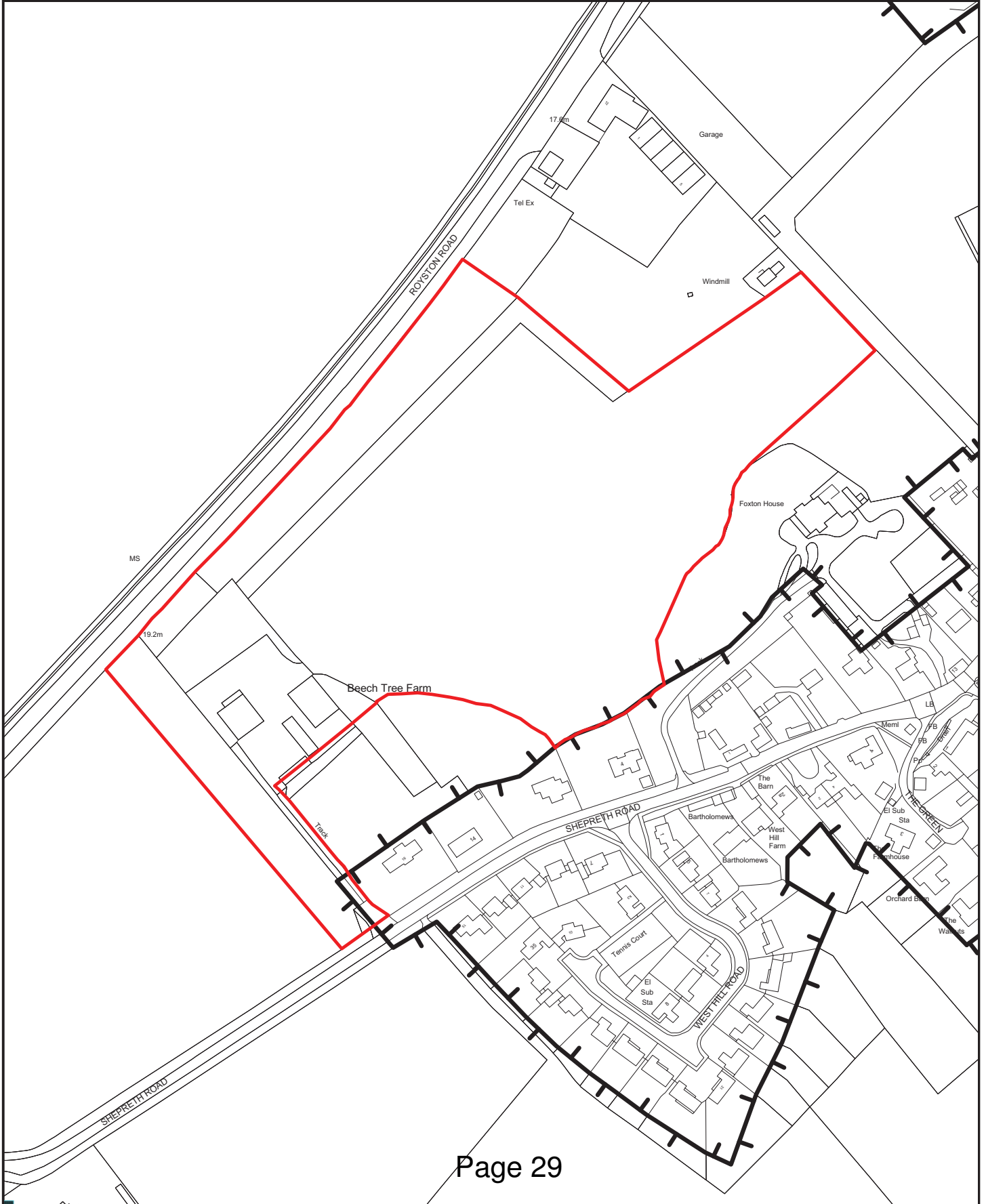
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Cambridgeshire
District Council**

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County Councillor comments: 95 homes for Foxton S/2822/14/OL

Speculative planning applications in strategic infrastructure vacuum

In principle I support the development of affordable homes in our area. There is a particular need for affordable housing for lower earners and young people seeking to work and live in the area but for whom affordable housing is in short supply. However, this need is already in the process of being systematically addressed through planning applications that have been approved within a strategic planning policy framework and which are aligned with the Foxton Parish Plan – in particular the development of a significant new council estate off Fowlmere Road. Foxton is a comparatively small village and its growth has by necessity been carefully and proportionally planned.

I cannot support a planning application submitted for consideration in the absence of an agreed strategic planning policy framework, due to the absence of an accompanying plan to meet changing infrastructure needs of unplanned population growth. Allowing the development of an overwhelming number of new homes without strategically planned accompanying infrastructure would harm the village of Foxton, and also surrounding villages that provide and share its essential public services, by creating significant new problems relating traffic conflict, inadequate provision of early-years and primary education, and at-capacity local surgeries. Neither the parish nor the county council would be equipped to solve these problems. It is precisely for these reasons that growth must be handled within a strategic framework that oversees the creation of necessary infrastructure.

Local public consultation

The Localism Act and National Planning Policy Framework require local consultation. The response rate to the Gladman questionnaire is extremely poor (24 responses from xxx households) and suggests that Gladman has failed to engage the population of Foxton in their proposals.

A genuine consultation would have included a public event giving local residents and stakeholders the opportunity to raise questions and concerns, and for Gladman to respond directly. As Foxton County Councillor I've had no communication whatsoever from Gladman. I would have expected neighbouring parishes to be involved in consultation, on the basis of cumulative impact on shared infrastructure.

Lack of evidence base for proposed infrastructure contribution:

A proposed £1 million contribution via the New Homes Bonus is an arbitrary figure that is not set against any evidenced-based assessment of the actual infrastructure needs that the new homes would create, especially

- 1) Cost per child of creating new space at the primary school
- 2) New provision of early years education
- 3) New space at the doctor's surgeries in Harston and Melbourn, currently relied upon by Foxton residents
- 4) Remedial highways work within Foxton and in the surrounding area, including the access road and parking to Orchard Surgery Melbourn if required, the Frog End A10 junction turning into Melbourn which is on the County Council Accident Cluster list as requiring remedial accident risk reduction work, and the principle access point onto the A10 from Shepreth Road
- 5) Other aspirations included in the planning application, described as 'community benefits,' have not been costed – footway and cycleway improvements within the village, and road

crossing points, especially the A10 Shepreth Road crossing which for reasons listed below is complex and involves unknown variables.

A10 and Level Crossing:

The closure of Foxton Level Crossing is on the County Council's Transport Strategy for Cambridge and South Cambridgeshire.

Currently, congestion and tail backs during periods of level crossing barrier down-time take waiting traffic well beyond the Shepreth Road/A10 junction, to the Fowlmere Road and Frog End junctions in Shepreth. The access from Shepreth Rd to the A10 during these frequent down-times is extremely challenging. The addition of 200 cars using that junction as a primary access point in and out of the village would create significant extra impact.

Progression of the level crossing closure project is uncertain because Network Rail as the core funding body is at an early stage within its decision-making process, and funding has not been identified. If the project does go ahead, there will be new traffic dynamic challenges and the impact of 200 extra cars at the Shepreth Rd junction must be factored in to requirements for new A10 access layout. Costs for this work are as yet unknown.

Whether or not the level crossing project goes ahead the impact of 200 cars will be of considerable impact on the Shepreth Road/A10 junction. A detailed understanding of either eventuality and consequent requirements is not demonstrated in the planning application.

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10 March 2015

For the attention of: Mr. Paul Sexton

Dear Paul,

RE: Consultation Joint Response to Planning Application Ref S/2822/14/OL
Outline application for development of up to 95 houses on land off Shepreth Road, Foxton.

Please see below our response to the comments identified by the Consultancy Unit consultation response of 3rd March 2015 and the Council's Design Enabling Panel.

Setting of Foxton House

Foxton House originally stood in 18 hectares of land which included the proposal site, this should have been considered more in the assessment

The setting of Foxton House has changed over time and currently its setting and curtilage is within its own grounds of 1.646 hectares, not within the historic 18 hectares. Heritage assets and their settings change and evolve over time and it is clearly indicated by the historic maps that a clear delineation of Foxton House from the site has taken place since 1887. Foxton House can no longer be said to be 'immediately set in a parkland'. Its wider setting comprises the parkland, which is now agricultural grazing land, but this land no longer belongs to Foxton House and therefore it is distinctly separate from it.

The almost total retention of its historic fabric, adds substantially to its significance

The Heritage Statement clearly identifies the significance and historical importance of Foxton House which is listed as Grade II in terms of the weight that should be given to its conservation, as set out in Paragraph 132 of the NPPF. English Heritage, in listing the building, has allocated Foxton House as of special interest only. It has not listed it as Grade I, of exceptional interest or Grade II*, a particularly important building of more than special interest. Therefore, although retention of historic fabric can add to the significance of a heritage building, in this case its significance is Grade II. Figure 27 (in the submitted heritage statement), showing the two garden frontages of Foxton House indicate that the site has had little intervention during its lifetime. Figure 27 (in the submitted heritage statement) is a very recent photograph of Foxton House and cannot possibly indicate how the gardens were originally and if there was any intervention since they were constructed.

The group of Leylandii has a negative contribution to the significance of Foxton House; this group of trees is not within the control of either the applicant or the Local Planning Authority (LPA). The screening was not a feature of the original formal garden design and could be removed

The historical maps indicate a clear delineation of Foxtton House from the site since at least 1887. An earlier tithe map of 1839, illustrated 4 below, shows that delineation is of trees. Leylandii may not have been the original variety of trees planted by the owner, however, an owner chose to plant trees in 1839, 14 years after the construction of Foxtton House. One can suppose that this was to enclose the house and its gardens in order to provide a degree of privacy due to passage through the adjoining lands and/or, as the land was sold off, to separate the premises as the parkland no longer belonged to Foxtton House.

Regarding the point on the removal of ornamental trees along the boundary of Foxtton House, Gladman consider this irresponsible. In response, Gladman will be planting an 'instant' hedge on this boundary in the coming weeks to take boundary treatment with Foxtton House back firmly within the control of the landowners.

The situation on the ground does not support the applicant's main premise that Foxtton House is, and should continue to be, contained within an 'inclusive' setting', as a country residence, comprising only the formal garden and remnant of a paddock.

The setting of Foxtton House has changed over time and currently its setting is within its own grounds of 1.646 hectares. As stated in point 4, above, it appears that previous owners, from a very early stage, planted trees around Foxtton House to provide separation from the parkland. If the first trees were planted in 1839, as indicated by the historical maps, it can be supposed that this trend continued, particularly as the adjoining land was sold off. If this is the case, there have been trees containing Foxtton House for a far greater period of time than not. Why should this inclusive setting not continue and be added to if it has been in existence for such an extensive period of time? If any owners had wanted to have views over the parkland, the trees would have been removed; this can then be surmised as the owners of Foxtton House enjoying their privacy, particularly as the adjoining parkland is no longer in their ownership. Changes brought about by property owners, also reflect the history and use of heritage buildings and should also be included as an aspect of the special character of an historic property

The applicant has disregarded any assessment of the historic curtilage and extent of setting in order to indicate the land available for the building of dwellings.

We disagree that the historic curtilage has been disregarded, the heritage statement assessed Foxtton House and its setting and clearly stated that Foxtton House has changed over time and currently its setting and curtilage is within its own grounds of 1.646 hectares, not within the historic 18 hectares. It is clearly indicated by the historic maps that a clear delineation of Foxtton House from the site has taken place since 1887. Foxtton House can no longer be said to be immediately set in a parkland. Its wider setting comprises the parkland, now agricultural grazing land, but this land no longer belongs to Foxtton House and therefore it is distinctly separate from it. Further, the application site has been the subject of intensive agriculture which has changed the nature of the site, along with buildings and an A Road (the A10). The land on this elevation is no longer part of the functional setting.

Foxtton House will not be enhanced by the addition of buffering

As indicated by photos of the site and historical maps, Foxtton House and its setting do not have interaction with the site and apart from the paddock area, do not have open visibility to the proposed site. Notwithstanding this, buffering has been proposed by the developer in order to provide additional screening which is felt to add to the privacy and enhancement of Foxtton House and its setting, but which is not essential to mitigate any material harm. We do believe that advice by officer which would seek to encourage the removal of trees on third party land is inappropriate and misguided.

The Omission of a small red dot indicating that Foxtton House is a heritage asset, Fig. 3 on Page 6 of the Heritage Statement has prevented the Council from having sufficient information in order to understand the issues involved.

This omission was a technical error and as Foxton House was described at great length in the document, it cannot be claimed that it was not obvious that it was the principle heritage asset involved. Due regard is paid to Foxton House by the provision of a full Heritage Statement, which clearly and methodically assesses the significance and setting of all relevant heritage assets, in particular Foxton House.

The National Policy, Local Policy and English Heritage documents in the Heritage Statement are supporting the proposal and not balanced enough to provide the Council with sufficient information in order to understand the issues involved.

We disagree with this statement. The heritage statement clearly and methodically assesses Foxton House and policy in respect of this application at length on pages 7-16 and again on pages 31-35.

It is also worthy of note that, despite being including in the evolution of the scheme and part of the Consultancy Unit's review meeting, English Heritage have decided not to raise a specific objection to the scheme.

Character of the proposed development

Whilst we welcome the input of the Council's Design Enabling Panel as Gladman are keen to promote high quality sustainable developments, we are disappointed with the written response received and lack of any positive enabling advice, which we could use to progress our scheme.

Explanation was given to the location of the main access point and the design considerations taken into account with regard to this location. The access design has responded to this location by providing a new woodland edge to the village. Development has also been restricted in this location to ensure that a new suitable boundary to the village could be established. The result of which has ensured that the landscape visual impact of proposed development is slight/ negligible in the longer term.

Connectivity has been a key component of the design and consideration has been given to maximizing connectivity both within the site and to the village centre and railway station. As acknowledged a new pedestrian and cycle route to the station will provide a 5-10 minute walk to the station. A new footpath/cycle route is to be provided along Royston Road. Pedestrians and cyclist can also use this path to connect back into the village as well as using the main access that will have a public footway.

Consideration was given to an additional pedestrian route to the village centre but third party land interest do not make this feasible.

This layout has also reduced the number of dwellings to 95 units rather than the 140 units that was proposed as part of the consultation.

A number of comments were made about the scale and grain of proposed development. The design and access statement has included examples of the density of development found within the village and at 28.5 dwellings per hectare other examples within the village of this density can be found. It is accepted that this is not the same density as can be found in the immediate vicinity of the site. Discussion on how this could be addressed were discussed in the meeting and the idea of having larger houses with long back gardens backing onto existing residential development may be a solution to addressing the issue of scale and grain but this was absent from the design panel letter. This is proposal is for outline consent and opportunity does exist to refine proposals as part of a detailed reserved matters application.

It is disputed that no consideration of the development has been given to the historic importance of Foxton House and its setting. The design has responded by providing a significant offset to Foxton House and its curtilage. A significant area is purely open space including a new drainage pond is located to the north of Foxton House. Where

development is situated close to Foxton House a green buffer is provided and the layout has included a site line to and from the house along a new street that leads to the village green.

Conclusion

Accordingly we considered that after assessment, Paragraphs 132 to 134 of the Framework are not engaged. There is no physical connection from our client's site to Foxton House. The setting of Foxton House has changed over time, it is already unrecognisable from a country house in its own grounds with view over surrounding countryside. Any historical features have been eroded due to intensive agricultural methods and the piecemeal sale of over 90% (18 hectares to just 1.6 hectares) of land surrounding Foxton House. This erosion has been further exacerbated by the erection of large modern agricultural buildings and the construction of the elevated A10 bypass. Therefore it is clear that Foxton House is now inwardly looking property not a dominating country manor style residence.

We also believe that the illustrative layout demonstrates that the development will: -

- Create a new extension to the village focused around a new village green;
- Provide a significant green buffer to Foxton House and existing residential;
- Ensure that the proposals will not impact on the wider landscape context;
- Protect existing mature trees and landscape features;
- Provide a density similar to other densities found in Foxton; and
- Provide a framework for a scheme that identifies architectural detailing and materials that can be found in the village centre to ensure it had relevance to Foxton and are not generic.

Thank you for allowing us the opportunity to respond to the points raised by the Consultancy Unit and Council's Design Enabling Panel, we hope you find our comments useful and take them into account when coming to your recommendation and balancing up the significant planning benefits of our scheme.

If you have any further questions or need any additional clarification, please do not hesitate to contact me.

Yours sincerely



Laurie Lane

Planning Manager

Gladman Developments

Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0322/15/FL
Parish(es):	Coton
Proposal:	Detached dwelling and associated works
Site address:	Land adjacent to 14a Silverdale Avenue, Coton
Applicant(s):	Mr Cousins
Recommendation:	Approval
Key material considerations:	Principle of development, neighbouring amenity and trees
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Rebecca Ward
Application brought to Committee because:	The Officer recommendation is contrary to the recommendation of Coton Parish Council
Date by which decision due:	13 May 2015

Planning History

1. S/0736/11 – New dwelling and access – Approved (land adjacent to 14 Silverdale Avenue)
2. S/0691/12/FL – Planning permission was dismissed at appeal for a new dwelling. A subsequent application was submitted under S/0889/13/FL and planning permission was granted for a dwelling (land to the rear of 13a Silverdale Avenue).

Planning Policies

3. *National Planning Policy Framework 2012*
4. *Local Development Framework 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
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
Open Space in New Developments SPD
District Design Guide SPD

5. *Draft Local Plan 2013*

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/7 Development Frameworks
HQ/1 Design Principles
H/15 Development of Residential Gardens
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

Consultations

6. **Coton Parish Council** – The Parish Council recommend refusal of the application on the grounds of :

- The impact on existing residents
- It would block light to adjacent residents, especially a loss of evening light from the west – the parish council notes that no shadow study has been provided
- It will increase the density of the housing in the area
- Car parking issues, leading onto Silverdale Avenue, where there are already parking issues
- Sewage – added pressure on the sewage system from additional property

7. **The Local Highways Authority** – Raises no objections but request the application is conditioned with the following :

- Pedestrian visibility splays (2.0m x2.0m)
- Falls and levels are such that there is no water run-off into the public highway
- Drive is constructed using a bound material

Representations

8. **No.16 Silverdale Avenue** - Impact to neighbouring amenity, overshadowing to gardens, sewage, parking and highway safety.

Planning Comments

Site and Proposal

9. The application site lies within the village development of Coton and makes up an existing residential garden. The wider site has been subject to a number of planning permissions over the years which have resulted in the subdivision of the plot to provide two additional dwellings (S/0889/13/F and S/0736/11). These have now been built and occupied.
10. The land in questions currently makes up the garden amenity space of No.14a Silverdale Avenue which also accommodates a redundant asbestos garage currently used as a parking space for the occupiers.
11. The proposal is to construct a detached two bedroom, two storey dwelling that would sit to the side of No.13b (S/0889/13/F) and to the rear of No.14a (S/0736/11). The existing garage will be removed in replacement of the dwelling and two vehicle parking spaces are proposed to the front of the dwelling.
12. As a result of the proposal the car parking spaces for No.14a have been re-allocated to the front of the plot whereby they will be shared with No.14 (the original dwelling).

Principle of development

13. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Coton as a Group Village where the construction of new residential dwellings within the framework is supported.
14. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, even if policies ST/6 and DP/7 had not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
15. Housing density Policy HG/1 seeks a minimum density of between 30-40 dwellings per hectare, unless there are local circumstances that require different treatment. The proposal site is 215m² and with a single dwelling on the site the density would be 50 dwellings per hectare. Whilst this is above the standards set by the policy it is a minimum standard and in this particular location officers consider a high density would not be out of character with the pattern of the development.

Character and Appearance

16. The design of the dwelling is considered to reflect the simple character and appearance of the dwellings along Silverdale Avenue. The form is not considered as being intrusive to the street scene and would continue to reflect the linear character. Its height and scale would also appear proportionate to the size of the plot and comparable to the neighbouring built forms.
17. Contextually, the development would enclose the gap between No's 13b and 14a; however, a similar relationship can be seen to the east with 10, 9-9a Silverdale Avenue and the terrace properties on the other side of the road from the site. As a result, the development would contribute to a rectilinear pattern of development to the east side of Silverdale Avenue forming a compatible feature in the immediate locality. The dwelling would also be set back in line with the immediate built forms to the east side of Silverdale Avenue, responding to the existing building line and avoiding any undue prominence. Consequently, the scheme would forge a sense of connection

with the surrounding built form that, on balance, is considered to be acceptable in accordance with Policies DP/2 and DP/3.

Residential Amenity

18. No14a Silverdale Avenue lies due south of the proposed dwelling and is a two storey property with a first floor bedroom window in the rear facing elevation. To protect daylight and overlooking the Councils District Design Guide SPD states a minimum distance of 12m should be provided between a blank wall that faces a neighbouring dwelling. The distance between the properties meets this minimum requirement at 12m and therefore daylight and overlooking impacts would not be significant. Furthermore, by virtue of the position of the proposed dwelling and the path of the sun through the day no overshadowing impacts to their garden amenity would be apparent.
19. No 13b Silverdale Avenue is situated adjacent to the proposal site on the northern boundary. There are no windows on the southern side elevation of the property. The proposed dwelling will sit within almost the same footprint at No.13a and will line up with its rear elevation. As a result of the proposal the dwelling is not consider to cause any significant overlooking, overbearing or overshadowing impacts to the occupiers of No.13b.
20. The rear elevation of the proposed dwelling will not contain any windows at first floor, other than an obscure glazed fix shut opening serving the bathroom. A condition on the decision notice would restrict any other opening to this elevation in order to protect the overlooking to the garden amenity areas beyond the eastern boundary of the site.
21. Officers consider the proposal accords with Policy DP/3 as it does not cause an unacceptable adverse impact on residential amenity.

Parking, Access and Highway Safety

22. Two vehicle spaces will be provided to the front of the proposed new dwelling. The layout will match that of the neighbour property (No.13a). The Local Highways Authority has not raised any objections to the application provided suitable visibility splays can be provided on the access. These have been included on amended plan 305/P/02 rev B dated 25 March 2015.
23. The proposal also seeks to secure three new spaces to the front of No.14 and No.14a for the occupants of these properties. The Local Highways Authority had no objections to the parking spaces being in this position but require pedestrian visibility splays to be shown on the plans. A condition will be added to the decision notice to secure this requirement.
24. In accordance with Policy TR/2 the proposal should provide a minimum of 1.5 car parking spaces per dwelling. The proposed scheme would sufficiently meet this minimum requirement. Whilst there would be no provision for visitor parking officers consider there to be sufficient on-road parking to provide for this event.

Trees

25. Officers are minded that one tree, to the front of the site, needs to be lost to enable the development. Whilst the tree adds to the setting of the street scene officers do not consider it to be special enough to be worthy of a Tree Preservation Order.

Notwithstanding this application, the occupants could remove the tree without the prior approval of the Council. Taking this into consideration officers agreed it could be removed provided the adjacent tree is retained. The plans were amended on the 25 March 2015 to retain one of the trees to the front of the site.

S106 Contributions

26. Development Plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions towards open space, sport and recreation facilities, indoor community facilities and waste receptacles have been identified. Such provision cannot be made on site and can therefore only be provided by way of financial contributions.
27. National Planning Practice Guidance seeks to remove the disproportionate burden of developer contributions on small scale developers. It advises that tariff style contributions should not be sought for sites of 10 units or less, and which have a maximum combined gross floor space of 1000 square metres. The development falls within this threshold.
28. The Guidance is a material consideration and the benefits of the development are considered to outweigh the need to make suitable arrangements for the provision of infrastructure. No request for such provision is therefore sought.

Affordable Housing

29. Whilst officers are minded that this would be a third dwelling to the housing stock in the immediate setting, off-site affordable housing contributions cannot be sought for the following reasons:
 - No.14a was built under planning permission (S/0736/11) by the same applicant, Mr Cousins. Before being sub-divided, both this site and the proposal site once served as a residential garden to No.14 Silverdale Avenue.
 - The dwelling on the adjacent, No.13a, was built under planning permission S/0889/13/FL. This was developed by the owner/occupier of No.13. This dwelling was placed on land that once served as a residential garden to No.13 Silverdale Avenue.
30. As the dwellings have been built on separate plots, by individual applicants with different means of accesses, it would not trigger affordable housing contributions as there is not a net gain of three dwellings on a single plot.

Other Matters

31. The application form states that the proposed dwelling will be connected to the existing drainage system on the site. The manhole has been identified on the proposed block plan. Officers consider the addition of a single dwelling house would not put significant strain on the foul sewage system. Anglian Water does not normally comment on applications for single dwellings.

Conclusion

32. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material

considerations set out in this report, and the proposed development is considered to be acceptable. As such it is recommended that permission be granted.

Recommendation

33. Approval, subject to:

Conditions

- (a) **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.)
- (b) **The development hereby permitted shall be carried out in accordance with the following approved plans: The Location Plan 1:1250, 305/P/01 rev A, 305/P/02 rev B (amended 25 March 2015),**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) **No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) **Notwithstanding approved drawing 305/P/02, no development shall take place until visibility splays of 2.0mx2.0m measured from and along respectively the public footpath have been provided on both sides of the access to front of No.14 and No.14a and the access to the proposed dwelling and kept free from any obstruction over a height of 600mm. The pedestrian splays shall be provided within the residential curtilage of the site only and maintained thereafter.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (e) **No unbound material shall be used in the surface finish of the driveways of the sites and any hard surfaces within this area shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.**
(Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (f) **The proposed dwelling shall not be occupied until the new access and vehicle parking spaces to the front of No.14 and No.14a Silverdale Avenue has been completed in accordance with the details on the approved plans. These parking spaces are to be thereafter maintained for this purpose.**
(Reason – To ensure the properties have access to on-site vehicle parking in accordance with policy TR/2 of the Local Development Framework)

- (g) **During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (h) **Notwithstanding the approved drawings, any window, door or opening of any kind constructed in the south-east or north-east elevations of the dwelling at and above first floor level shall be:**
(i) permanently fitted with obscure glazing, and
(ii) non-opening, unless the part of the window, door or opening is more than 1.7m above the floor of the room in which it is installed.
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informative

- (a) The applicant is advised that the granting of 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.
- (b) The applicant is encouraged to install mitigating surface water drainage features within the design of the soakaway system to cope with heavy rainfall and localised flooding issues raised in this application.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Ref: S/0322/15/FL

Report Author: Rebecca Ward – Senior Planning Officer
Telephone: (01954) 713236



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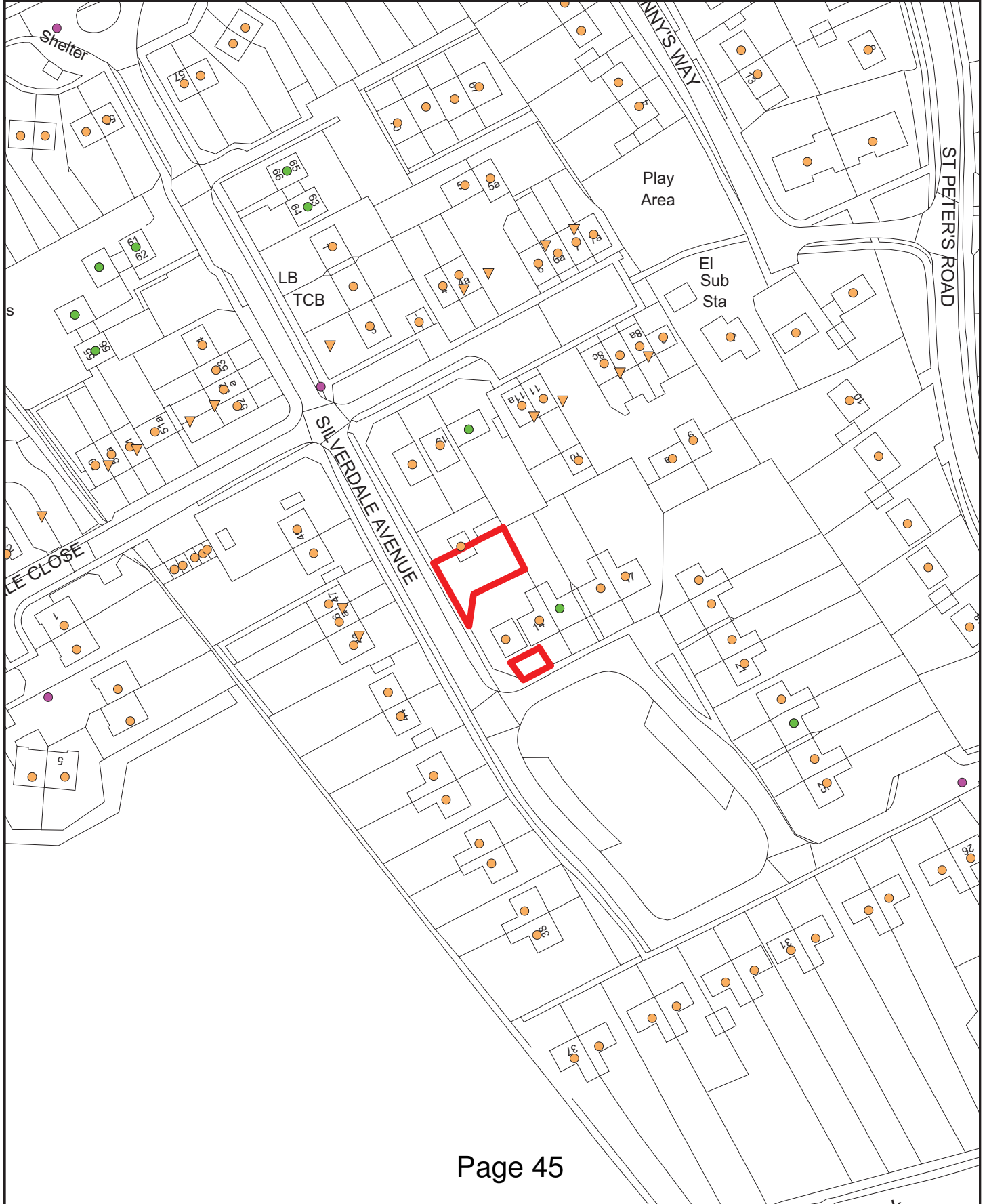
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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0201/15/FL
Parish(es):	Barrington
Proposal:	Extension of time for functions (live or recorded music) from 23.30pm to 12.30 for four events per year and to 01.00am for one event per year.
Site address:	Barrington Hall, 9 Haslingfield Road, Barrington, Cambridge, Cambridgeshire, CB22 7RG
Applicant(s):	Ms H Fernandes
Recommendation:	Approval
Key material considerations:	Residential Amenity
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	June Pagdin
Application brought to Committee because:	Parish recommendation of refusal conflicts with the view of officers
Date by which decision due:	2.April 2015 extended to 15 May 2015

Executive Summary

1. The proposal was originally for the extension of hours for playing both live and recorded music until 12.30 or 01.00 am for an unspecified number of events each year. A revised proposal was submitted for four events until 12.30am and one until 01.00am (for a community function). The Parish Council and residents have objected on grounds of noise pollution. Some noise generated by the events cannot be contained by the special equipment in the marquee. In response the recommendation is for approval but with conditions which do not extend the hours for playing live music beyond 23.30pm and also limit the hours for playing recorded music to 12.00 midnight on four occasions and that these are held one each in four months of the year.

Planning History

2. **S/0764/07/F** – Temporary use of the ground floor of the hall for a function facility and use of upper floors for residential. Conditional approval Aug 2006 to April 2009.
3. **S/0249/09/F** — Removal of Condition 1 of Permission Ref No S/0764/07/F to allow permanent use of the ground floor for functions. Approved.20.5.2009.
4. **S/0379/12/VC** — Variation of Condition 4 to allow use of function facility on Sundays and Bank Holidays. Approved 03.07.2012. Condition one of the extant permission states
“Live and recorded music shall not be played between the hours of 23.30 hours and 09.00 hours at any event associated with the use, hereby permitted, unless agreed in writing by the Local Planning Authority.”

Planning Policies

5. **National Planning Policy Framework**
6. **Local Development Framework Core Strategy**
ST/6 Group Villages
7. **Local Development Framework Development Control Policies**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
CH/3 Listed Buildings
CH/5 Conservation Areas
ET/5 Expansion of Firms
ET/10 Tourist Facilities and Visitor Accommodation
NE/15 Noise Pollution
8. **District Design Guide SPD (Adopted March 2010), Appendix 6: Noise- Detailed Design Guidance**
9. **Draft Local Plan**
SC/6 Indoor Community Facilities

Consultations

10. **Barrington Parish Council** - has objected to the initial and the revised proposals for the following reasons:

BPC discussed the amended application. The Council were informed that residents have again written to the Planning Department objecting.

Therefore the Council agreed to maintain its previous view that the existing conditions i.e. “To safeguard the amenity of the occupiers of the neighbouring properties in the area in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies (Adopted 2007), are relevant, still apply and are justified.

The Parsi Council therefore object to this application and recommend refusal.

11. **Local Highways Authority** - Considers that the proposal would not result in a significant adverse impact upon the public highway. No objection.
12. **SCDC Environmental Health Officer** - Has concerns over the proposed extension of time as complaints have been received regarding playing of music late at night in the past. However these did not result in prosecutions for statutory nuisance. This could be a problem if the events occur in a marquee rather than the hall itself. I request the extension only applies to music being played inside the building and excludes any outside events including marquees etc which only have minimal noise attenuating properties. The area is generally quiet and has low background noise levels

Representations

13. Eight representations have been received. Seven objections from owners/occupiers of neighbouring properties in Back Lane, Haslingfield Road, Challis Green, and High Street:
 - Can hear activities from surrounding houses and gardens
 - Noise late at night already disturbs our sleep
 - Disturbs children's sleep
 - Noise disturbance in nearby houses and gardens.
 - The May Ball is not an annual event.
 - Three properties in Back Lane are vacant at present.
 - 12.00 midnight is late enough.
 - Noise insulation of property no double glazing and thatched roof.
 - Can hear music in the house even with windows closed.
14. One letter of support was received:
 - If new hours make the Hall more attractive to hirers there would be a benefit to economic health of village.
 - Provides casual work for young people in the village.

Planning Comments

15. The application site comprises Barrington Hall, a Listed Building, which is used as a function and conference facility in the ground floor of the Hall and in the marquee in the northern side of the grounds. There is a ground floor extension on the north east side of the property used as a private pool room but also converts into a function room for live music events. There is a residential unit on the upper floors.
16. The house stands in gardens and the boundaries to the north and south are planted with mature trees and shrubs.
17. The site is within Barrington Conservation Area but just outside the Village Development Framework.

Proposal

18. The proposed development is to Vary Condition 1 of Permission Ref No S/0379/12/VC to extend the permitted hours for playing recorded and live music from 23.30pm to 12.30am on four events per year and until 1.00am for a further one event for the May Ball.

19. The main planning considerations in this case are the principle of development and the impact of the proposal on residential amenity. The function facility was granted temporary permission in 2007 and permanent permission in 2009. It has been in operation since then subject to conditions over the times when music can be played, installation of noise-limiting device in the marquee, the number of events permitted each year (24 functions and 70 conferences), prevention of firework displays, dimensions of the vehicle access and the location of the marquees.

20. The operation of the function facility was extended to Sundays and Bank Holidays (S/0379/12/VC) subject to limits set out in Condition 4, which exclude use on Good Fridays, no two consecutive days and music ceasing at 22.00 hours. These events are included in the 24 events per year. A copy of the full planning permission is provided at Appendix 1.

21. **Principle of Development**

The site is located outside the Barrington Development Framework. Policy ET/5 says that expansion of existing firms will be supported on previously developed sites close to village frameworks provided it would not cause problems with traffic, noise pollution or other damage to the environment. Policy DP/7 states that outside village frameworks development for outdoor recreation will, in principle, be acceptable.

22. **Residential Amenity**

The chief consideration with regard to residential amenity is the effect of noise on the neighbouring properties in the village and particularly those close to the site. The impact of noise nuisance is dependent on its level and frequency.

23. **Noise levels** - Policy NE/15 (Noise Pollution) Section 5 states that the District Council will seek to ensure that noise from proposed recreational uses does not cause any significant increase in the background noise level of nearby noise-sensitive property such as dwellings. The Detailed Design Guidance Note Appendix No 6 (Noise) (Adopted March 2010) seeks to limit the noise emissions from a use shall not increase background noise levels at the boundary of the application site by more than 3dB. It also requires that tonal noises should be corrected by 5dB.

24. The nearest residential properties are 155m away at Haslingfield Road (No 4), 230m away at Challis Green and 150m away at Back Lane.

25. The marquee is positioned to the north of the main hall and the function rooms are in the ground floor of the house. The Kendal Suite is an extension to the Hall in a conservatory –style room with a glass roof and windows and doors that open to the north and west sides. The boundaries of the site are planted with trees that have high level canopies and do not provide much noise attenuation.

26. The use of the hall for functions has previously been approved following the submission of a noise assessment. The noise assessment confirmed that the decibel levels would not be increased by over 3dB. Conditions were placed on those permissions requiring a noise-limiter in the marquee. There have been investigations into alleged breaches of Environmental Health Regulations since the use started in 2007 but no statutory nuisance was found to have occurred.

27. Recorded music in the marquee is played through a noise-limiting device, which is set in the ceiling of the marquee above the dance floor. Recorded sound in the marquee is effectively controlled by this device. This has been assessed several times in

recent years by Council Environmental Health Officers and their findings upheld by the Ombudsman.

28. Live music in the marquee is more difficult to control as not all musical instruments can be electronically conveyed and live musicians prefer to use their own PA systems, which do not operate effectively with the noise-limiting device. This means that the noise impact of live music can only effectively be controlled by hours of operation or by being indoors with the windows and doors closed. A condition requiring the doors and windows to be kept closed may be imposed through a Premises License. However, such a condition would be difficult to enforce and is likely to be breached in warm weather.
29. **Frequency** – the present planning permission allows 24 functions per year. The majority of these are held in the summer months, thus allowing an average of one event per weekend between April and September. The original proposal did not specify the number of events for which the extension of time was proposed.
30. Following the initial consultations and neighbour concerns over the number of later events proposed, the applicants have clarified that they are proposing the extension of hours for four events per year up until 12.30am and for one further event up until 1.00am for the Barrington May Ball.
31. Correspondence was received from the organiser of the May Ball stating that they do not require the extension of time for playing music.
32. An investigation into an alleged breach of condition of hours of operation was initiated in April 2015 following a complaint from a neighbouring residential property that music was played until 3.00am. The applicant states that this was a private 21st birthday party for the residents of the upper floors of the property and was not a commercial function. As the property is in mixed use and the upper floors are in residential use the holding of a private party for family reasons is not a breach of the planning conditions imposed upon the commercial use of the ground floor and gardens around the property.
33. **Traffic and Highways**

Policy TR/2 of the DCPDPD (2007) requires development to provide car parking on site in accordance with the standards set out in Appendix 1. The standards do not make specific reference to function suites but have a general requirement for leisure uses to provide one space per four seats. The site contains a large car park which is adequate for the scale of venue. Since the venue is not being enlarged the parking provisions do not need to be extended and are considered acceptable.

The Highways Authority has commented that the proposal would not have a significant adverse impact on the Public Highway in terms of the site access or traffic generation.

Conclusions

34. It is considered that attenuation of live music is not likely to be satisfactory at the property and so the playing of live music should continue to stop at 23.30.
35. The volume of recorded music is more effectively controlled by the limiter device in the marquee and it is considered reasonable to permit extension of the hours for playing of recorded music for an additional thirty minutes up to 12.00am in the

marquee. However, these events should not be held close together and a condition is proposed limiting these hours to 1 event in each of four separate calendar months per year. The actual finish of an event can result in noise from vehicles leaving the site beyond this time. Extension of hours up to 01.00am could result in noise generation beyond that time. Consequently, it is recommended that the hours be limited to 12.00am and the impact monitored before any extension beyond that be permitted. The total number of functions per year would not be increased from 24 per year but would include the four functions with extended hours for playing recorded music in the marquee.

36. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that planning permission to vary condition 1 of planning permission S/0379/12/VC be granted subject to the following conditions.

Recommendation

37. Approval subject to:

Conditions

- a) Live music shall not be played between the hours of 23:30 hours and 09:00 hours at any event associated with the use, hereby permitted, unless agreed in writing by the Local Planning Authority.

(Reason - To safeguard the amenity of the occupiers of the neighbouring properties in the area in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies adopted 2007).;

- b) Recorded music shall not be played between the hours of 23:30 hours and 09:00 hours at any event associated with the use, hereby permitted, unless agreed in writing by the Local Planning Authority, with the exception of four events per year, each one to be held in a different calendar months, when recorded music shall not be played between the hours of 00.00 hours and 09.00 hours

(Reason - To safeguard the amenity of the occupiers of the neighbouring properties in the area in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies adopted 2007).;

- c) No live and recorded music shall be played in the marquee until an appropriate electronic noise-limiting device has been fitted to control levels of noise from regulated entertainment. The limiter shall be set and documented in agreement with the Local Planning Authority, with its activation level not exceeding 85dB(A).

(Reason - To safeguard the amenity of the occupiers of the neighbouring properties in the area in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies adopted 2007).Approved plans and specifications;

- d) The function facility use of the site, hereby permitted, shall not exceed 24 events per year and the conference use hereby permitted, shall not exceed 70 events per year.

(Reason - To ensure the intensity remains consistent and to safeguard the amenity of neighbouring properties in the area in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies adopted 2007).External materials;

- e) The function facility use may be carried out on a Sunday or Bank Holiday (excluding Good Friday) provided the functions do not occur on any two consecutive days and any live or amplified music used in conjunction with a function held at the premises on a Sunday or Bank Holiday must cease at 22:00 hours.
- (Reason - To safeguard the amenity of the occupiers of the neighbouring properties in the area in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies adopted 2007).Boundary treatments;
- f) No firework displays shall take place on the site.
- (Reason - To safeguard the amenity of neighbouring properties in accordance with Policies DP/3 and NE/15 of the Local Development Framework Development Control Policies adopted 2007).Contamination investigation and remediation;
- g) The vehicular access shall be 5 metres wide for a distance back into the site from the existing gate piers for 18 metres and shall thereafter be retained.
- (Reason - In the interests of highway safety in accordance with Policy DP/3 of the Local Development Framework Development Control Policies adopted 2007).Obscure glazing of front facing bathroom windows;
- h) No marquees shall be erected on the site other than in the approved specified area to the north of Barrington Hall as defined under drawing number 811/10A reference planning permission S/0764/07/F.
- Reason - To ensure the marquees are located in the best location to help reduce potential noise pollution to protect the occupiers of neighbouring properties in the area in accordance with DP/3 and NE/15 of the Local Development Framework Development Control Policies 2007).No new first floor windows in side or front elevations;

Informative

In regard to condition 3, the monitoring of noise at 40m south of the marquee which should not exceed 44dB (A) as highlighted in the conclusion of the acoustic report 'Barrington Hall Noise Breakout from Marquee' by Tim Lewers BSc MSc MIOA dated February 2009 should therefore be achievable.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
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1. South Cambridgeshire Local Development Framework Core Strategy DPD 2007
2. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

3. South Cambridgeshire Local Development Framework Supplementary Planning Documents
4. Proposed Submission South Cambridgeshire Local Plan July 2013
5. National Planning Policy Framework 2012
6. National Planning Policy Guidance
7. Planning File Reference: S/0201/15/FL, S/0379/12/VC, S/0249/09/F, S/0764/07/F.

Report Author: June Pagdin – Senior Planning Officer
Telephone: (01954) 713264



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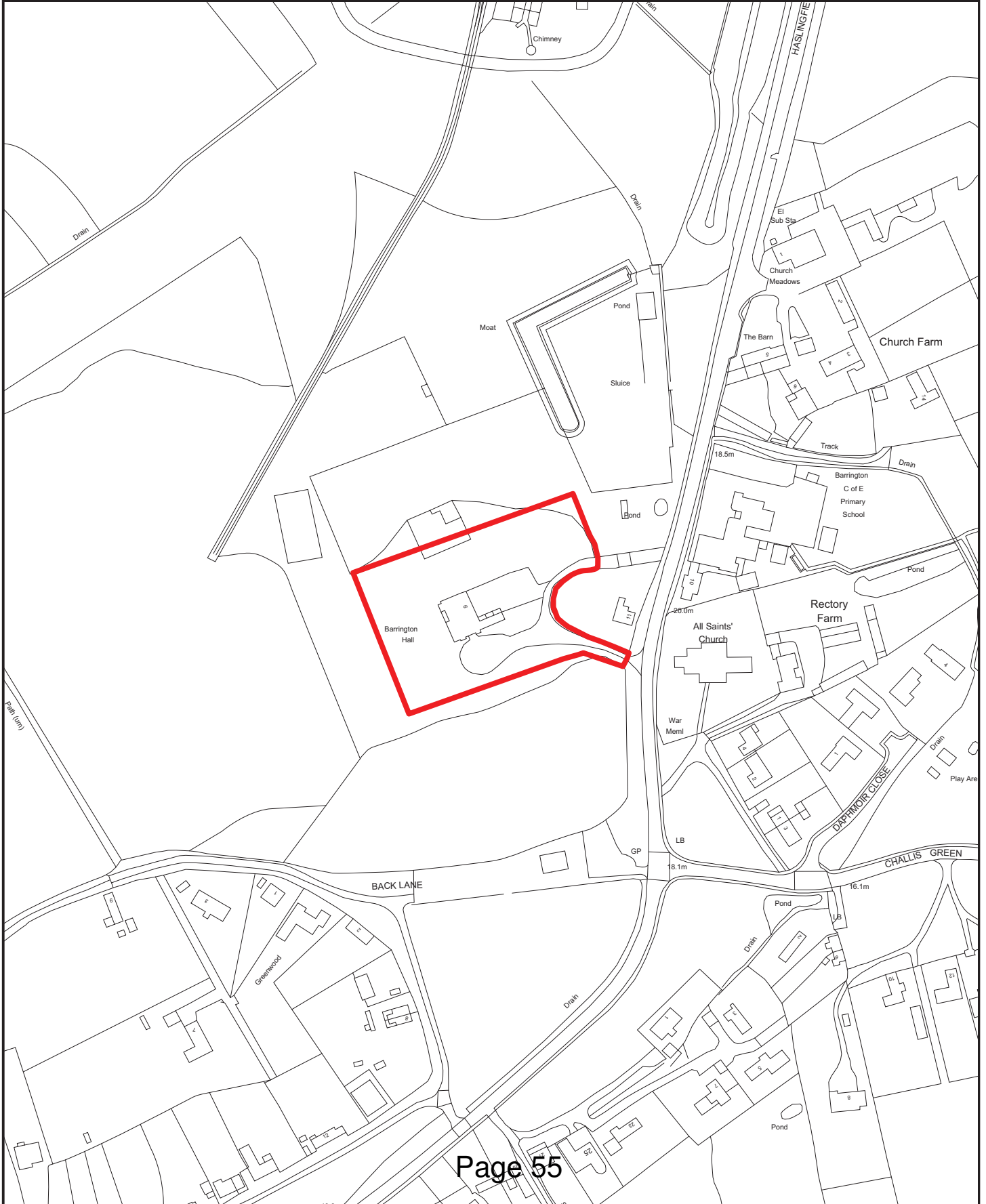
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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/1888/14/OL
Parish:	Dry Drayton
Proposal:	Outline application for redevelopment of existing garden centre to provide new garden centre building, outdoor sales and storage areas, establishment of orchards and tree and plant nurseries, creating of a balancing lake, access and parking alterations, and associated and ancillary activities (all matters reserved)
Site address:	Land south of Huntingdon Road, Dry Drayton
Applicant:	Hackers Fruit Farm and Garden Centre
Recommendation:	Refusal
Key material considerations:	Principle of development (whether inappropriate development in the Green Belt by definition), any other harm to the Green Belt, landscape and highway impact, very special circumstances
Committee Site Visit:	No
Departure Application:	Yes
Presenting Officer:	Paul Sexton
Application brought to Committee because:	Officers are of the view that the proposal raises issues that merit consideration by Planning Committee, and at the request of Councillor Bunty Waters
Date by which decision due:	27 November 2014

Executive Summary

1. This proposal seeks permission for the erection of a garden centre building, car parking and associated works in the Green Belt and open countryside.

2. The proposal is not considered to be acceptable in a planning policy context. The development is not consistent with the National Planning Policy Framework or the adopted Local Development Framework. The development amounts to inappropriate development in the Green Belt by definition.
3. The development will also undermine the reasons for including land in the Green Belt and will result in a loss of openness and harm to countryside character.
4. The applicant considers the proposed works are required in the light of the proposed improvements to the A14 to enable the long established Hacker's operation to remain viable and competitive and that this provides the 'very special circumstances' required to justify approval of inappropriate development in the Green Belt. The 'very special circumstances' have been carefully considered, however, officers are of the view that these do not clearly outweigh the identified harm.

Site and Proposal

5. This outline application, with all matters reserved relates to approximately 14.2 hectares (35 acres) of land located on the south side of the A14. The land concerned is largely now in use as arable farmland and includes buildings associated with the nursery use. The site is generally flat and includes field hedgerows; these also include some hedgerow trees.
6. The northern part of the site is immediately adjacent to the A14. To the south east is the Cambridge Crematorium and to the north west is junction 30 of the A14. Existing site accesses are available from the A14 and Oakington Road. The land to the south of the site is for the most part arable farmland within the open countryside.
7. Generally, apart from the existing nursery buildings located adjacent to the A14, the application site is undeveloped and has the appearance of being a part of the open countryside.
8. The application, as amended by illustrative details received on 16 March 2015, proposes the erection of a garden centre building of approximately 2800m², along with covered area and outdoor plant display, located to the west of the existing Hacker's Fruit Farm buildings, immediately to the south of the A14 and the existing access driveway from Dry Drayton Road, and east of the Dry Drayton interchange.
9. A new area of car parking is shown to the south of the proposed building and display area, with new orchards to the south of this, and a tree nursery and plant preparation area to the east.
10. The illustrative layout plan shows the proposed new route of the new local road proposed as part of the A14 Improvements, and access to the garden centre will be from the Oakington road, at the new junction proposed by the Highways Agency.
11. The application is accompanied by a Planning Statement, Design and Access Statement, Transport Assessment, Ecological Report, Arboricultural Report, Flood Risk Assessment and Retail Impact Assessment.

Planning History

12. S/2008/14/OL – Erection of buildings to form garden centre together with access and car parking and provision of World War 1 living museum – Refused

13. S/1245/13/LD – Lawful Development Certificate for existing use of land for retail of garden centre products, trees, shrubs, seeds, fertiliser, garden equipment, home produce etc. – Application Awaiting Determination. (This application relates to the existing buildings at Hackers Fruit Farm).
14. The site is subject to a number of applications for planning permission relating to the developed area of the existing Fruit Farm. None are relevant to the determination of this application.

Policy

15. **National Policy**
National Planning Policy Framework
16. Paragraph 79 states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their permanence and openness.
17. Paragraphs 87 to 90 advise on the definition of inappropriate development, and harm to the Green Belt (see paras 66-68 below).
18. Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed upon the need to support economic growth through the planning system.
19. **South Cambridgeshire Local Development Framework Core Strategy**
ST/1 Green Belt
ST/9 Retail Hierarchy
20. **South Cambridgeshire Local Development Framework Development Control Policies**
DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
GB/1 – Development in the Green Belt
GB/2 – Mitigating the Impact of Development in the Green Belt
ET/5 – Development for the Expansion of Firms
SF/2 – Applications for New Retail Facilities
SF/5 – Retailing in the Countryside
SF/6 – Public Art and New Development
NE/1 – Energy Efficiency
NE/3 – Renewable Energy Technologies in New Development
NE/4 – Landscape Character Areas
NE/6 – Biodiversity
NE/9 – Water and Drainage Infrastructure
NE/10 – Foul Drainage – Alternative Drainage Systems
NE/11 – Flood Risk
NE/12 – Water Conservation
NE/14 – Light Pollution
NE/17 – Protecting High Quality Agricultural Land
CH/2 – Archaeological Sites
TR/1 – Planning for More Sustainable Travel
TR/2 – Car and Cycle Parking Standards

TR/3 – Mitigating Travel Impact
TR/4 – Non-motorised Transport

21. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009

22. **Draft 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/7 – Development Frameworks
CC/1 – Mitigation and Adaptation to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments
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/3 – Protecting Agricultural Land
NH/4 – Biodiversity
NH/7 – Mitigating the Impact of Development in and Adjoining the Green Belt
NH/9 – Redevelopment of Previously Developed Sites and Infilling in the Green Belt
E/16 – Expansion of Existing Businesses in the Countryside
E/21 – Retail Hierarchy
E/22 – Applications for New Retail Development
SC/10 – Lighting Proposals
TI/2 – Planning for Sustainable Transport
TI/3 – Parking Provision
TI/8 – Infrastructure and New Developments

Consultation by South Cambridgeshire District Council as Local Planning Authority

23. **Dry Drayton Parish Council** – recommends refusal because of concerns about increased traffic, and development within the Green Belt.
24. **Oakington and Westwick Parish Council** – No objections in principle, but would expect to see comprehensive details of transport access and water management plans with any full application.
25. **Boxworth Parish Meeting** – Approve.
26. **Swavesey Parish Council** – No objection.
27. **Landscapes Officer** – Objects to the construction and location of the proposed garden centre buildings, covered area and outdoor plant display. The Green Belt is of great importance and to prevent urban sprawl. It is recommended that the applicant considers replacement of existing buildings provided that the new building is no larger than the existing foot print.

28. The revised layout indicates a relocated car parking space and garden centre to the northern boundary of the site. The fishing lake/balancing pond have been removed from the illustrative plan. The above comments still apply to the revised layout.
29. The landscape quality of the site has been assessed as Good with a clear pattern of characteristic elements and with minor incongruous elements. It is considered that the site and the surrounding area would have a high landscape sensitivity to the proposed development. Key characteristics of the landscape are highly vulnerable to the type of change being assessed, with such change likely to result in a significant change in valued character. These include the removal of arable farmland and rural character.
30. The visual effects from the north of the site would be minimal due to the retention of existing large conifers. However, the effects of change and development on the views to the south, east and west would be adverse. Applicant has indicated some planting adjacent to the car to reduce this effect. These works would be insufficient and both the car park and the new garden centre would still be visible.
31. The application cannot be supported because of the unacceptable adverse impact on both the landscape and visual amenity.
32. **Ecology Officer** – No objection to the principle of development. The scheme has the potential to significantly diversify the range of habitats present on site which, as they mature, should provide habitat gain.
33. The Ecology Officer states that he has previously discussed the potential extent of Great Crested Newt (GCN) habitat that was on site, and concluded that this was negligible given that the vast majority of it is in arable land in cultivation. A condition can be included in any consent requiring a survey to be carried out for GCN.
34. The large orchards and waterbody are particularly welcomed.
35. The ecological assessment also identified a low level of badger activity in the area. Should any consent be granted then pre-commencement surveys for badgers should be undertaken.
36. A condition should be used to control the removal of vegetation during the bird breeding season. Bird and bat boxes should be erected to provide instant nesting and roosting sites whilst on-site trees mature.
37. **Highways Agency** – No objection subject to conditions requiring no direct access to the A14, and provisions is the event that the proposed A14 Cambridge to Huntingdon Improvement scheme is constructed simultaneously with the development.
38. **Local Highway Authority** – believes that there should be no significant adverse effect on the public highway, as the main populations to the site are connected by the Highway Agency's network, which has a far more convenient access.
39. The Highway Authority believes that it is unlikely that vehicles will use Dry Drayton, but not impossible, although the village economy may benefit through trade and employment.
40. **Cambridgeshire County Council (Transportation)** – lodges a holding objection, stating that it requires a standalone Transport Assessment document detailing the current proposals and associated trip generation, with it being made clear that the

WW1 Museum no longer forms part of the application. Comments on the revised document will be reported.

41. **Environmental Health Officer** – No objections.
42. **Scientific Officer (Contaminated Land)** – comments that the land has been used for intensive agriculture, which has the potential to cause land contamination. A condition should be included to secure a scheme for remediation of any contamination, not previously identified, found during the course of development.
43. **Environment Agency** – No objection subject to conditions requiring detailed surface and foul water drainage, pollution control schemes for the site, and a condition dealing with any contamination found during the course of development.
44. **Cambridgeshire Archaeology** – comments that the site was subject to an archaeological evaluation in connection with a previous application for this site, which demonstrated that no significant archaeological assets survive. It is considered that no further archaeological work, or condition, is required.
45. **Asset Information Definitive Map Officer (Cambridgeshire County Council)** – comments in respect of the original layout that Public Bridleway No.12 Dry Drayton runs through and along the edge of the application site. The plan appears to indicate that the bridleway may be blocked at one point by additional landscaping, but it is not clear. The bridleway must remain open at all times, and there would be an objection to any attempt to block it.
46. Any change of surface to the bridleway must be agreed. The fact that the applicant is considering creating new pedestrian and cycling access connection is welcomed. Details of this should be submitted when available, and would help to compensate for the additional traffic along Bridleway 12 that this application creates.
47. Comments on the revised illustrative layout will be reported.

Representations

48. One letter has been received in respect of the original proposal from the occupier of Crouchfield Villa, Huntingdon Road, expressing concern about the impact on outlook and traffic.
49. Cllr Bunty Waters supports the application.

Applicants Representations

50. In a letter and the Planning Design and Access Statement accompanying the application it is stated that proposed garden centre has been substantially reduced in size, with the garden centre building being one-third of the site originally proposed. The applicant considers this the minimum to size to constitute a viable development in the open market, and would ensure the future of the Hackers business, which would otherwise have to close.
51. Expansion of Hackers Fruit Farm & Garden Centre will save it from closure. Hackers Fruit farm was established over 90 years ago and employed up to 150m people. The garden centre element was added in the 1970's and 1980's but trade has suffered immensely in recent years because of inadequate access as a result of the closure of access points on the A14. Expansion of the garden centre is acceptable in terms of

planning policy for the expansion of existing businesses. Although the retail aspect is not an exception to green belt policy, its development as a leisure proposal is undoubtedly acceptable in this location.

52. The existing buildings on the application site are obsolete, sited in a haphazard fashion and mixed with residential property. All the buildings at the farm (other than the farm workshop) and enclosures (some 1600 sq. m) are to be demolished to make way for the new residential/farm access, revised residential curtilages and storage for the fruit farm.
53. A modern garden centre building (approx. 2800 sq. m or 1200 sq. m net) is to be sited on the adjoining land together with a modern outdoor sales area and parking for 150 cars. The overall size of the garden centre extension has been reduced from the refused scheme of 13,800 sq. m to the new proposed 7,800 sq. m. The new building will permit the expansion of products on sale, or which were on sale until the recent demise of the garden centre business, and the products which were described both in the Hacker's history supporting document and the currently undetermined Lawful Use application.
54. The statement states that the proposals will help maintain openness of the Green Belt and provide a foil to the introduction of the engineering works that will constitute the A14 improvements.
55. The applicant is of the view that the revised proposal is acceptable development in the Green Belt in that it either relates to agriculture/horticulture and does not affect openness, or it relates to an expansion of an existing business. It is accepted that the expansion of the retail element can be regarded as inappropriate development within the Green Belt, but the applicant considers that there are 'very special circumstances' why this redevelopment of the garden centre should be permitted, and these are set out in paragraphs 56 - 63 below, and relate to business viability, the A14 improvements, recreational benefits, environmental benefits, and reduction in building size.
56. *Business viability.* The scheme has been substantially reduced from that previously proposed and refused, and will allow for potential annual sales of between £4-5m, which is the minimum that has been advised as necessary for the garden centre to compete in the market place. This figure is lower than the £8 referred to in the earlier application due to the substantial reduction in infrastructure and highway costs as a result of the reduced size of the application proposal. Cash flow figures are set out in Appendix 6 of the Planning Design and Access Statement.
57. The applicant considers the above to be a very special circumstance as this local family business should be maintained, rather than closing. This is in line with Local Plan and NPPF policies supporting the expansion of existing businesses. Some 30 years ago Hacker's employed between 100-150 people on this and other sites. The proposed redevelopment will provide approximately 50 new jobs for people in the local area. The proposed improvements will fill a void in the garden centre sales in the north-west sector out of Cambridge, and will allow the Hacker's business to revive and expand so as to compete with larger garden centres at Coton and Huntingdon, and the recently enlarged garden centre at Oakington.
58. The statement refers to garden centre premises in Coton and Great Shelford, which are also on Green Belt sites, and which have recently been extended to update them to modern retail requirements. The smaller garden centre a mile to the east of the application site in Oakington is also in the Green Belt but is now allowed to provide

extensive catering facilities, and sells a wide variety of goods. The need for modern facilities were advanced as 'very special circumstances' at all these sites.

59. *A14 Improvements.* It is considered that these are of national importance and in themselves represent 'very special circumstances' as the application helps to implement this particular section of the works. In addition it must be accepted that the A14 improvements as proposed will irretrievably change the appearance of this part of the Green Belt, and the substantial proposals for planting as part of the overall proposals in terms of new orchards, strategic planting, provision of a landscaped car park, and the provision of tree nurseries, will all help to reduce the impact of the road proposals in this area and to maintain the openness of the Green Belt.
60. *Recreational benefits.* A combination of the now proposed Cambridge access road, as part of the A14 improvements, along with the proposals to link both Dry Drayton and Bar Hill (and possibly Northstowe) to the site will enable a considerable extension of the footpath/cycleway connections from the area direct into the centre of Cambridge. Details were referred to in the original travel plan and are now made more possible by the latest amendments to the A14 improvements, with the proposed road 25a. As such these recreational benefits are regarded as being 'very special circumstances'. To aid these recreational benefits it is proposed as part of the facilities of the garden centre to provide eating and drinking facilities for walkers and cyclists, in addition to the normal cafeteria facilities within the garden centre.
61. *Environmental benefits.* The ability to redevelop the present garden centre and provide a complex in sustainable materials is also a 'very special circumstance' The details of these are set out in the 'Design Considerations' section of the Planning Design and Access Statement.
62. *Reduction in building size.* The redevelopment proposals, which entail the demolition of existing outdated buildings on the present site, together with the provision of a new garden centre on adjoining land, allows the business to sufficiently expand, with only a net increase of 1200 sq.m of floor space. This is a clear opportunity to retain the existing business with minimum impact upon the green belt, which should also be regarded as a 'special circumstance'.
63. The Green Belt policy allows necessary expansion of business. Without the expansion, as proposed, there will be no business and therefore the Green Belt policy and its appropriateness or otherwise will be irrelevant.

Planning Considerations

64. There are a number of key issues for Members to consider in this case; whether the proposed development is appropriate development by definition in the Green Belt; whether the proposal results in any other harm to the Green Belt; landscape impact; highway safety, residential amenity, lighting; ecology; drainage, archaeology and any other matters.
65. If it is concluded that the proposal is inappropriate by definition, then this, and the extent of any other harm, will require Members to consider whether the applicant has demonstrated that very special circumstances exist which clearly outweigh that harm.

Principle of development

66. Paragraph 87 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances. Paragraph 88 states that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

67. Paragraph 89 of the NPPF states that the construction of new buildings in the Green Belt is inappropriate, but lists exceptions, which include buildings for agriculture or forestry; provision of appropriate facilities for outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including and within it; the replacement of a building provided the new building is in the same use and is not materially larger than the one it replaces; and the partial or complete redevelopment of previously developed site, whether redundant or in continuing use, provided it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
68. The proposed garden centre (which is not a leisure/recreation use, but a Class A1 retail use) and in officers view does not fall with the categories of exceptions set out above.

Any other harm to the Green Belt

69. The development, the building proposed and the associated works such as car parking areas would detract significantly from the openness of the Green Belt. The revised illustrative scheme shows the proposed building sited close to the A14 and will be largely screened from views from the north by the existing line of conifer trees, which are to be retained. However the development would result in the loss of a significant area of presently undeveloped Green Belt land. In coming to this view officers recognise that the removal of some of the existing much smaller buildings within the current area of buildings may increase openness, but consider any benefit to be outweighed by the scale and impact of the new building. The development is considered to conflict with the purposes of including land in the Green Belt and to have a greater impact on the openness of the Green Belt and, hence, fails to comply with the NPPF and Policy GB/1 in this respect.

Impact on landscape character

70. The development of the application site would result in a significant change in the character and appearance of the site. At the present time, apart from the limited previously developed area of the Fruit farm adjoining the A14, the land is open farmland with field hedgerows. The majority of the site therefore is undeveloped and has a rural and arable open countryside appearance. Development would introduce a significant amount of buildings, roads, parking and associated external lighting onto the site which would detract from the appearance of the site in the open countryside. It is considered that the introduction of this level of development would be harmful to the appearance of the site and the open countryside.
71. Officers accept that the proposed A14 improvement works will have an impact on the current openness and character of the land to the south of the site, particularly from the new local access road and junction with Dry Drayton Road. Officers are also of the view that the proposed location of the new building, other than being on the site of the existing buildings, is in the optimum position to reduce visual impact as far as possible. The applicant has also provided details of a possible design for the new building, which would result in a low profile 'rural' building, and officer would support that design approach.

Access and highway safety

72. There has been no objection in principle to the development on highway from either the Highways Agency or Local Highway Authority. Access and highway safety was not a reason for refusal in respect of the earlier application, and the scale of development proposed has now reduced.

Introduction of additional retail activities

73. The application is accompanied by a retail impact assessment. This seeks to demonstrate that the proposed garden centre is acceptable in terms of retail impact. The assessment considers existing garden centres for the most part and not wider retailing and associated issues. It also makes assumptions in relation to potential catchment area based on 20 minute travel times and estimates catchment as being some 325,000 people. Following estimating and discounting trade to other garden centres, the assessment determines that catchment will be some 165,000, including urban extensions. The assessment also estimates expenditure and turnover. However, the assessment contains little detail to underpin its assumptions. The assessment also goes on to consider site access and layout. Apart from the limited material relating to catchment and turnover, there is little conclusive material as to impact of the proposed development. Nor is there any meaningful analysis of impact on other retailing.
74. The assessment contains little if any sequential analysis relating to the proposed location of the garden centre. It has not therefore demonstrated that the proposed site is an appropriate location for an enlarged retail development of this size. However, the reasons for refusal of the earlier application, which proposed a larger retail floorspace, did not make specific reference to this matter. Officers are therefore of the view that it would be unreasonable to object to the current application on these grounds.

Other matters (including very special circumstances)

75. Officers have concluded that the proposal is inappropriate development by definition as it will not preserve the openness of the Green Belt.
76. The applicant does not agree with the officer view but has, without prejudice to that view, set out what are considered to be the very special circumstances that exist in this case. These are outlined in paragraphs 56-63 above.
77. Officers recognise that the Local Development Framework and NPPF encourages and supports rural businesses, and the need set out for the expansion of the business on viability grounds, however policy states that Green Belt issues still need to be considered where sites are located within that area. Officers are of the view that in this case the harm to the Green Belt identified above outweighs the argument for the redevelopment of the existing site in paragraphs 56-63 above.
78. The recreational benefits are recognised, but are not considered to be of a scale in this case that would outweigh the identified harm.
79. The applicant has referred to other garden centre on Green Belt sites in the Cambridge Area, and the consents granted to these. Each application will have been considered on its merits, but there are no recent consents that would compare to the erection of a new building of the size currently proposed. The cafeteria referred to at

Oakington was secured by way of the conversion of an existing building rather than a new build.

80. In officers view the applicant has not demonstrated that these circumstances are “very special” to warrant a departure from advice in the NPPF or from the Council’s own adopted policies. The applicant has not provided any real justification as to why the proposed development should be considered to be an exception.

Conclusion

81. This proposal is clearly not consistent with guidance set out in the NPPF relating to the Green Belt. The proposed development does not fall within the exceptions for development within the Green Belt set out in the NPPF nor within the Council’s own adopted planning policies or emerging Local Plan. The development proposed will result in a loss of openness of the Green Belt and in addition detriment to the appearance of the application site, both as a part of the Green Belt and also as a part of the open countryside.

Officers have considered the ‘very special circumstances’ put forward in support of the application. However, whilst officers would like to be able to support a scheme which aids the retention and future viability of a long established local company, in this case the harm to the Green Belt in terms of being inappropriate development by definition, and the other harm to the Green Belt and landscape referred to above. The ‘very special circumstances’ put forward are not considered to clearly outweigh the identified harm.

Recommendation

That the application is refused for the following reasons:

1. The proposed development does not fall within any of the exception categories set out within the National Planning Policy Framework relating to development within the Green Belt and as such is unacceptable in principle. It would lead to an unacceptable loss of the openness and the essential undeveloped nature of the Green Belt. The development proposed would be inappropriate development within the Green Belt and would not therefore be consistent with guidance set out in the National Planning Policy Framework and conflict with Policy GB/1 of the adopted Local Development Framework 2007.
2. Notwithstanding the harm by reason of inappropriateness, the proposed development would result in a significant change in the character and appearance of the site which is located within the open countryside. The present undeveloped, arable and open appearance of the site as an integral part of the open countryside would be lost as a consequence of the development proposed. The development of the site is therefore considered to be detrimental to the appearance of the open countryside and the appearance of the site. Consequently, the proposal would be contrary to Policy DP/3 (m) of the adopted Local Development Framework 2007, which states that development will not be permitted if it would have an unacceptable adverse impact on the countryside and landscape character.
3. Insufficient very special circumstances, have been put forward to demonstrate why the harm, by reason of inappropriateness in the Green Belt and other harm identified above, is clearly outweighed by these considerations. The

application therefore fails to satisfy the requirements of paragraph 88 of the NPPF 2012.

Background Papers

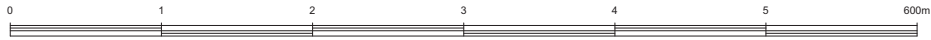
Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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/2008/13/OL and S/1245/13/LD

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



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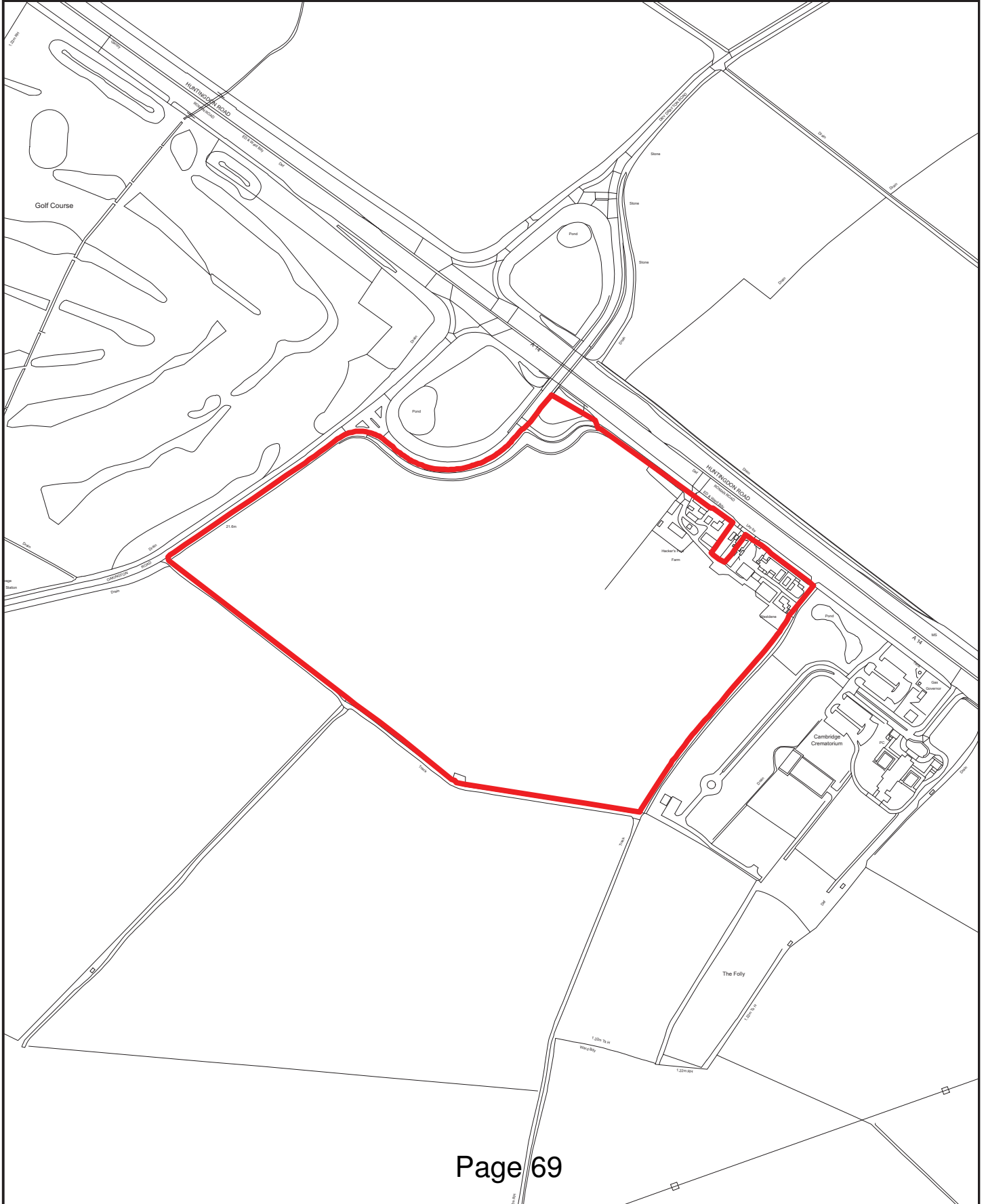
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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2599/14/FL
Parish(es):	Toft
Proposal:	Dwelling
Site address:	Land adjacent 32 High Street, Toft
Applicant(s):	Mr Steven Graham
Recommendation:	Approval
Key material considerations:	Principle of Development Design, siting and external appearance Impact on the setting of the Listed Building and the Conservation Area Residential Amenity Highway Safety
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	John Koch
Application brought to Committee because:	Parish Council recommendation of refusal conflicts with Officers recommendation
Date by which decision due:	13 January 2015

Site and Proposal

1. The proposal seeks full planning permission for the erection of a 3 bedroom, 1 ½ storey dwelling within the curtilage of an existing dwelling.
2. The dwelling would be constructed using brickwork and timber cladding with a slate roof. The proposal includes the demolition of the existing single garage. Access to the site would be from the existing drive which would be altered to provide a wider access point and greater parking area.
3. The site forms part of the side garden to 32, High Street Toft, an end of terrace dwelling to the west of the High Street. No 32 is a Grade II listed building and forms part of a terrace of 4 mid 19th century listed cottages (nos 26 to 32). These cottages are rendered with a slate roof and have symmetrical gable projections facing the

highway. To the south of the site is a large detached dwelling and to the east of the site are semi detached houses.

4. An amended plan has been submitted which provides for a revised access and parking plan. The vehicular crossing has been widened and the parking area enlarged to provide a separate parking and turning area for both the proposed and existing dwelling.
5. The site is located within the village framework for Toft and within the village Conservation Area.

Planning History

6. The site has been subject of a pre-application discussion. Officers considered that a new dwelling would be acceptable in principle.

Planning Policies

7. National Planning Policy Framework NPPF
National Planning Policy Guidance NPPG
8. Local Development Framework Core Strategy 2007
ST/7 Infill villages
9. Local Development Framework Development Control Policies (Adopted July 2007);
DP/1 Sustainable Development
DP/2 Design of new Development
DP/3 Development Criteria
DP/4 Infrastructure and New Development
DP/7 Development Frameworks
HG/1 Housing Density
NE/6 Biodiversity
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
10. Local Plan (Proposed Submission Version (July 2013))
S/1 Vision
S/2 Objectives of the Local Plan
S/11 Infill Villages
S/7 Development Frameworks
HQ/1 Design principles
H/7 Housing Density
TI/3 Parking Provision
NH/14 Heritage Assets
11. Supplementary Planning Documents
District Design Guide SPD (adopted March 2010)

Consultations

12. **Toft Parish Council** recommends refusal. Insufficient segregated parking, Narrowness of the site, overlooking, concern at road drains outside property.

13. The **Local Highway Authority** originally raised an objection on the grounds of insufficient space on site for the turning of vehicles to enable vehicles to enter and leave in forward gear. Two clearly defined accesses for each dwelling should be provided.

Comments of amended plans - no objections, subject to conditions controlling pedestrian visibility splays, drainage, and bound materials for the access drive.

Representations

14. None have been received.

Planning Comments

Principle of Development

15. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Toft as an 'infill village' where the subdivision of an existing curtilage for the construction of up to 2 residential dwellings within the framework is supported.
16. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/7 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
17. Development Plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions towards open space, sport and recreation facilities, indoor community facilities and waste receptacles have been identified. Such provision cannot be made on site and can therefore only be provided by way of financial contributions.
18. National Planning Practice Guidance seeks to remove the disproportionate burden of developer contributions on small scale developers. It advises that tariff style contributions should not be sought for sites of 10 units or less, and which have a maximum combined gross floor space of 1000 square metres. The development falls within this threshold.
19. The Guidance is a material consideration and the overall benefits of the development are considered to outweigh the need to make suitable arrangements for the provision of infrastructure. No request for such provision is therefore sought

Design, siting and external appearance

20. While this is a relatively narrow site, particularly the frontage, the proposed dwelling has been designed to provide a gable facing the front and rear of the site to reduce the massing of the building and provide a simple form which respects the scale and form of the adjacent listed cottages. The proposed dwelling would be set back from the front elevation of the listed terrace and the ridge height and eaves height would be lower in order that it would appear subordinate to the listed cottages and provide

for a good degree of separation to maintain and preserve the setting of the listed buildings.

21. The proposed materials respect the historic and rural nature of the adjacent listed building and surroundings. In the event the application is approved, it is recommended a condition requiring the specific colour of the materials to be agreed should be attached.

Impact on the setting of the Listed Building and Conservation Area

22. Section 72 of the Planning (Listed Building & Conservation Area) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and Section 66 requires the Council to have special regard to the desirability of preserving the building or its setting.
23. It is considered the proposal has responded in positive manner to reflect the context of the site and is respectful to the setting of the listed building. As such it is considered the proposal preserves the setting of the adjacent listed buildings and the character and appearance of the Conservation Area.

Residential Amenity

24. The proposed dwelling has been designed to avoid overlooking and overshadowing of the neighbouring properties. There are no first floor windows in the side elevations facing either of the neighbouring properties. The roof lights in the north elevation have cill heights of at least 1.7m above finished floor level and are therefore above eye level. The rear elevation is set back behind the rear of the adjacent properties and thus all the windows face down the garden and not across into neighbouring gardens. The proposal would therefore not overlook adjoining properties.
25. In terms of outlook, the neighbouring property to the south does not have any windows facing the development site than above eye level rooflights. The existing property to the north does not have any principal windows facing the development site. The orientation of the dwelling reduces the massing of the building and as such the proposal would not have an adverse impact on outlook.
26. A shadow study has been submitted to demonstrate that the level of overshadowing would be minimal and within an acceptable level.
27. The proposal would provide for a good level of amenity space for both the proposed and existing dwelling.
28. Conditions will also be attached to ensure the neighbours' amenities are safeguarded by ensuring the proposed rooflights are above eye level, preventing any further openings in the side elevations at and above first floor level without prior written consent and a restriction on demolition/construction times.

Highway Safety

29. The Local Highway Authority has no objection to the development subject to certain conditions regarding the provision of pedestrian visibility splay and construction of access. The proposals include segregated parking and turning for both the existing and proposed dwelling.

Other matters

29. The parish council has not expanded upon its concerns for the road drains. Details are shown on the submitted layout plan and the local highway authority has not raised this is an issue.

Conclusion

30. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the development remains acceptable.

Recommendation

31. Approval subject to:

Conditions

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: 32-1014-P-099 Rev A; 32-1014-P-100; 32-1014-P-200; 32-1014-P-300
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) The permanent space to be reserved on the site for turning and parking shall be provided before the dwelling hereby approved is first occupied and thereafter retained.
(Reason - In the interests of highway safety.)
- (e) The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway and with falls and levels such that no private water from the site drains across or onto the adopted public highway
(Reason: In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework)
- (f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any

kind, other than those expressly authorised by this permission, shall be constructed in the side elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

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

- (g) Notwithstanding the approved drawings, the proposed rooflights in the side (north) elevation of the dwelling shall be permanently fitted with obscure glazing and non-opening unless the bottom of the rooflight is more than 1.7m above the floor level of the room in which it is installed.

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

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (Adopted 2007)
- South Cambridgeshire Local Plan Proposed Submission (July 2013)
- Planning Reference File: S/2599/14/FL.

Report Author: Viv Bebbington – Planning Consultant
Telephone (01362) 656230



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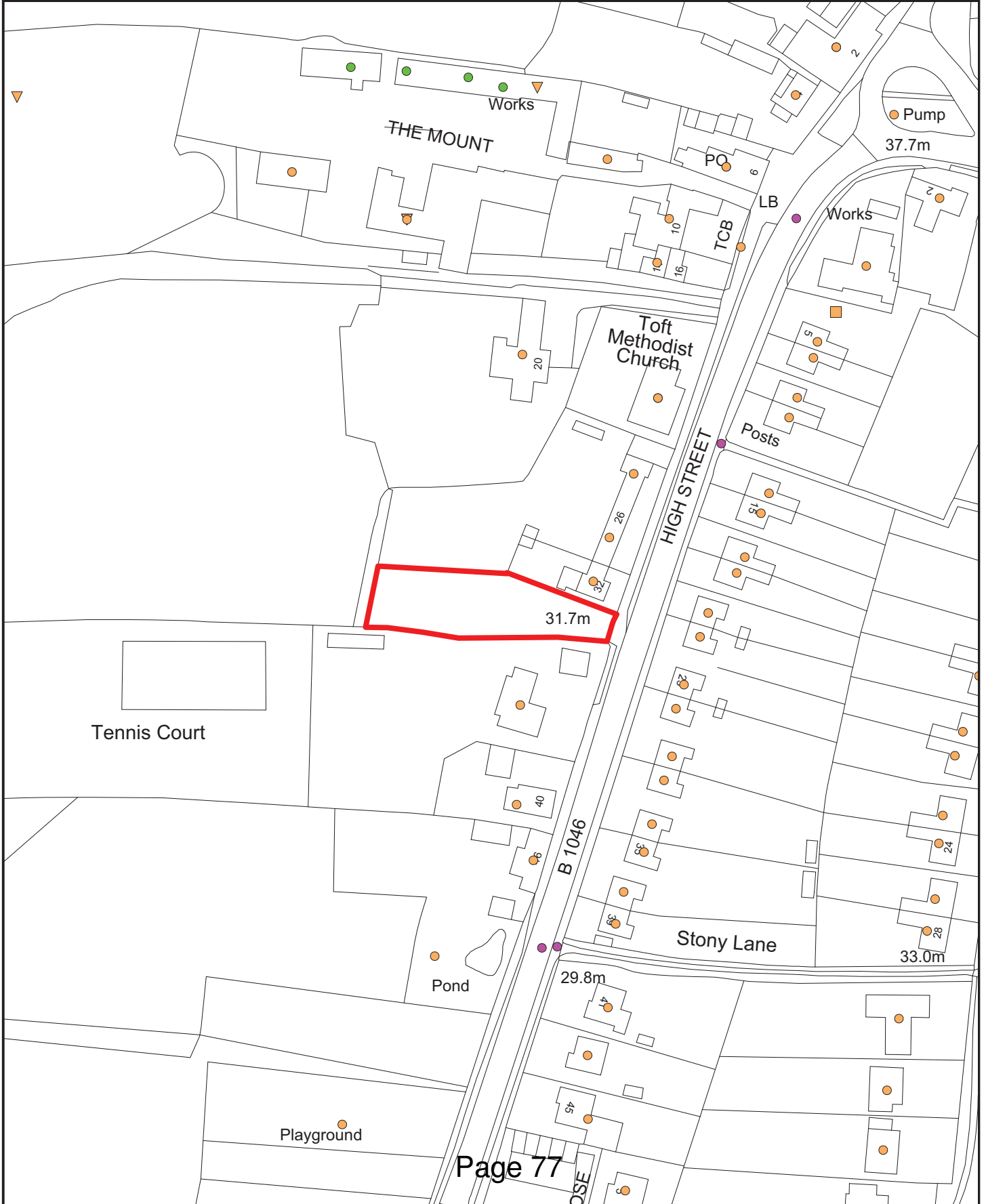
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Agenda Item 10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0296/15/FL
Parish(es):	WATERBEACH
Proposal:	Erection of 60 Dwellings with Associated Infrastructure, Landscaping and Public Open Space
Site address:	Land to the West of Cody Road
Applicant(s):	Morris Homes (Midlands) Ltd.
Recommendation:	Approval (as amended)
Key material considerations:	Housing Land Supply Proposed Green Belt Countryside Highway Safety Neighbour Amenity Archaeology Ecology Biodiversity Trees and Landscaping Flood Risk
Committee Site Visit:	No.
Departure Application:	No.
Presenting Officer:	Karen Pell-Coggins
Application brought to Committee because:	The officer recommendation conflicts with the recommendation of Waterbeach Parish Council
Date by which decision due:	5 May 2015

Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside the Waterbeach village framework and in the countryside. The development of the site for 60 dwellings has already been approved on this site at appeal as the Council does not currently have a 5 year housing land supply and therefore the adopted LDF policies in relation to the supply of housing are not up to date. This application seeks revisions to the housing mix, layout of the site and design and external appearance of the buildings.

The adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified, and conflict with out of date policies of the LDF.

Planning History

2. **Site**
S/0645/13/FL - 60 Dwellings - Appeal Allowed
Land East of Cody Road
S/1907/14/OL - Residential Development of up to 36 dwellings and Formation of Accesses - Approved
S/2092/13/OL – Residential Development of up to 36 dwellings and Formation of Accesses - Refused
Land North of Bannold Road
S/1359/13/OL - Residential Development of Up to 90 Dwellings with Access to Bannold Road - Appeal Allowed
Land North of Bannold Road and West of Bannold Drive
S/0558/14/FL - Residential Development of Up to 57 Dwellings with Access to Bannold Road - Appeal Allowed
Land between Bannold Road and Orchard Drive
S/1551/04/O - Residential Development and Ancillary Open Space and Landscaping - Approved
S/1260/09/RM - 62 Dwellings - Approved
3. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
4. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted July 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/6 Public Art and New Development
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/11 Flood Risk
NE/12 Water Conservation
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land
CH/2 Archaeological Sites

TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

5. **Submission Local Plan (March 2014)**

S/3 Presumption in Favour of Sustainable Development
S/4 Cambridge Green Belt
S/7 Development Frameworks
S/9 Minor Rural Centres
SS/5 Waterbeach New Town
HQ/1 Design Principles
HQ/2 Public Art and New Development
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

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

Open Space in New Developments SPD - Adopted January 2009
Affordable Housing SPD - Adopted March 2010
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010

Consultations

7. **Waterbeach Parish Council** – Recommends refusal for the following reasons: -

“The Council objects on the following points but would like to request that these points are taken forward as planning conditions should the application gain approval. i) No more than a maximum width of 2.5 m of hedging to be removed providing one access through to the Cam Locks development to preserve hedging.
ii) To retain all hedgerows as they are over 30 years old and come under the Hedgerows Regulations Act 1997 to protect hedgerows in the countryside.
iii) All trees are retained on site with no removal as stated.
Other comments for objection:
iv) Overdevelopment of the site.

- v) It is in the green belt under the new local plan.
- vi) Parking and access for service vehicles (fire, ambulance, refuse) would be problematic along Cody Road which is not a wide road.
- vii) It is not in accordance with the proposed SCDC development plan.
- viii) It impacts the green field buffer zone between the village and the former military housing.
- ix) Not needed as there are potentially up to 900 houses on the barracks site.
- x) Overloading of the IDB drainage system which will cause backups elsewhere.
- xi) It will change the rural nature of this part of the village, currently used by many residents for walking.
- xii) Noise and disturbance to wildlife.
- xiii) The archaeology is unknown as no sample pits have been dug in the immediate area.
- xiii) There is a change from the original plan from 3 x 2 semi-detached houses (6 homes) to 2 x terrace of 3 houses (6 homes) and 1 x terrace of 2 houses (2 homes)- increase from 6 to 8 homes. Due to the change of design this has now created alleyways to the access the rear of the terrace properties and this is a security risk.
- xiv) Flooding issues- this area is still prone to flooding.
- xv) As this is a flood prone area what consideration has been given to the road surfaces to allow water run-off.
- xvi) Transport infrastructure. A10 is already heavily congested particularly at peak times, there is no Sunday bus service and trains services are already extremely crowded during peak times.”

8. **Police Architectural Liaison Officer** – Has no objections. Comments that in assessing the crime risk, an analysis of the existing Morris Homes development, and the local area of Cody Road and Bannold Road have been considered. In the area there have been a couple of burglaries and a couple of vehicle related crimes but nothing related to the existing Morris Homes development of Levitt Lane. There is no recorded anti-social behaviour in the immediate area. The site plan is considered to be in line with recommendations from a crime reduction perspective. The block pattern is such that active frontages provide good surveillance across the site of all through routes as well as the public open space. Back to back properties minimise the risk of burglaries. If critical, the rear alleyways should be gated to emphasise the private nature of the space.
9. **Local Highways Authority** – Requires a plan showing vehicular visibility splays on both sides of the access on to Cody Road that measure 2.4 metres x 43 metres as measured from and along the nearside edge of the carriageway within the development. The splays must be provided within the public highway or land under the control of the applicant and kept clear above a height of 600mm. Requests that all parking spaces are designed to measure 5 metres in length so that vehicles would not obstruct the footpath. Suggests that the pedestrian links to the adjacent development are footway and cycle links to allow the site to be sustainable for all modes of transport. Comments that it would not adopt the common areas of shared drives within the development. Requires conditions in relation to the provision of pedestrian visibility splays that measure 2 metres x 2 metres on both sides of the access driveways and blocks of parking and kept clear from obstruction over a height of 600mm, that the access is constructed from bound material and so that it falls so that debris and/or private water would not spread on to the public highway and a traffic management plan during construction. Also requests informatives with regards to works to the public highway and the tracking of refuse vehicles within the site.
10. **County Council Transport Assessment Team** – Has no objections. Comments that the vehicles generated by the development are expected to have a minimum impact upon the junctions surrounding the development and no improvement works are

necessary. Further comments that details on the level of car and cycle parking within the development is required to ensure that it meets standards. Requests conditions in relation to the submission of a full travel plan to include a household travel welcome pack and a legal agreement that provides a commuted sum towards a real time passenger information sign, raised kerbs, bus stop markings and an area of hardstanding at the bus stop on Cody Road and two pedestrian links from the new development to the adjoining Levitt Lane development.

11. **Housing Development Officer** – Supports the proposal. Comments that there are approximately 1700 applicants on the housing register in the district in housing need. The developers have proposed a scheme of 60 dwellings, 24 of which are affordable (40%). The number of affordable dwellings are in accordance with policy. The tenure split of 17 properties social rented and 7 shared ownership is satisfactory in terms of the tenure. The number of one and two bedrooms reflects the high demand for smaller properties due to welfare reform legislation and that there has been a greater supply of three bedroom houses historically. The supply of some three and four bedroom properties is supported because of the size of the scheme and that this enables the development to be sustainable long term. The properties should be built to HCA design and quality standards and be available to all applicants on the home link register across the district.
12. **County Council Historic Environment Team** – Has no objections or requirements for the development.
13. **Environment Agency** – Requires conditions in relation to a remediation strategy for any contamination found during the course of the development and a scheme for the provision and implementation of pollution control to the water environment to include foul and surface water drainage. Also requests informatives.
14. **Waterbeach Level Internal Drainage Board** –
Original Submission
Objects to the application. Comments that although the Board welcomes the use of balancing the surface water on site and discharging at the Board's standard run-off rate, there are concerns from the development. Bannold Road has suffered from flooding problems over the past few years and it is important that new developments to not exacerbate the problem. The main concerns relate to the capacity of the existing surface water sewer and the maintenance of the existing surface water sewer and balancing pond and proposed new connection and on-site drainage.
Additional information
Comments that the surface water calculations prove that the additional 1 litre/second will not have an adverse impact upon the existing system (additional information). However, states that it is still unclear who will be responsible for the maintenance as previously raised.
15. **Anglian Water** – Comments that the sewerage system at present has available capacity for the flows from the development and that the connection should be to manhole 8801 on Bannold Road. The preferred method of surface water disposal would be to a sustainable drainage system with connection to the sewer as the last option. The surface water strategy/ flood risk assessment submitted with the application is not acceptable as it is unclear where the surface water will be discharged. Requests a condition in relation to a drainage strategy
16. **Land Drainage Manager** - Comments are awaited.

17. **Contaminated Land Officer** – Confirms agreement with the Ground Investigation Report and comments that a condition in relation to the investigation of contamination is not required.
18. **Environmental Health Officer** – Has no objections subject to conditions in relation to hours of construction and construction related deliveries, construction noise impact assessment and method statement detailing predicted noise and vibration levels at noise sensitive premises along with mitigation measures, dust suppression measures, external lighting, an operation waste management and minimisation strategy. Also requests a contribution towards waste receptacles within a section 106 legal agreement and an informative in relation to the burning of waste on site.
19. **Section 106 Officer** –
- Original Submission* - Objects to the application. Comments that there are concerns in relation to the management and maintenance of the public open space in terms of an integrated and harmonious community.
- Additional Information* - Comments that the applicants intend that the land is maintained by the same management company that is responsible for the open space on the adjacent development. Providing this is secured by way of an obligation or condition, there are no objections. Requests contributions towards off-site sports space and off-site playspace if a Local Equipped Area of Play (LEAP) does not form part of the obligation.
20. **County Council Growth and Economy Team** – Requires contributions towards education (early years and primary school), waste and life-long learning.

Representations

21. The **Local Member** has concerns that the layout plan is quite different to the approved layout plan and if passed would have a big impact upon the immediate neighbours.
22. **Nine local residents** have concerns in relation to the application on the following grounds: -
- i) Flood risk and ineffective drainage;
 - ii) Increase in traffic in area, poor quality of roads, width of Cody Road, on-street parking, highway safety issues at junctions, congestion on A10, construction traffic along local roads;
 - iii) Need the full amount of affordable housing;
 - iv) Quality of the amenity of affordable housing;
 - v) The site is in the greenfield buffer between the village and barracks that is being developed in piecemeal;
 - vi) Proposed Green Belt land;
 - vii) Loss of trees and hedge would affect wildlife, screening and character;
 - viii) The developer is the same as Camlocks with the potential for poor construction;
 - ix) Poor quality of framework travel plan;
 - x) Relationship between new development and balancing pond at Camlocks;
 - xi) Insufficient public transport in area;
 - xii) Higher density and more crowded development with less screening;
 - xiii) A larger number of dwellings and closer to properties in Bannold Road;
 - xiv) Terraced and semi-detached properties out of character with detached properties in Bannold Road;
 - xv) Access paths to rear of properties in Bannold Road provide a security risk;
 - xvi) Underground storage tank next closer to Bannold Road may exacerbate the risk of flooding;

- xvii) Overlooking of properties on Bannold Road; and,
- xviii) Loss of planting previously approved along northern boundary of properties in Bannold Road.

Planning Considerations

Site

- 23. The site is located to the west of Cody Road and to the north of Bannold Road, outside the Waterbeach village framework and within the countryside. It measures 1.85 hectares in area and currently comprises open agricultural land. The village of Waterbeach is situated to the south within the framework and Waterbeach Barracks is situated to the north within the countryside. The site forms part of the Landscape Character Area known as 'The Fens' and is generally level ground. The northern boundary has a concrete post and wire fence and a number of trees. The eastern boundary adjacent to Cody Road is open. The southern boundary comprises the boundary treatment to dwellings along Cody Road and is mostly fenced. The western boundary has a mature hedge. The site lies within a Flood Zone 1 (low risk) area.

Proposal

- 24. This full planning application, received on 3 February 2015, as amended, proposes the erection of a residential development of 60 dwellings, associated infrastructure, landscaping and public open space. 24 of the 60 dwellings (40%) would be affordable to comply with local needs. Of the affordable dwellings, 8 dwellings would have one bedroom, 10 dwellings would have two bedrooms, 2 dwellings would have three bedrooms and 1 dwelling would have four bedrooms. The tenure split would be 70% social rented and 30% shared ownership. 36 of the 60 dwellings (60%) would be available for sale on the open market. Of the market dwellings, 8 dwellings would have two bedrooms, 13 dwellings would have three bedrooms, and 15 dwellings would have four or more bedrooms. The dwellings would be two storeys to two and a half storeys in height. The scale of the dwellings would be detached, semi-detached and terraces. The materials of construction would include brick and render for the walls and tiles for the roofs. At least 104 parking spaces are proposed to serve the development that range from one parking space for the smaller units to two parking spaces for the larger units. One main access is proposed off Cody Road that measures 5 metres in width with footpaths that measure 1.8 metres on both sides. An area of 0.19 of a hectare of public open space in a linear form would be provided on the western side of the site.
- 25. The key issues to consider in the determination of this application relate to the principle of the development, density, affordable housing, housing mix, public open space, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety, neighbour amenity, trees and landscaping, contamination, drainage, flood risk and archaeology.

Principle of Development

26. The site is located outside the Waterbeach village framework and in the countryside. The principle of residential development has already been accepted on this site through the grant of planning permission at appeal for planning consent S/0645/13/FL in June 2014. The Inspector judged that the Council did not have a five year housing land supply and that adopted policies DP/7 and ST/5 of the LDF were out of date. The decision was therefore made in accordance with paragraph 14 of the National Planning Policy Framework 2012 (NPPF) that sets out the presumption in favour of sustainable development if policies are out of date unless there are any adverse impacts that would demonstrably and significantly outweigh the benefits. To summarise, he considered that the limited harm to the character and appearance of the area through the loss of the open buffer and proposed Green Belt land between the existing village and barracks would not have adverse impact that would outweigh the benefits of 60 dwellings in a sustainable location towards the urgent housing need in the area. Please see Appendix 1 for a full copy of the decision. The situation remains the same as the Council does still not have a five year housing land supply and balance for this proposal is set out in the conclusion below.

Density

27. The site measures 1.85 hectares in area in total. The net site area excluding the public open space measures 1.66 hectares. The erection of 60 dwellings would equate to a density of 36 dwellings per hectare. Whilst it is acknowledged that this would be lower than the density of at least 40 dwellings per hectare for sustainable villages such as Waterbeach, it is considered acceptable given the low density character and appearance of the surrounding area.

Affordable Housing

28. The development proposes 24 of the 60 dwellings to be affordable in nature. This would represent 40% of the total number of units within the development and comply with Policy HG/3 of the LDF. The housing mix would be in accordance with local need and would be available to all applicants on the district housing register. The tenure split of 70% social rented and 30% shared ownership is considered appropriate.

Market Housing Mix

29. The development proposes 36 of the 60 dwellings to be available for sale on the open market. The mix would comprise 22% two bedroom units, 36% three bedroom units and 42% four bedroom units. Although it is noted that this mix would not comply with adopted Policy HG/2 of the LDF that requires at least 40% one or two bedroom units or Policy H/8 of the submission Local Plan that requires at least 30% one or two bedroom units, it is considered satisfactory in this case. The reason for this is because the approved proposal for the site comprises the same number of two bedroom units and a greater number of four bedroom units so the overall mix is now considered to be an improvement.

Character and Appearance of the Area

30. The layout of the site is very similar to the approved scheme. It would consist of a single primary access point off Cody Road along with secondary shared surface areas and tertiary shared private driveways. Two pedestrian links would be provided to the link with the existing footways on the adjoining Levitt Lane development. The public open space would be located in an improved position to the approved scheme as it would be located

more centrally within the site. It would be easily accessible to all and link with the open space on the adjoining development. The affordable dwellings are dispersed across the site and not concentrated within one specific area to ensure a socially inclusive development.

31. The main visual reference points within the development include landmark buildings to facilitate legibility throughout the site. There would be a wide range of scales of dwellings to include detached five bedroom houses, semi-detached three bedroom houses, terraced two bedroom houses and one bedroom flats that would be in keeping with the local area. The dwellings would be two storeys in height that would reflect the dwellings along Bannold Road and on the nearby former barracks. The design and materials of the dwellings would replicate those found on the adjoining development at Levitt Lane by the same developer.

Highway Safety

32. The erection of 60 dwellings would significant increase traffic generation in the area. However, the capacity of the surrounding roads would be able to cope with the increase in traffic and the proposal is not considered to be detrimental to highway safety. There are no improvements required necessary to any junctions to make the development acceptable in planning terms. A plan has been requested to ensure that the vehicular and pedestrian visibility splays are in accordance with Local Highway Authority standards. Conditions would be attached to any consent to secure the visibility splays in addition to a traffic management plan during construction.
33. The site is considered to be sustainably located in terms of its close proximity to a wide range of services in the centre of the village that are easily accessible by walking cycling. There is also good public transport links with a train station nearby and a bus route that passes the site.
34. A draft travel plan has been submitted with the application that demonstrates how the future occupiers of the dwellings would be encouraged to use more sustainable modes of transport. A full travel plan would be a condition of any consent. The Section 106 legal agreement would provide a commuted sum towards the improvement of the existing bus stop facilities on Cody Road.
35. The development would provide at least 104 vehicle parking spaces. These would be in accordance with Policy TR/2 of the LDF that seeks an average of 1.5 vehicle parking spaces per dwelling. A plan has been requested to show a maximum of 6 metres to the front of any garages to ensure that vehicles would not obstruct pedestrian footways within the development. A condition would be attached to any consent to secure cycle parking in accordance with the Council's standards.

Trees and Landscaping

36. The majority of the existing trees along the northern boundary of the site would be retained. However, the trees in the north west corner of the site would be removed. The removal of these trees is considered acceptable on the basis that they would be replaced.
37. The majority of the hedge along the western boundary of the site would be retained. A plan has been requested to address the Landscape and Ecology Officer's comments to ensure that the only gaps are of a limited scale are provided to allow pedestrian links to the adjoining site and a direct link to the public open space.

Flood Risk and Drainage

38. The site lies within Flood Zone 1 (low risk) but it is known that the area has been subject to surface water in the past. Further information has been submitted to demonstrate that the rate of drainage to the IDB watercourse is acceptable. Further details of the responsibility for the maintenance of the existing surface water sewer and balancing pond and proposed new connection and on-site drainage have been requested.
39. However, comments of the Land Drainage Manger are awaited to ensure that this proposed method of drainage is satisfactory. If not, alternative details as per the previous approval will be required to ensure that this matter is fully addressed before any planning permission is granted.

Neighbour Amenity

40. The development is not considered to seriously harm the amenities of neighbours. The proposed dwellings would be sited a distance of at least 30 metres from the existing dwellings on Bannold Road that would exceed the guidelines of 25 metres window-to-window distance set out in the Council's Design Guide. This distance is not therefore considered to result in overlooking that would lead to a severe loss of privacy to the occupiers of those properties.
41. Although it is noted that some of the proposed dwellings would be set slightly closer than the 15 metres distance set out in the Council's Design Guide for distance of dwellings to boundaries, their siting is not considered to result in overlooking, an unduly overbearing mass or significant loss of light to the existing properties or their rear gardens given that they are at least 20 metres long and the main garden areas are closer to the dwellings.
42. Conditions would be attached to any consent to ensure that noise, vibration and dust levels during construction are controlled to minimise the impact upon neighbours. .

Other Matters

43. Conditions in relation to a contamination investigation of the site and archaeological investigation of the site are not required.
44. A plan has been submitted that shows gates to the rear pedestrian accesses to ensure that these are private are not open to the general public.
45. The comments of the neighbours in relation to the lack of screening along the southern boundary of the site are noted. Whilst this would be preferable, it is not required to ensure the relationship between dwellings is satisfactory.
46. The developers for this site are the same as the adjoining site at Levitt Lane and pedestrian links would be provided to ensure an inclusive development. The land to the east of Cody Road is only currently subject to outline planning permission with no details apart from the accesses agreed to date. Therefore, the Council will work to try and ensure that these schemes are not developed in a piecemeal to provide a coherent development.
47. The amenity space for the affordable dwellings would be approximately 50 square metres per dwelling and in accordance with the advice set out in the Council's Design Guide.

Conclusion

48. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:
ST/5: Minor Rural Centres – indicative maximum scheme size of 30 dwellings
DP/7: Village Frameworks
This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
49. This adverse impact must be weighed against the following benefits of the development:
- The provision of 60 dwellings towards the shortfall in 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - The provision of 24 affordable dwellings towards the need of 1,700 applicants across the district.
 - Developer contributions towards early year and primary school education, bus stop improvements and public footpath links in the village;
 - Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
 - Employment during construction to benefit the local economy.
 - Greater use of local services and facilities to contribute to the local economy.
50. The adverse impacts of this development are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified, and conflict with out of date policies of the LDF.

Planning Obligations

51. The application involves significant financial contributions to be secured by way of a Section 106 Agreement, which are referred to in the report. Planning obligations which are directly relevant to the application, proportionate and absolutely necessary for the scheme to be acceptable and so meet the CIL Reg 122 test are:
- Education (primary school and early years) where additional capacity is confirmed to be required over the next 5 years;
 - Public open space and community facilities where the Parish Council has confirmed requirements for specific schemes;
 - Bus stop improvements; and,
 - Footpath links.
- These would require significant contributions or the provision of a new classroom, the cost of which should be met by the development.
52. Other contributions may be sought for waste/bins, household recycling centre, libraries and lifelong learning, but are not regarded as necessary to make the scheme CIL compliant and acceptable. A S106 agreement would also need to secure the provision of affordable housing, in accordance with policy.

Recommendation

53. It is recommended that the planning committee grant officer delegated powers to approve the application subject to the receipt of amended plans to address the comments from the Local Highways Authority, Waterbeach Level Internal Drainage Board and Landscape/Ecology Officer's and any requirements of the Land Drainage Manager.

A planning obligation to secure the affordable housing, on-site public open space, pedestrian links, bus stop improvements and contributions towards open space, community facilities, education and waste are required along with the following conditions: -

- a) Time Limit
- b) Approved Plans
- c) Materials
- d) Removal of PD Rights
- e) Windows
- f) Boundary Treatment
- g) Hard and Soft Landscaping
- h) Retention of Trees
- i) Retention of Hedge
- j) Ecological Enhancement
- k) Access
- l) Vehicle Parking
- m) Vehicular Visibility Splays
- n) Pedestrian Visibility Splays
- o) Traffic Management Plan (Construction)
- p) Full Travel Plan
- q) Cycle Parking
- r) Pollution Control Including Foul and Surface Water Drainage
- s) Construction Related Deliveries, Noisy Works and Power Operated Machinery (Construction)
- t) Dust Suppression (Construction)
- u) Noise and Vibration Impact Assessment (Construction)
- v) External Lighting
- w) Waste Management Strategy
- x) Renewable Energy Statement
- y) Water Conservation Strategy
- z) Fire Hydrants
- aa) Drainage (Construction)

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Submission March 2014
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References S/0296/15/FL, S/0645/13/FL, S/1907/14/FL, S/2092/13/OL, S/1359/13/OL, S/0558/14/OL, S/1260/09/RM and S/1551/04/O

Case Officer: Karen Pell-Coggins- Principal Planning Officer
Telephone: (01954) 713230



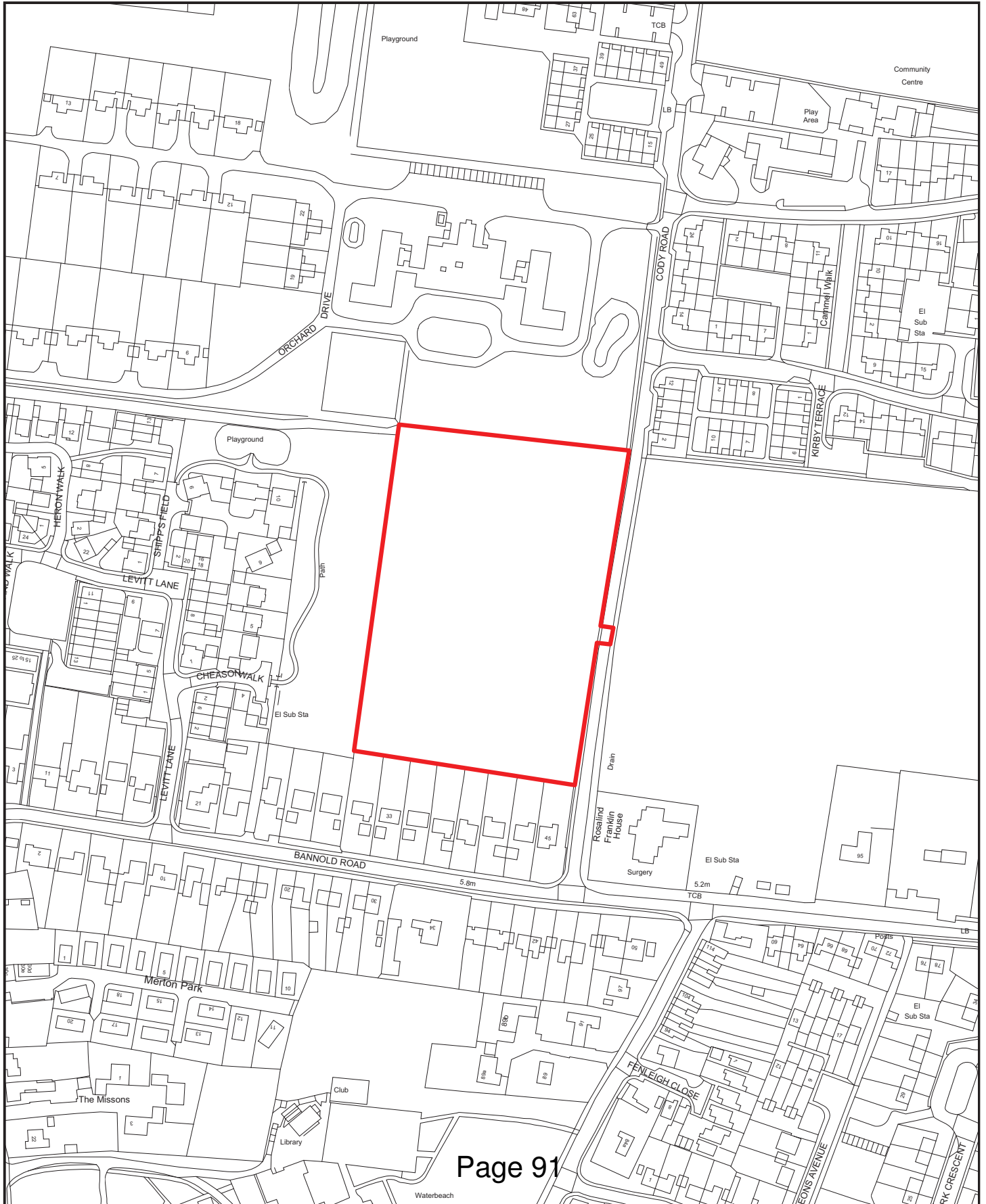
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Agenda Item 11

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2781/14/FL
Parish(es):	Girton
Proposal:	Multi-use games area with fencing and floodlights
Site address:	Gretton School, Manor Farm Road
Applicant(s):	Cavendish Education
Recommendation:	Delegated Approval
Key material considerations:	Principle (including Green Belt), residential amenity, highway safety and other matters
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Debra Bell
Application brought to Committee because:	The recommendation of Girton Parish Council conflicts with the Officers recommendation of approval.
Date by which decision due:	21 January 2015

1. Planning History

- An application for a Multi-use games area with fencing and floodlights was withdrawn in 2014 (ref: **S/1466/14/FL**) due to the absence of a detailed Lighting Assessment, Ecology Assessment and details of hours of operation.
- S/0931/10/F** – Change of use from class D1 (Non-Residential Institution) to Class C2/D1 Mixed Residential/Non-Residential School for Pupils with Special Educational Needs – Approved.
- S/1617/09/F** - Change of use from Class C2 (residential institutions) to Class D1 (non-residential institutions) retrospective application – Approved.

Planning Policies

- National**
National Planning Policy Framework

6. **Local Development Core Strategy 2007:**
ST/6 Group Villages
7. **National**
National Planning Policy Framework (NPPF)
8. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/1 Green Belt
9. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
GB/1 Development in the Green Belt
GB/2 Mitigating the Impact of Development Adjoining the Green Belt
GB/5 Recreation in the Green Belt
NE/6 Biodiversity
NE/14 Lighting Proposals
NE/15 Noise Pollution
CH/5 Conservation Areas
10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD
Trees and Development Sites SPD
Development Affecting Conservation Areas SPD
11. **Proposed Submission Local Plan**
S/10 Group Villages
S/2 Objectives of the Local Plan
HQ/1 Design Principles
NH/4 Biodiversity
NH/10 Recreation in the Green Belt
NH/14 Heritage Assets
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/9 Education facilities

Consultations

12. **Girton Parish Council – 15/1/15** The Council approves the application only on the basis of the following conditions being applied: 1) A decision should be deferred until a satisfactory noise assessment is provided. 2) A curfew of 8.30pm for use of the facility should be in place throughout the year. 3) The concerns of residents regarding noise, light pollution and the possibility of the facility being let out to other users are echoed by the Council.
13. **Updated Girton Parish Council Comments - 5/3/15** The Council voted against the application. The noise report was felt inadequate and the Council would ask officers for a noise report comparable with that for the Howes Place Sports Field application. The Council would like another sound survey to be taken, and for all activity on the MUGA itself to cease by 8.30pm as promised by the school's owner.

14. **Environmental Health** – 19/12/14 Raised no objections to the development and commented that a noise report was not applicable in this instance as there is an established use on the land for sports activities and that there are existing noise barriers in the form of buildings between the proposed development and the nearest residential properties to the South-West.
15. **Updated Environmental Health Comments** – 28/4/15 No further objections and commented – ‘The noise report submitted with the application is of little use in assessing the noise produced from the facility as it only gives background levels around the site. It is accepted that noise from such activities is difficult to assess due to lack of specific guidance relating to such use. If the MUGA is used for hockey matches, impact noise will be higher than for other ball games. Additionally, distances were quoted as being from the centre of the pitch. Other studies have shown that noise is generally, consistent throughout and is more appropriate to measure from the side-lines where spectators will be located.
16. Provided the lighting is installed in accordance with the submitted scheme it is unlikely a nuisance will be caused. I would recommend a post installation test be carried out by a competent person to ensure the isolux levels predicted are actually being met and adjustments made if necessary. Whilst lighting is likely to be visible from nearby houses, it will not cause a nuisance by shining directly inside if installed as designed.
17. Due to the nature of the facility, noise and lighting impacts are difficult to moderate apart from the introduction of time limits.
18. In this case I believe the times being offered for use i.e. 9am to 8.30pm are acceptable and a condition restricting use to these times would be beneficial.
19. Impacts may be noticeable at nearby residential premises, but these need to be considered against the benefits of the provision of such a facility and its use will not be in sufficient proximity or of sufficient duration to create a statutory nuisance at nearby residential premises.
20. **Cambridgeshire County Council, Historic Environment Team** – No objections and commented – Our records indicate that the site lies in an area of high archaeological potential. To the North West is evidence of Bronze Age, Iron Age and Medieval occupation (ECB2864, MCB13219, MCB13220). Whilst the south is a series of medieval earthworks (MCB13000, MCB1321) and it is thought that similar remains may be located within the bounds of the application area.
21. We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.
22. This will secure the preservation of the archaeological interest of the area either by record or in situ as appropriate.
23. **Landscaping** – Comments will be included in an update report or reported at the meeting.
24. **Ecology Officer** – The application is now supported by an ecological assessment. The assessment has been considered, and given a view, with regard to; bats, breeding birds, reptiles and great crested newts. It should be noted that the assessment has considered the entire site and appears to have given an overview of

the entire site's potential future development and re-use of buildings, however the application which is currently lodged is for a relatively small parcel of land which has been described as being of negligible value to biodiversity given its current use is as amenity grassland.

25. With regard to bats, there are no roosting areas within the application site. The floodlights may result in some light spill extending 40m this would only take it to the edge of the semi-natural habitats and is not considered to be significant. Furthermore, this could be mitigated by some new tree planting just inside the semi-natural area.
26. With regard to great crested newts, the assessment draws attention to the fact that GCN may use the nearby pond for breeding and that they could find shelter in the area of semi-natural habitat. However, GCN are not likely to shelter in the amenity grassland and it is my view that the development should impose the best working practice contained within the assessment to avoid any likely harm.
27. A condition should be imposed to control the placement and storage of materials and contractors welfare facilities to land enclosed with the redline boundary. Reason: to control the storage of materials so that areas of semi-natural habitat remain undisturbed through the course of the development.
28. With regard to reptiles, the assessment draws attention to the fact that reptiles may use the nearby semi-natural habitat. However, reptiles are not likely to shelter in the amenity grassland and it is my view that the development should impose the best working practice contained within the assessment to avoid any likely harm.
29. With regard to breeding birds, no breeding birds are likely to be found within the amenity grassland. Thus no impact is protected.
30. I would advise that an informative is added to any consent to the wording of, "Development at the site has been assessed by MKA Ecology Limited who in their report have drawn attention to the wider parts of the school site to provide habitat for protected species including breeding birds, roosting bats, great crested newts and potentially reptiles. Any persons undertaking work with the site should be aware of the potential ecological constraints and take the appropriate course of action as recommended by MKA Ecology limited in the report "Gretton School, Girton - Preliminary Ecological Assessment and bat Inspection Survey".

Representations

31. Letters have been received from the occupiers of No's **6, 8, 15,18, 23 Churchfield Court, 100 High Street** – Objecting to the proposals on the following grounds:
 - a) The installation of floodlighting would cause considerable light pollution to close residential properties and retirement home and would allow extended use of the facility throughout the year. The applicant has stated that the flood lights will be switched off at 8:30pm and the site would be cleared by 9pm. However this would not preclude the use of the site up to 10:30pm and beyond in the summer months when flood lights are not required.
 - b) Increased noise pollution resulting from the development impacting on local residents. Multi-purpose play areas are notoriously noisy areas due to the use of whistles, the loud shouting of both players and their supporters, which is often accompanied by foul language over which the applicant will have no control.

c) The encroachment on the Green Belt is not justifiable as the games area will be used not only for recreational purposes, as claimed but also for commercial gain as was clear from discussions between the school and its neighbours at the meeting of 4 November.

d) Increase in traffic to and from the site causing further parking issues.

e) Inaccurate assessment of ambient noise in the noise assessment.

f) No objections to the installation of the games area itself, just the afterhours use and floodlights.

g) The ground plan submitted does not accurately show the full extent of the woods bordering the applicant's site. Also it does not show the conservatories and bay windows on the rear of properties in Churchfield Court, which would be badly affected by noise and light pollution should this application be allowed.

32. **Pipe House, Lupton Road, Oxon (Leaseholder Churchfield Court)** – My company is the freeholder and manager of the leasehold retirement development known as Churchfield Court, adjacent to the application site. In this capacity, I made comments on the original application and note the changes proposed on the current application.

33. In my previous comments, I made an observation about restricting the night time lighting to an acceptable time in the evening. I note from the application and following a public consultation that it is proposed to have a winter cut off time of 8.30, with the area cleared by 9.00pm. However, no proposals have been made for the summer period where it is light beyond 9.00pm and play could continue beyond this time without lighting. This does not seem reasonable and I have been approached by a number of our residents to ask that this point is addressed.

34. There is little concern that the facility is used for school purposes, but much more on the basis that extended hours will imply a more commercial use, with all that implies on noise and disturbance.

35. At the least we would ask that a restriction on finishing time is applied all year round at the same time of 8.30pm.

Site and Proposal

36. The site comprises a school with its built form defining the northern tip of the Girton village development framework, with playing fields and car parking area within the Green Belt to the north and east. The site for the MUGA falls just outside the village framework in the countryside and within the designated Green Belt and benefits from a treed boundary to the north and East. The site is separated from the nearest residential properties by a disused pool building and bungalow to the South.

37. The area to be developed is currently used and maintained as a grassed sports pitch for the school and has at some point been illuminated, this is evidenced by the number of wooden poles and existing floodlights surrounding the area.

38. The application proposes an all-weather pitch, multi-use games area (MUGA), the surface will be rubber synthetic grass carpet enclosed by 3m high dark green fencing, with 4 no. 8m high dark green coated steel columns with floodlights mounted on top. This is a revised scheme and has moved the MUGA further away from the shared boundary; giving a distance of 60m from the wall of the closest

residential property (100 High Street), and 40m from the garden boundary; and 77m from the rear garden boundary of 16 Churchfield Court.

Planning Considerations

Principle of development (including Green Belt)

39. The key issues for consideration in this instance are whether the proposed development is appropriate development by definition in the Green Belt; whether the proposal will result in any harm to the Green Belt; residential amenity; landscape impact; highway safety; lighting; ecology; archaeology and any other matters
40. The proposed development provides facilities for outdoor recreation and therefore when considered with the provisions of paragraphs 89 and 90 of the NPPF the main consideration in determining whether the proposed development represents inappropriate development is whether it preserves the openness of the Green Belt.
41. The proposals are located close to the existing school buildings and facilities and although there will be some impact on the openness of the Green Belt with the floodlights and fencing, the MUGA will be well related to the adjacent buildings on the edge of a much larger open area of land. Therefore officers have given the view that the development does not impact sufficiently on the openness of the Green Belt and in this case the development is not considered to be inappropriate by definition.
42. The aims of Policy GB/5 of the LDF are to encourage proposals in the Green Belt which provide opportunities for outdoor sport and recreation, appropriate to the Green Belt, where it would not harm the objectives of the Green Belt a recreational use is considered to be appropriate within the Green Belt.

Any other harm to the Green Belt

43. Officers are of the view that the development with its all-weather pitch, fencing and floodlighting will still maintain the openness of this particular section of the Green Belt and although the wider visual impact of the lighting columns will be limited there will be an increased impact when the flood lights are in use.
44. The applicant accepts the need for a restriction on the hours of use of the floodlights and given the time restrictions and the ability to control the type and direction of the lighting to limit light spill, officers are of the view that the time limits further reduce the potential impact on the Green Belt to an acceptable degree.

Residential Amenity

45. The concerns of the parish council and immediate neighbours regarding light and noise pollution have been considered against the above factors. While these are significant concerns, on balance, the development is not found to result in an unacceptable adverse impact upon residential amenity. The Environmental Health Officer raised no objection in principle, but having regard to his detailed comments, conditions should be added to any consent granted to control the hours of operation of the MUGA and the time when floodlighting is used. It is recommended that floodlighting is not used after 20.20 hours and that all activity stops by 21.00 hours. Given that the use of the site will have restrictions on the hours of operation, it is not considered appropriate to restrict the use of the site to the school only.

Highway Safety

46. There is a good level of off road parking within a fenced car parking area to the North of the site and unrestricted parking along Manor Farm Road. Given that the proposals are not introducing a new use onto the site no additional parking provision is considered to be required.

Landscaping and Biodiversity

47. The proposal will not result in the removal of trees on the site, however given that the proposal will have a limited impact on nearby habitat, a condition should be added to any permission granted requiring; soft landscaping details to be submitted (subject to reported comments) and to impose the best working practice contained within the ecological assessment to avoid any likely harm.

Archaeology

48. Given the comments received above, a condition should be added to any permission as recommended.
49. The financial benefits that have been raised in representations do not represent material planning considerations that can be taken into account in this application:

Conclusion

50. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

Recommendation

51. Approval, subject to:

Conditions (to Include)

- (a) 3 year time limit
- (b) Approved drawings
- (c) Landscaping
- (d) Hours of use – restrict to 21.00hrs
- (e) Hours of operation of floodlights – restrict to 20.30hrs
- (f) Scheme of archaeological investigation
- (g) Scheme for the installation of automatic timer to control lighting

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Reference: S/0552/13/FL, S/2330/12/FL & S/0665/03/O

Report Author: Debra Bell – Planning Officer
Telephone: (01954) 713263



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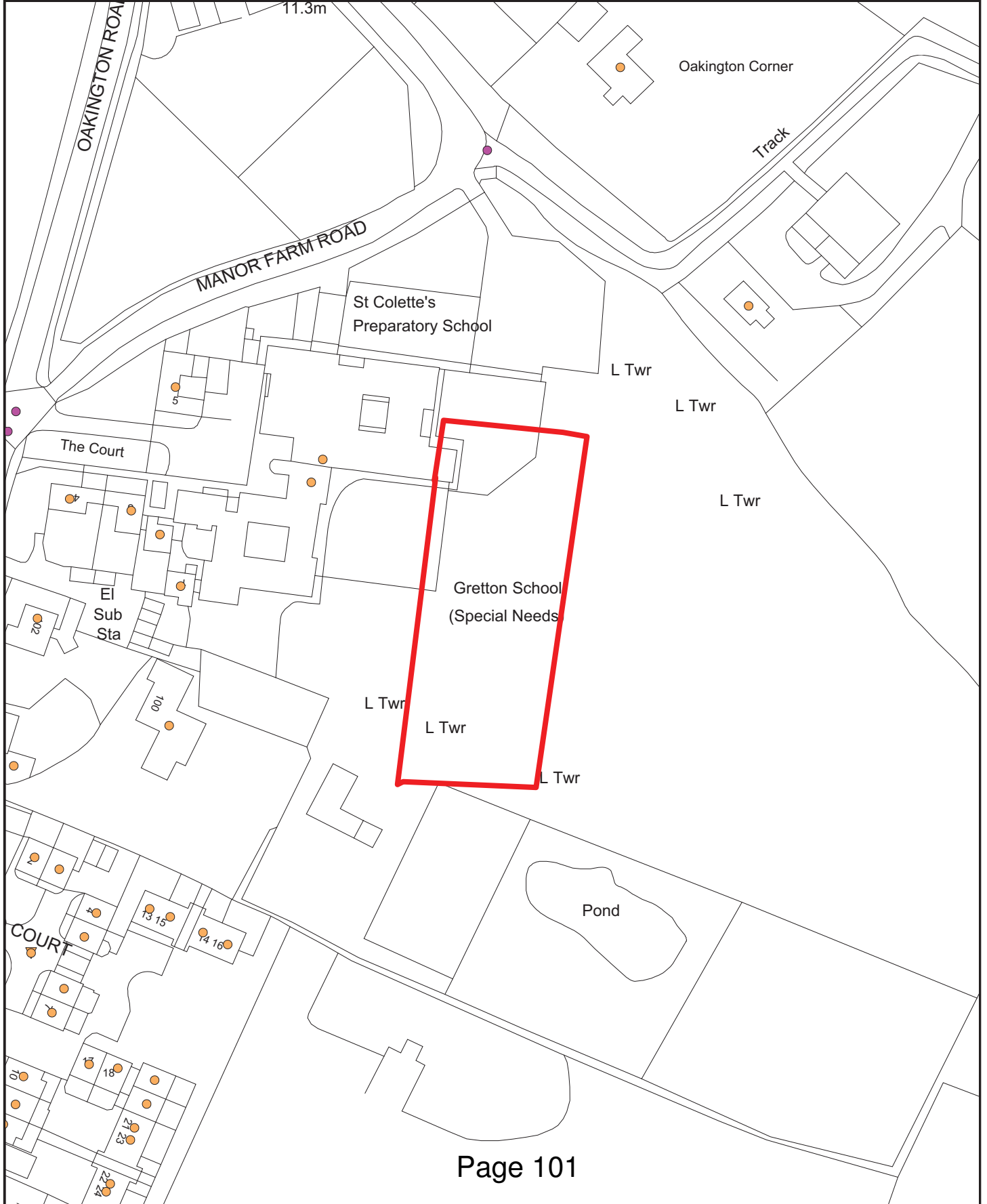
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Agenda Item 12

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0139/15/FL

Parish(es): Histon & Impington

Proposal: Erection of Bungalow

Site address: 24 Hereward Close

Applicant(s): Mr D'Angelo

Recommendation: Approval

Key material considerations: Principle
Neighbour Amenity
Design

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Katie Christodoulides

Application brought to Committee because: The recommendation of Histon and Impington Parish Council conflicts with the Officers recommendation of approval.

Date by which decision due: 30/03/2015

1. **Planning History**
2. **S/0552/13/FL**- New Dwelling-Approved.
3. An application for a bungalow was withdrawn in 2012 **S/2330/12/FL** due to the absence of a detailed Flood Risk Assessment.
4. An application for a bungalow in the garden of 24 Hereward Close was refused in 2003 **S/0665/03/O**. Whilst the plot was found sufficient in size to accommodate a bungalow its siting was considered to impinge on the outlook from properties in Impington Lane. The intensified use of the plot, together with its shared access, was found to result in loss of amenity to neighbours through increased usage.
5. **Planning Policies**
6. **National**
National Planning Policy Framework

7. **Local Development Core Strategy 2007:**
ST/4 Rural Centres

8. **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
CH/5 Conservation Areas
DP/7 Development Frameworks
HG/1 Housing Density
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Water - Alternative Drainage Systems
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/2 Car and Cycle Parking Standards

9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD – adopted March 2010
Open Space in New Developments SPD - adopted January 2009
Landscapes in New Developments SPD - adopted March 2010
Development Affecting Conservation Areas SPD – adopted January 2009

10. **Proposed Submission Local Plan**
S/8 Rural Centres
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
NH/4 Biodiversity
NH/14 Heritage Assets
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/1 Mitigation and Adaption to Climate Change
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/9 Education facilities

11. **Consultations**

12. **Histon & Impington Parish Council-** Recommends refusal on the grounds of intensification of the site and loss of amenity. Raises concerns regarding trees, asbestos, vehicular access and hours of work.

13. **Local Highway Authority** – Raises no objections subject to conditions being added to any consent granted requiring 2 metre by 2 metre pedestrian visibility splays are provided, the driveway being constructed so that no private water drains onto the public highway, the drive being constructed from a bound material, manoeuvring area being maintained free so vehicles can enter and leave in a forward gear and an

informative in regard to planning permission not carrying out any works to the public highway.

14. **Environment Agency-** Raises no objections subject to conditions being added to any consent granted in regard to development being carried out in accordance with the flood risk assessment and mitigation measures and informatives in regard to surface water drainage and foul water drainage.
15. **Environmental Health Officer-** Raises no objections and requests conditions in regard to hours of work, burning of waste, driven pile foundations and an informative in regard to dust and noise disturbance.
16. **Tree Officer** – No comments received (out of time).

17. **Representations**

18. **No.22 Hereward Close-**Objects to the proposal on the grounds of noise and disturbance, highway safety, character and appearance of area, loss of privacy, flooding. Further letter received 23/02/2014 in which concerns are raised regarding access and loss of amenity, parking, trees, boundary inaccuracies and roof height increases.
19. **No.18 Impington Lane-** Objects to the proposal on the grounds of height, character, scale, size, access, flooding, surface water and drainage and trees.

20. **Planning Comments**

21. **Site**

The site comprises a grassed garden area, detached garage and shared vehicular access (serving Nos. 20, 22 and 24). The property falls within the village framework of Impington and adjoins the Conservation Area to its north-western boundary. The site is also located within a Flood Zone 3 area.

22. **Proposal**

The proposal involves the subdivision of the rear garden and the erection of a 3 bed bungalow and detached garage. The site would be accessed via an existing track leading out on to Hereward Close. The submitted plans show two new parking spaces to the front of 24 Hereward Close to be carried out under permitted development. The application follows a previously approved application S/0552/13/FL for a dwelling in which the revised dwelling and garage is higher and larger.

The main issues to consider in this instance are: the principle of the development; the character of the area; parking, highway safety, access; residential amenity; environmental and flooding issues; landscape and boundary treatment; 5 year housing land supply and other issues.

23. **Principle of Development**

The proposed new dwelling is located within the village framework and within a sustainable location close to existing infrastructure, facilities and services to accord with the aims of Policy ST/4 of the LDF Core Strategy 2007. In terms of housing density, the scheme would equate to 16 dwellings per hectare, which falls under the expected 30 dwellings per hectare average of Policy HG/1. However, any further dwellings in this scheme would not be feasible due to the constraints of the site.

24. Character of the Area

The development would be located to the western end of Hereward Close, which comprises a residential cul-de-sac of two storey dwellings.

Previous application S/0552/13/FL was approved for a single storey dwelling.

This revised application for the dwelling seeks a revision to the scale of the approved dwelling in which the height is increased by 0.9 metres and width increased by 0.5 metres, with the proposed garage being 0.5 metres higher.

Given the minimal height increase of the dwelling and garage, the proposal is not considered to harm this character of the area, with its position to the rear of the dwellings in Hereward Close and modest scale, subservient roof height and profile resulting in limited views, having a minimal impact on the visual amenity of the area. Final materials would need to be agreed by condition but, overall, the appearance of the proposal is considered to be compatible with the location in accordance with Policies DP/2 and DP/3.

25. Parking, Highway Safety and Access

The Local Highway Authority has raised no objection to the new bungalow and a condition is agreed to ensure the vehicle maneuvering area shown on the submitted plans is maintained free from obstruction.

Traffic congestion and on-street parking have been raised in the representations above as concerns. The proposal represents small scale residential development and is not considered to give rise to significant traffic increases in the location. Sufficient parking is also provided on the application site to meet the parking standards set out in Policy TR/2

26. Residential Amenity

The proposed dwelling was previously considered acceptable in regard to neighbour amenity under application S/0552/13/FL. This application seeks to increase the height and size of the bungalow and garage. The bungalow is over 13m away from the rear elevations of the surrounding neighbouring dwellings and therefore the outlook to the rear of the neighbouring dwellings would remain relatively open and unimpeded.

The proposed design will still incorporate a low, hipped roof with a height of 5.6m. Given the minimal increase in the proposed height by 0.9 metres, the proposal is considered to be acceptable in regard to neighbour amenity. Boundary treatment and landscaping will be conditioned to further protect neighbour privacy.

Existing vehicle access is already provided to the rear garden of No.24 alongside neighbouring dwellings which, although not utilised at present, can be used by the occupiers or future occupiers of No.24. The relocation of the existing parking to No.24 would therefore offset the impact of the new dwelling in terms of access usage and would serve a small scale residential development.

The concerns of the immediate neighbours regarding residential amenity have been considered against the above factors and, on balance, the development is not found to result in an unacceptable adverse impact upon residential amenity that would warrant a strong reason for refusal in this instance.

Following comments from the Environmental Health Officer, a condition shall be added to any consent granted to control the hours of use of power operated machinery during the course of the works in order to safeguard residential amenity. Informatives will be added in regard to foundations and bonfires, which are governed by separate environmental legislation.

27. Environmental and Flooding Issues

The submitted Flood Risk Assessment is considered to be acceptable by the Environment Agency, subject to the addition of a condition in regard to the development being carried out in accordance with the Flood Risk Assessment and mitigation measures of finished floor levels. Informatives in regard to surface water drainage and foul water drainage shall be added to any consent granted.

28. Landscaping and Boundary Treatment

The proposal will result in the removal of the several trees on the site and no objection is raised in regard given that these trees are not afforded any statutory protection. Other trees on the site are to remain. The accuracy of the submitted tree plan has been questioned however a condition shall be added to any consent granted to require details of boundary treatment to be submitted.

29. 5 Year Housing Land Supply

The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Impington as a Rural Centre where the construction of new residential dwellings within the framework is supported.

The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/4 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.

(i) Conclusion

Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

30. Other Issues

The following issues have been raised but do not represent material planning considerations that can be taken into account in this application:

- Loss of property value
- Boundary details
- Legal covenants
- Maintenance and damage to property
- Asbestos

31. Recommendation

Approval

32. Conditions

- (a) Time
- (b) Approved Plans
- (c) Materials
- (d) Boundary Treatment
- (e) Space for Parking and Manoeuvring
- (f) Parking/turning/loading of construction vehicles
- (g) Foul Water Drainage
- (h) Surface Water

- (i) Flood Risk Assessment/Floor Levels
- (j) Power Operated Machinery Hours
- (k) Permitted Development Rights

Informatives

- (a) Section 106
- (b) Highway work
- (c) Bonfires
- (d) Asbestos
- (e) Surface Water
- (f) Foul Drainage

Background Papers

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- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Reference: S/0552/13/FL, S/2330/12/FL & S/0665/03/O

Report Author: Katie Christodouoides – Senior Planning Officer
Telephone: (01954) 713314

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0139/15/FL

Parish(es): Histon & Impington

Proposal: Erection of Bungalow

Site address: 24 Hereward Close

Applicant(s): Mr D'Angelo

Recommendation: Approval

Key material considerations: Principle
Neighbour Amenity
Design

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Katie Christodoulides

Application brought to Committee because: The recommendation of Histon and Impington Parish Council conflicts with the Officers recommendation of approval.

Date by which decision due: 30/03/2015

1. **Planning History**
2. **S/0552/13/FL**- New Dwelling-Approved.
3. An application for a bungalow was withdrawn in 2012 **S/2330/12/FL** due to the absence of a detailed Flood Risk Assessment.
4. An application for a bungalow in the garden of 24 Hereward Close was refused in 2003 **S/0665/03/O**. Whilst the plot was found sufficient in size to accommodate a bungalow its siting was considered to impinge on the outlook from properties in Impington Lane. The intensified use of the plot, together with its shared access, was found to result in loss of amenity to neighbours through increased usage.
5. **Planning Policies**
6. **National**
National Planning Policy Framework

7. **Local Development Core Strategy 2007:**
ST/4 Rural Centres

8. **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
CH/5 Conservation Areas
DP/7 Development Frameworks
HG/1 Housing Density
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Water - Alternative Drainage Systems
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/2 Car and Cycle Parking Standards

9. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD – adopted March 2010
Open Space in New Developments SPD - adopted January 2009
Landscapes in New Developments SPD - adopted March 2010
Development Affecting Conservation Areas SPD – adopted January 2009

10. **Proposed Submission Local Plan**
S/8 Rural Centres
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
NH/4 Biodiversity
NH/14 Heritage Assets
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/1 Mitigation and Adaption to Climate Change
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/9 Education facilities

11. **Consultations**

12. **Histon & Impington Parish Council-** Recommends refusal on the grounds of intensification of the site and loss of amenity. Raises concerns regarding trees, asbestos, vehicular access and hours of work.

13. **Local Highway Authority** – Raises no objections subject to conditions being added to any consent granted requiring 2 metre by 2 metre pedestrian visibility splays are provided, the driveway being constructed so that no private water drains onto the public highway, the drive being constructed from a bound material, manoeuvring area being maintained free so vehicles can enter and leave in a forward gear and an

informative in regard to planning permission not carrying out any works to the public highway.

14. **Environment Agency-** Raises no objections subject to conditions being added to any consent granted in regard to development being carried out in accordance with the flood risk assessment and mitigation measures and informatives in regard to surface water drainage and foul water drainage.
15. **Environmental Health Officer-** Raises no objections and requests conditions in regard to hours of work, burning of waste, driven pile foundations and an informative in regard to dust and noise disturbance.
16. **Tree Officer** – No comments received (out of time).

17. **Representations**

18. **No.22 Hereward Close-**Objects to the proposal on the grounds of noise and disturbance, highway safety, character and appearance of area, loss of privacy, flooding. Further letter received 23/02/2014 in which concerns are raised regarding access and loss of amenity, parking, trees, boundary inaccuracies and roof height increases.
19. **No.18 Impington Lane-** Objects to the proposal on the grounds of height, character, scale, size, access, flooding, surface water and drainage and trees.

20. **Planning Comments**

21. **Site**

The site comprises a grassed garden area, detached garage and shared vehicular access (serving Nos. 20, 22 and 24). The property falls within the village framework of Impington and adjoins the Conservation Area to its north-western boundary. The site is also located within a Flood Zone 3 area.

22. **Proposal**

The proposal involves the subdivision of the rear garden and the erection of a 3 bed bungalow and detached garage. The site would be accessed via an existing track leading out on to Hereward Close. The submitted plans show two new parking spaces to the front of 24 Hereward Close to be carried out under permitted development. The application follows a previously approved application S/0552/13/FL for a dwelling in which the revised dwelling and garage is higher and larger.

The main issues to consider in this instance are: the principle of the development; the character of the area; parking, highway safety, access; residential amenity; environmental and flooding issues; landscape and boundary treatment; 5 year housing land supply and other issues.

23. **Principle of Development**

The proposed new dwelling is located within the village framework and within a sustainable location close to existing infrastructure, facilities and services to accord with the aims of Policy ST/4 of the LDF Core Strategy 2007. In terms of housing density, the scheme would equate to 16 dwellings per hectare, which falls under the expected 30 dwellings per hectare average of Policy HG/1. However, any further dwellings in this scheme would not be feasible due to the constraints of the site.

24. Character of the Area

The development would be located to the western end of Hereward Close, which comprises a residential cul-de-sac of two storey dwellings.

Previous application S/0552/13/FL was approved for a single storey dwelling.

This revised application for the dwelling seeks a revision to the scale of the approved dwelling in which the height is increased by 0.9 metres and width increased by 0.5 metres, with the proposed garage being 0.5 metres higher.

Given the minimal height increase of the dwelling and garage, the proposal is not considered to harm this character of the area, with its position to the rear of the dwellings in Hereward Close and modest scale, subservient roof height and profile resulting in limited views, having a minimal impact on the visual amenity of the area. Final materials would need to be agreed by condition but, overall, the appearance of the proposal is considered to be compatible with the location in accordance with Policies DP/2 and DP/3.

25. Parking, Highway Safety and Access

The Local Highway Authority has raised no objection to the new bungalow and a condition is agreed to ensure the vehicle maneuvering area shown on the submitted plans is maintained free from obstruction.

Traffic congestion and on-street parking have been raised in the representations above as concerns. The proposal represents small scale residential development and is not considered to give rise to significant traffic increases in the location. Sufficient parking is also provided on the application site to meet the parking standards set out in Policy TR/2

26. Residential Amenity

The proposed dwelling was previously considered acceptable in regard to neighbour amenity under application S/0552/13/FL. This application seeks to increase the height and size of the bungalow and garage. The bungalow is over 13m away from the rear elevations of the surrounding neighbouring dwellings and therefore the outlook to the rear of the neighbouring dwellings would remain relatively open and unimpeded.

The proposed design will still incorporate a low, hipped roof with a height of 5.6m. Given the minimal increase in the proposed height by 0.9 metres, the proposal is considered to be acceptable in regard to neighbour amenity. Boundary treatment and landscaping will be conditioned to further protect neighbour privacy.

Existing vehicle access is already provided to the rear garden of No.24 alongside neighbouring dwellings which, although not utilised at present, can be used by the occupiers or future occupiers of No.24. The relocation of the existing parking to No.24 would therefore offset the impact of the new dwelling in terms of access usage and would serve a small scale residential development.

The concerns of the immediate neighbours regarding residential amenity have been considered against the above factors and, on balance, the development is not found to result in an unacceptable adverse impact upon residential amenity that would warrant a strong reason for refusal in this instance.

Following comments from the Environmental Health Officer, a condition shall be added to any consent granted to control the hours of use of power operated machinery during the course of the works in order to safeguard residential amenity. Informatives will be added in regard to foundations and bonfires, which are governed by separate environmental legislation.

27. Environmental and Flooding Issues

The submitted Flood Risk Assessment is considered to be acceptable by the Environment Agency, subject to the addition of a condition in regard to the development being carried out in accordance with the Flood Risk Assessment and mitigation measures of finished floor levels. Informatives in regard to surface water drainage and foul water drainage shall be added to any consent granted.

28. Landscaping and Boundary Treatment

The proposal will result in the removal of the several trees on the site and no objection is raised in regard given that these trees are not afforded any statutory protection. Other trees on the site are to remain. The accuracy of the submitted tree plan has been questioned however a condition shall be added to any consent granted to require details of boundary treatment to be submitted.

29. 5 Year Housing Land Supply

The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Impington as a Rural Centre where the construction of new residential dwellings within the framework is supported.

The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/4 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.

(i) Conclusion

Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

30. Other Issues

The following issues have been raised but do not represent material planning considerations that can be taken into account in this application:

- Loss of property value
- Boundary details
- Legal covenants
- Maintenance and damage to property
- Asbestos

31. Recommendation

Approval

32. Conditions

- (a) Time
- (b) Approved Plans
- (c) Materials
- (d) Boundary Treatment
- (e) Space for Parking and Manoeuvring
- (f) Parking/turning/loading of construction vehicles
- (g) Foul Water Drainage
- (h) Surface Water

- (i) Flood Risk Assessment/Floor Levels
- (j) Power Operated Machinery Hours
- (k) Permitted Development Rights

Informatives

- (a) Section 106
- (b) Highway work
- (c) Bonfires
- (d) Asbestos
- (e) Surface Water
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- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Reference: S/0552/13/FL, S/2330/12/FL & S/0665/03/O

Report Author: Katie Christodouoides – Senior Planning Officer
Telephone: (01954) 713314

Agenda Item 13

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0619/15/FL
Parish(es):	Histon & Impington
Proposal:	Erection of Bungalow
Site address:	3 The Crescent
Applicant(s):	Mr Oliver
Recommendation:	Approval
Key material considerations:	Principle Setting of Listed Building Protected Village Amenity Area Design Neighbour Amenity
Committee Site Visit:	None
Departure Application:	No
Presenting Officer:	Katie Christodoulides
Application brought to Committee because:	The recommendation of Histon and Impington Parish Council conflicts with the Officers recommendation of approval.
Date by which decision due:	30/04/2015

1. Planning History

2. Planning Application reference **S/0452/14/FL** for a Dwelling was refused by virtue of its harm on the setting of the Grade II* listed mill and protected village amenity area (pvaa). The application under Appeal reference **APP/W0530/A/14/2224682** was dismissed due to its harm to the character and appearance of the protected village amenity area and failure to preserve the setting of the listed mill building.
3. Planning Application reference **S/1955/03/O** for a House was refused.
4. Planning Application reference **S/1196/97/F** for a Conservatory was approved.
5. Planning Application reference **S/0800/87/F** for the erection of double garage- Approved.

6. **Planning Policies**
7. **National**
National Planning Policy Framework
8. **Local Development Core Strategy 2007:**
ST/4 Rural Centres
9. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
Policy DP/1: Sustainable Development
Policy DP/2: Design of New Development
Policy DP/3: Development Criteria
Policy DP/4: Infrastructure and New Developments
Policy DP/7: Development Frameworks
Policy CH4: Development Within the Curtilage or Setting of a Listed Building
Policy CH/6: Protected Village Amenity Areas
Policy HG/1: Housing Density
Policy NE/1 Energy Efficiency
Policy NE/2 Renewable Energy
Policy NE/6 Biodiversity
Policy NE/15 Noise Pollution
Policy SF/10 Outdoor Playspace, Informal Open Space, and New Developments
Policy SF/11 Open Space Standards
Policy TR/1 Planning for More Sustainable Travel
Policy TR/2 Car and Cycle Parking Standards
10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide - Adopted March 2010.
Open Space in New Developments - Adopted January 2009
Trees and Development Sites-Adopted January 2009
Landscape in New Developments-Adopted March 2010
Listed Buildings: Works to or affecting the setting of-Adopted July 2009
11. **Proposed Submission Local Plan**
S/8 Rural Centres
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
NH/4 Biodiversity
NH/11 Protected Village Amenity Areas
NH/14 Heritage Assets
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/1 Mitigation and Adaption to Climate Change
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/9 Education facilities
12. **Consultations**

13. Histon & Impington Parish Council-Recommends refusal. Concerns raised regarding the impact on the character of the protected village amenity area, the development being out of keeping with the pattern of development in the area and impacting on the spaciousness of the mill setting.
14. Conservation Consultancy-Recommends approval. The dwelling at single storey would impinge less on the setting of the listed mill and PVAA. The proposal responds to the previous concerns. The proposed mono-pitched form is not characteristic of the area but does repeat the form of the garage. The proposed zinc roofing would be similar to the slate roofs in the area however the render would not. Requests conditions.
15. Local Highways Authority-Raises no objects and requests conditions are added to any consent granted for the design of the access to be provided prior to any works commencing, pedestrian visibility splays, the driveway being constructed so no water drains on to the public highway, no unbound material is spread onto the highway and an informative that a separate permission is required for any works to the highway.
16. English Heritage- The application should be determined in accordance with national and local policy and on the basis of your conservation specialists.
17. Environmental Health Officer-No objections and requests conditions in regard to hours of work, no burning of waste and driven pile foundations and informatives in regard to noise and dust and Demolition Notice.
18. Tree Officer-No Objections and recommends a condition is added to any consent granted to ensure the details in the Tree Survey in regard to tree protection are carried out.
19. 6 Amenity Bodies- No comments received (out of time).
20. Society for Protection of Ancient Buildings- The works should be carried out and be sympathetic to local tradition and traditional materials be used.
21. **Representations**
22. No.10 New School Road- Objects to the proposal on the impact to the protected village amenity area and adjacent listed windmill particularly the working of the mill, that each property has a covenant restricting development and the design of the bungalow being out of keeping with the area.
23. No.4 Cambridge Road- Objects to the proposal and raises concerns regarding the impact upon the character of the area and protected village amenity area.
24. No.6 Cambridge Road- Objects to the proposal on the grounds of the impact upon the protected village amenity area, listed mill, the development representing a cramped form of development and not being in keeping with the spacious character of the area.
25. No.10 Cambridge Road-Objects to the proposal given the impact on the listed windmill, impact upon the wind flow and working nature of the mill, the character of the Protected Village Amenity Area, the design and covenants on the plots which restrict the sub division.

26. No.1 The Crescent-Objects to the proposal on the grounds of impact to the protected village amenity area and adjacent listed building.

27. No.18 The Crescent-Objects to the proposal given the impact upon the protected village amenity area, previous appeals for dwellings in the area, and impact of the proposal on the adjacent listed windmill.

28. **Planning Comments**

29. **Site**

30. No.3 The Crescent is a large two storey, brick built detached dwelling lying back from the public highway and within a large plot. To the north of the site lies a detached garage which is accessed by a separate driveway and parking area. The site is well landscaped with substantial trees and hedgerows along its boundaries.

31. The site lies within the Impington Village Framework, within a Protected Village Amenity Area (PVAA) and adjacent to a Grade II* listed windmill (Impington Mill) which lies to the south east.

32. **Proposal**

33. The application seeks consent for a proposed bungalow, following demolition of the existing garage.

34. The key issues to consider in this instance are the principle of development, impact upon the character and appearance of the area, impact upon the protected village amenity area, impact upon the setting of the adjacent listed mill, trees and landscaping, highway safety and parking, neighbour amenity, 5 Year Housing Land Supply and other matters.

35. **Principle of Development**

36. Use- The site is located within the village framework of a 'Rural Centre'. Development and redevelopment without any limit on individual scheme size will be permitted within village frameworks. The proposed dwelling is therefore considered acceptable in principle subject to material planning considerations below.

37. Density- The site measures 0.116 hectares in area. The proposed dwelling and existing dwelling on the site would equate to a density of 17 dwellings per hectare. This would be significantly below the required level of achieving 30 dwellings per hectare in more sustainable locations under Policy HG/1 Housing Density, however given the character of the area with large dwellings set in large spacious plots, the proposal is considered acceptable in terms of density.

38. **Impact upon the character and appearance of the area**

39. The dwellings along The Crescent are all set back from the public highway and sited within large substantial plots of varying sizes. The dwellings comprise of various designs, all being quite traditional in their design and appearance, and are of varying types and sizes ranging from two storey detached dwellings to semi-detached bungalows. The design of the proposed bungalow with the monopitch roof forms would not be characteristic and representative of the traditional design of the dwellings in the area, however given the design is similar to the design of the existing

garage and significantly contrasting to the existing dwellings in the area, the proposal is considered acceptable in terms of visual amenity.

40. Impact upon the protected village amenity area

41. The site and the whole of The Crescent and surrounding area lies within a Protected Village Amenity Area (PVAA). Policy CH/6 of the LDF and Policy NH/11 of the Proposed Local Plan states that development will not be permitted within a PVAA if it would have an adverse impact on the character, amenity, tranquillity or function of the village. This area which falls within a PVAA and is characterised by low density development and spacious plots with views of the Grade II* listed windmill. The proposed bungalow at 4.2 metres would replace the existing single storey garage which has a height of 4.1 metres. Given the dwelling would be single storey, with a minimal increase in height and size from the existing garage building, the proposal is not considered to encroach on the character and openness of the PVAA and obscure views of the listed mill. Concerns have been raised regarding the low density appearance of the PVAA and the proposed dwelling appearing cramped. Given that dwelling would be set within a modest sized plot with a large plot remaining for the existing dwelling at No.3 The Crescent and clear separation between the two, the proposal is considered acceptable and would not result in harm to the character and local amenity of the PVAA and views of the Grade II * listed mill from The Crescent and College Road.

42. Impact upon the setting of the adjacent listed mill

43. To the south east of the site lies Impington Mill a Grade II* listed building. The listed mill is seen in views along The Crescent in between the detached dwellings and through the existing established landscaping, trees and hedgerows within the area. Along the northern part of The Crescent and from the junction of College Road, there are open views of the top part of the listed mill. The existing single storey outbuilding within the site is evident in street scene views from The Crescent and College Road, and it does obscure partial views of the listed mill; however it is low in terms of its height and size. The proposed dwelling given it would be single storey and of a similar height to the existing garage is not considered to significantly intrude upon the open views and setting of the Grade II* listed mill from College Road and the north west part of The Crescent.

44. Trees and landscaping

45. A Tree Survey and landscaping proposal were submitted for the proposed dwelling. The proposal is not considered to result in the loss of any important trees and landscaping.

46. Should consent be granted a condition shall be added to request hard and soft landscaping details are submitted prior to any development and that the works are carried out in accordance with the submitted Tree Survey.

47. Highway safety and parking

48. The proposal would result in the utilisation of the existing vehicular access to the garage. The Local Highways Authority have commented that the proposal would not result in any significant adverse impact upon the public highway subject to the addition of conditions in regard to the design of the access being provided prior to the commencement of works, pedestrian visibility splays, the driveway being constructed so no private water drains on to the public highway, no unbound material is spread

onto the highway and an informative that a separate permission is required for any works to the highway.

49. The proposal would comply with the District Council's set parking standards which require 1.5 spaces per dwelling.

50. Neighbour Amenity

51. To the east of the site lies the neighbouring properties at Nos.1 & 6 Cambridge Road. The proposed dwelling would be sited away from the rear common boundary with No.1 Cambridge Road which forms an established hedgerow but along the majority of the rear common boundary which forms a fence and large trees with No.6 Cambridge Road. Within the rear part of No.1 Cambridge Road lies a garden shed and area for growing vegetables. An outside raised sitting area lies further within the site with a large patio area lying to the rear of the property. Given the significant distance at 38 metres of the neighbouring dwelling at No.1 Cambridge Road from the common boundary with the site and outside amenity area, the proposal has been assessed in terms of loss of light, loss of privacy and overbearing impact and is not considered to result in significant harm to this neighbouring property.

52. The proposed dwelling would be set 1 metre from the common boundary with No.6 Cambridge Road. A wire fence, hedgerow and substantial leylandii trees form the rear boundary of No.6 Cambridge Road. The area of garden immediately adjacent to the common boundary is laid to grass. The bungalow at No.6 Cambridge Road lies approximately 50 metres from the common boundary. Given this distance of the proposed dwelling from the neighbouring bungalow at No.6, the proposal has been assessed in terms of loss of light and overbearing impact and is not considered to result in significant harm to the neighbouring bungalow at No.6 Cambridge Road. The proposed ground floor windows in the rear of the proposed dwelling would serve a kitchen, shower room and bedroom 2; a condition shall be added to any consent granted to require a two metre high close boarded fence to be erected along the eastern boundary to prevent loss of privacy to the rear garden area.

53. 5 Year Housing Land Supply

54. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Impington as a Rural Centre where the construction of new residential dwellings within the framework is supported.
55. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/4 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
56. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

57. Other Issues

58. The following issues have been raised but do not represent material planning

considerations that can be taken into account in this application:

- Legal covenants

59. Recommendation

Approval

60. 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: 14/1128/PL.11 Rev A, 13/1128/PL.01, 14/1128/PL.10 Rev A, Acacia Arboricultural Report dated 30 January 2014 & 13/1128/PL.02 Rev A.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall

be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

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

7. The Tree Protection details shall be carried out in accordance with the Arboricultural Report by Acacia Tree Surgery Ltd dated 30 January 2014. The development shall be carried out in accordance with the approved details.

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C & E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of visual amenity in accordance with Policies CH/4 and CH/6 of the adopted Local Development Framework 2007.)

9. No development shall commence until details of the design of the access have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

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

10. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the:

(a) highway boundary

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

11. The proposed driveways shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

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

12. The proposed driveways shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

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

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

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

14. There shall be no burning of any waste or other materials on site without prior consent from the Environmental Health Department.

(Reason - To minimise disturbance for adjoining residents in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)

15. Should driven pile foundations be proposed, a statement of the method for construction for these foundations shall be submitted and agreed by the District Environmental Health Officer.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

Informatives

1. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
2. Before the existing property is demolished, a Demolition Notice will be required from the Building Control Section of the council's planning department to establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppressions for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact Environmental Health Service.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Proposed Local Plan
- National Planning Policy Framework 2012
- Planning File Reference: S/0452/14/FL
- Appeal Reference: APP/W0530/A/14/2224682

Report Author: Katie Christodoulides – Senior Planning Officer
Telephone: (01954) 713314



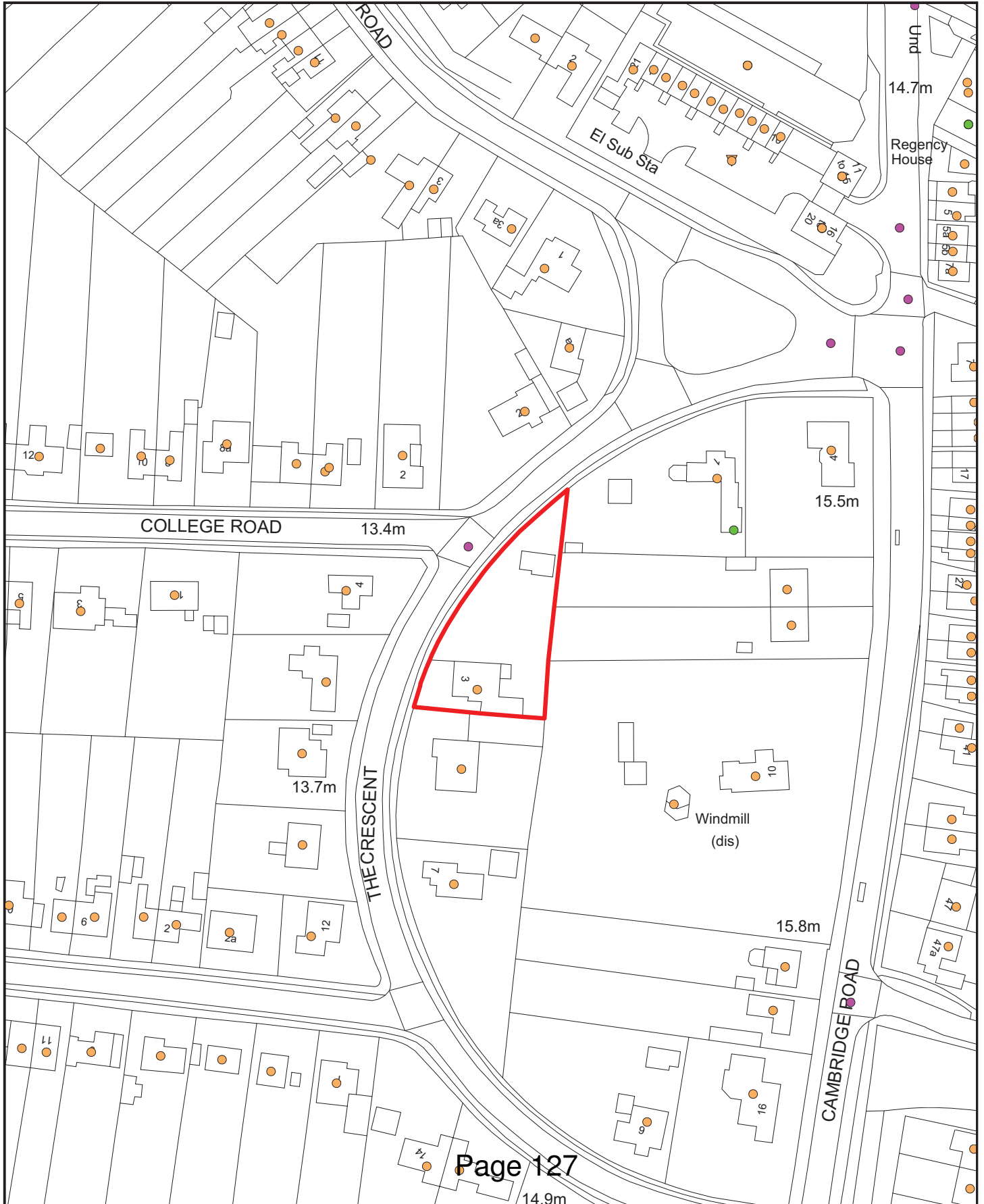
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Agenda Item 14

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/3035/14/FL

Parish(es): Great Wilbraham

Proposal: Erection of 6 dwellings

Site address: Land rear of 12-18 The Lanes, Great Wilbraham

Applicant(s): Logan Homes

Recommendation: Approval (with delegated powers to complete a Section 106 legal agreement)

Key material considerations: Principle of development
Density and Housing Mix
Affordable Housing Provision
Design and scale
Character of the conservation area and surrounding area
Residential amenity
Highway safety
Ecology
Trees and landscaping

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: David Thompson

Application brought to Committee because: The recommendation of Great Wilbraham Parish Council conflicts with the Officer's recommendation of approval.

Date by which decision due: 03/03/2015

1. Planning History

2. S/1855/12/OL – residential development for six dwellings (outline – access, layout and scale all considered, other matters reserved) – approved (decision dated 18 Feb 2014)
3. S/1174/75/O – outline planning permission for 1 dwelling – refused (for the reason that it would represent undesirable backland development)

4. **Planning Policies**

7. **National**
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

8. **Local Development Core Strategy 2007:**
ST/6 Group Villages

9. **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
CH/2 Archaeological sites
CH/5 Conservation Areas
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/1 Energy Efficiency
GB/3 Mitigating the impact of development adjoining the Green Belt
NE/6 Biodiversity
NE/9 Water and drainage infrastructure
NE/10 Foul Drainage
SF/10 Outdoor Playspace, informal open space and new development
SF/11 Open Space standards
TR/1 Planning for more sustainable travel
TR/2 Parking Standards

10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide
Development Affecting Conservation Areas
Trees and Development sites

11. **Proposed Submission Local Plan**
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
S/10 Group Villages
HQ/1 Design Principles
NH/4 Biodiversity
NH/8 Mitigating the Impact of development in and adjoining the Green Belt
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
H/11 Residential space standards for market housing
NH/14 Heritage Assets
TI/2 Planning for sustainable travel
TI/3 Parking provision
SC/7 Outdoor play space, informal open space and new development
SC/8 Open space standards

12. Consultations

Great Wilbraham Parish Council – object to the proposal for the following reasons:

- The scale of the buildings is excessive in relation to the surrounding development and would adversely affect the setting of the Baptist Church
- The previously approved courtyard design was more appropriate
- The two 2 bed properties have only been allocated one parking space each which is unrealistic
- Concerns in relation to the trees to be removed on the southern boundary
- Concerns in relation to foul sewage and surface water drainage
- Replacement planting will take years to establish
- Concerned about the lack of on-site affordable housing provision

County Archaeology – no objection subject to conditions

Highway Authority – no objection subject to conditions

District Council Environmental Health Officer (EHO) – no objections subject to conditions

District Council Ecologist – no objections subject to conditions

District Council Conservation Officer – no objections

District Council Tree Officer – no objections subject to conditions

District Council Landscape Design Officer - no objections subject to conditions

District Council Affordable Housing Officer – provision of off-site accommodation through commuted sum justified

13. Representations

14. 3 objections have been received from neighbouring properties highlighting the following concerns:

- The scale of development is out of keeping with the character of the conservation area
- The proposal would result in a detrimental impact on the amenity of neighbouring properties
- The removal of a number of trees will result in the scheme being visible from the south of the site, when viewed within the setting of the listed Parish church
- The courtyard layout of the previous scheme was more sympathetic to the character of the surrounding area

15. Planning Comments

16. Site

17. The application site is land to the rear of a row of terraced properties – 12 to 18 The Lanes in Great Wilbraham. The site is located within the conservation area, on the northern edge of the village, within the development framework.

18. Proposal

19. The applicant seeks full planning permission for the erection of 6 dwellings with carports, vehicular access and associated infrastructure.

20. Principle of Development

21. The site is within the Great Wilbraham development framework. Great Wilbraham is classified as a Group Village under policy ST/6 of the Core Strategy and would retain this status in the emerging Local Plan (policy S/10). The principle of the development of up to 8 dwellings on the site is acceptable, subject to all other material considerations being satisfied.

22. The proposal would result in the provision of 6 dwellings in a sustainable location and would comply with the broad principles of sustainable development as defined by the NPPF, which must be given weight in light of the fact that the District cannot currently demonstrate a five year housing land supply.

23. Five year housing land supply

24. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Great Wilbraham as a Group Village where the construction of new residential dwellings within the framework is supported.

25. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/6 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.

26. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

27. Density and Housing mix

28. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (approximately 18 dwellings per hectare as opposed to the policy requirement of 30). However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and within a conservation area, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

29. Under the provisions of policy HG/2, proposals are required to include a minimum of 40% 1 or 2 bed properties. As 3 of the 6 properties in this scheme would have 2 bedrooms, the proposal meets the requirements of that policy. The policy states that approximately 25% of dwellings in residential schemes should be 3 bed and the same threshold applies to 4 or more. Given that 2 of the properties would have 4 bedrooms and 1 would have 3, the scheme is considered to be of a mix that complies with this policy.
30. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of less than 10 dwellings should take account of local circumstances and so there would be no conflict with the emerging policy with regard to housing mix.

31. Affordable Housing

32. The applicant has provided an Affordable Housing Statement which indicates that 3 Registered Social Landlords (RSLs) have been approached about the potential of taking ownership of the two affordable units that would be provided as part of the development. Icen Homes, Cambridge and County Developments and Circle Housing were all approached but declined the offer to take ownership of any of the units on the site. It is considered that the applicant has provided sufficient evidence to justify the 'exceptional circumstance' test of criteria 5 of policy HG/3 which states that '...on smaller sites, the Council may accept financial contributions towards an element of off-site provision.'

33. In relation to emerging Local Plan policy H/9, criteria 'f' allows a similar exception on sites where it can be demonstrated that it is 'not possible or appropriate' to build homes on the application site or other sites, in which case an appropriate financial sum for future provision will be sought. The applicant has provided Heads of Terms and is willing to enter into a Section 106 agreement requiring this contribution to be paid and has therefore complied with the requirements of that policy.

34. Design and scale

35. The proposal is based along similar lines to the 'courtyard' style concept shown on the indicative layout of the extant outline planning permission. This proposal includes two larger properties, one of which would be located in the north western corner, the other in the south eastern corner of the site. A pair of semi-detached 'cottages' would be located at plots 2 and 3, plots 4 and 5 would be semi-detached properties appearing a single 'barn' style unit.
36. It is the case that the design does not follow the plain agricultural style of the 3 adjoined units proposed in that part of the site on the indicative drawings approved in the extant outline permission. However, the scheme has been amended to reduce the ridge height of the large property at plot 1 to 7.1 metres, which is the same height as suggested in that outline scheme, in which the scale of development was approved. It is considered that, whilst the proposed design in this scheme is less simple in form, the use of strong gabled features presents a robustness which is characteristic of traditional agricultural development.
37. The 'cottages' at plots 2 and 3 would be similar in height to the dwelling at plot 1 but would be set back behind the front building line of that dwelling and would be simpler in overall appearance. This would be highlighted by the catslide dormer windows on

those properties, in contrast with the more elaborate hipped roofs over the dormer windows and projecting front gable element of the larger property at plot 1.

38. The 'barn' style building to be split into units 4 and 5 would be 8.75 metres in height, approximately 0.5 metres taller than the indicative scheme which accompanied the extant outline permission. In design terms it would have a simple linear design, with a short gable feature breaking up the mass of the front elevation. The roof of the gable element would sit well below the ridgeline of the main part of the building and so would be a subordinate element of the scheme. The large glazed feature within the front gable and simple arrangement and design of the openings of units 4 and 5 would also draw on the robust architectural style of traditional agricultural buildings.
39. The dwelling at unit 6 in this scheme would be 0.9 metres lower in height to the ridge than the development approved in that location in the indicative design of the approved outline scheme. That property would include a relatively long rear extension but overall would retain a relatively simple form.
40. Given that scale was one of the matters approved in the extant outline permission, it is considered that the proposed design would not have an overbearing impact on the character of the site, despite its relatively sensitive position on the edge of the settlement and on the northern edge of the conservation area.

41. Character of surrounding area and conservation area

42. The Green Belt is located to the north east of the site, as is Wilbraham Temple (which contains two grade II* listed buildings, the grounds of which are also independently grade II listed on the National Register of Historic Parks and Gardens.) The Parish Church (grade II*) is located approximately 115 metres to the south of the site.
43. The layout of the site provides a looser arrangement than that approved in the extant outline permission, which restricted development to parallel with the northern and eastern boundaries and sited the buildings in the northern part of the site closer to that boundary of the site. The proposed layout in this application would include a row of carports in the south western corner. The carports would be single storey and that the heights of the properties themselves would be only marginally different to the scale of the extant outline permission. It is therefore considered that the overall scheme would not have an overbearing impact on the setting of the church to the south, the listed buildings and gardens at Wilbraham Temple, or views from the Green Belt into the conservation area.
44. The proposed development would be set into the site and only the single storey carports would be directly visible from the street, when passing the entrance of the site. The two storey dwellings at units 4, 5 and 6 would be visible in glimpses from the site entrance on The Lanes and set back when viewed from the south, along Angle End, with the Baptist Church remaining the dominant building in the foreground. It is considered that the 14.75 metre separation distance between the north western elevation of unit 1 and the rear of the existing row of properties at 12-18 The Lanes would mitigate the fact that the proposed building would be 1.6 metres higher than those frontage properties, when viewed within the context of the wider streetscene.
45. The depth of the recess of the development from The Lanes would also help to preserve a sense of openness in terms of the pattern of development and the emphasis on a linear form of development would preserve the predominant character of buildings within this part of the conservation area.

46. The fact that the layout represents a relatively low density form of development and would retain some sense of openness by placing development around the edges of the site ensures that the scheme would not have an adverse impact on the openness of the adjacent Green Belt.

47. Residential amenity

48. Following the reduction in the height of the scheme, the eaves height of the hipped roof on the north western gable of the property at unit 1 would be 5.5 metres. The separation distance to be retained between the properties to the rear of 12-18 The Lanes and that property (in excess of 14 metres) would be sufficient to avoid unreasonable overshadowing of those properties. Unreasonable overlooking could be avoided through the obscure glazing of all of the first floor windows in the side elevation of plot 1, which would be reasonable as they serve bathrooms or would be secondary windows.

49. The separation distance between the rear elevations of no. 84 Angle End and the property currently being erected between 76 and 84 on the same street and the first floor level windows in the south western elevation of the rear offshoot of unit 6 would be approximately 20 metres. The main gable of unit 6 would be approximately 16 metres from the rear elevation of no. 84, at an oblique angle and would not contain any windows. The first floor windows could reasonably be obscurely glazed, given that one is a secondary window and the other serves a landing area. Subject to a condition to this effect, it is considered that the proposed development would not result in harm to the amenity of either of those neighbouring properties.

50. In terms of the relationships between the dwellings within the proposed scheme, all of the first floor windows in corresponding elevations would serve either en-suite/ bathrooms (unit 1, 4 and 5), hallways (units 2 and 3) or secondary windows (unit 6) and therefore can be obscurely glazed to avoid the possibility of unreasonable overlooking, with suitable boundary treatments preventing overlooking at the ground floor level. These details can both be secured by condition.

51. A separation distance of 13.5 metres would be retained between the gable elevation of plot 3 and the front elevation of unit 4. This separation distance is considered sufficient to prevent an overbearing impact in terms of overshadowing of either of the properties. Overlooking would be prevented by the fact that the only first floor window in the affected gable of unit 3 would serve a landing and can therefore be obscurely glazed. The location of the garage to serve unit 4 would prevent unreasonable overlooking between the properties at ground floor level.

52. Highway safety

53. The proposal includes 2 parking spaces for units 1, 5 and 6, units 2 and 3 would be served by 1 designated garage space, with 3 visitor spaces shown across the proposed layout. Despite the Parish Council objecting to this element of the scheme, this meets the requirements of the LDF, with 11 spaces in total serving 6 dwellings. A condition relating to the provision of cycle storage is recommended to ensure that adequate facilities are secured for each of the dwellings. The Highway Authority has raised no objections to the scheme, subject to standard conditions being imposed in relation to the construction of the access track and turning area.

54. Ecology

55. The ecological assessment submitted with the application assesses the potential impact on a number of protected species, but recommends further survey work to establish risks associated with grassland habitats such as the common lizard. The Authority's Ecologist has indicated that any potential impact in this regard could be mitigated and as such has recommended that this survey work be secured by condition.
56. The ecological assessment also highlights the potential for bat and bird nesting in the trees and hedgerows on the site. A condition can be added to the permission to ensure that further survey work is undertaken to establish whether species are currently nesting on the site and if so, that suitable mitigation measures are implemented before any trees are removed and development commences.
57. The Ecologist has raised an issue regard to the 'thinning out' of the boundary hedges and trees. It is considered that the nature of these works can be agreed under a landscaping scheme to be secured by condition.
- 58. Trees and landscaping**
59. The Authority's Tree Officer has raised no objections to the scheme on the basis that the mitigation measures and recommendations within the report produced by Hayden's, submitted in support of the application, are adopted and this shall be secured by condition. The applicant has confirmed that as part of scheme, they are willing to retain tree coverage on the boundary with Angle End, to preserve the amenity of neighbours and this would overcome the Parish Council concerns in this regard. It is acknowledged that replacement planting will take time to establish, however there is an environmental benefit in replacing the existing Leylandii with native species.
60. The Landscape Design Officer has also raised no objections, subject to the retention of tree coverage on the north eastern and south eastern boundaries of the site and appropriate screening of the garages on the south western boundary. These issues can be addressed in a comprehensive landscaping scheme, to be secured by condition.
- 61. Other matters**
62. The EHO has raised no objections to the scheme, subject to standard conditions relating to the control of noise and activity during the construction process. The contaminated land assessment submitted with the application is considered to be acceptable, with no further surveys required.
63. Concerns in relation to sewage and ground surface water run-off have been raised by the Parish Council. The EHO has raised no objections in this regard and the site is not located within an area at a high risk of flooding. Conditions requiring details of surface water and foul sewage drainage can be secured by condition.
64. The County Council Archaeology section have raised no objections but have requested that an archaeological assessment of the site is carried out prior to the commencement of development, given the close proximity of a number of listed buildings and the designated park and gardens. This requirement can be secured by condition.
65. The NPPG guidance on 'tariff based contributions' changed on 28 November 2014 and in line with the revised guidance, no financial sums are to be sought in relation to

the provision of off-site infrastructure or open space, despite this being a requirement of the policies within the LDF and the emerging Local Plan.

66. Conclusion

67. The scheme is considered to be acceptable in principle and would preserve the character of the surrounding conservation area, the amenity of neighbouring properties and the surrounding landscape. Subject to conditions, the scheme would not have an adverse impact on ecology, highway safety, archaeology or environmental health. The revised proposal is therefore considered to accord with local and national planning policy.

68. Recommendation

Approval subject to prior completion of a Section 106 agreement to secure a commuted sum for the provision of off-site affordable housing and the conditions in paragraph 69 below.

69. Conditions

- a) Time limit
- b) Approved plans
- c) Details of construction materials
- d) Details of cycle storage provision
- e) Details of boundary treatments to be submitted and agreed
- f) Landscaping scheme
- g) Landscaping maintenance
- h) Ecological surveys to be undertaken and any necessary mitigation undertaken before the commencement of development
- i) Archaeological survey to be undertaken and any necessary mitigation undertaken before the commencement of development
- j) Details of driveway construction
- k) Foul sewage drainage details to be submitted and agreed
- l) Surface water drainage details to be submitted and agreed
- m) Obscure glazing of specific windows
- n) Removal of permitted development rights for extensions, alterations and development within the curtilage
- o) Control of noise during construction
- p) Management of traffic and material storage during construction phase

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
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- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Proposed Local Plan
- National Planning Policy Framework 2012

Report Author: David Thompson – Principal Planning Officer
Telephone: (01954) 713250



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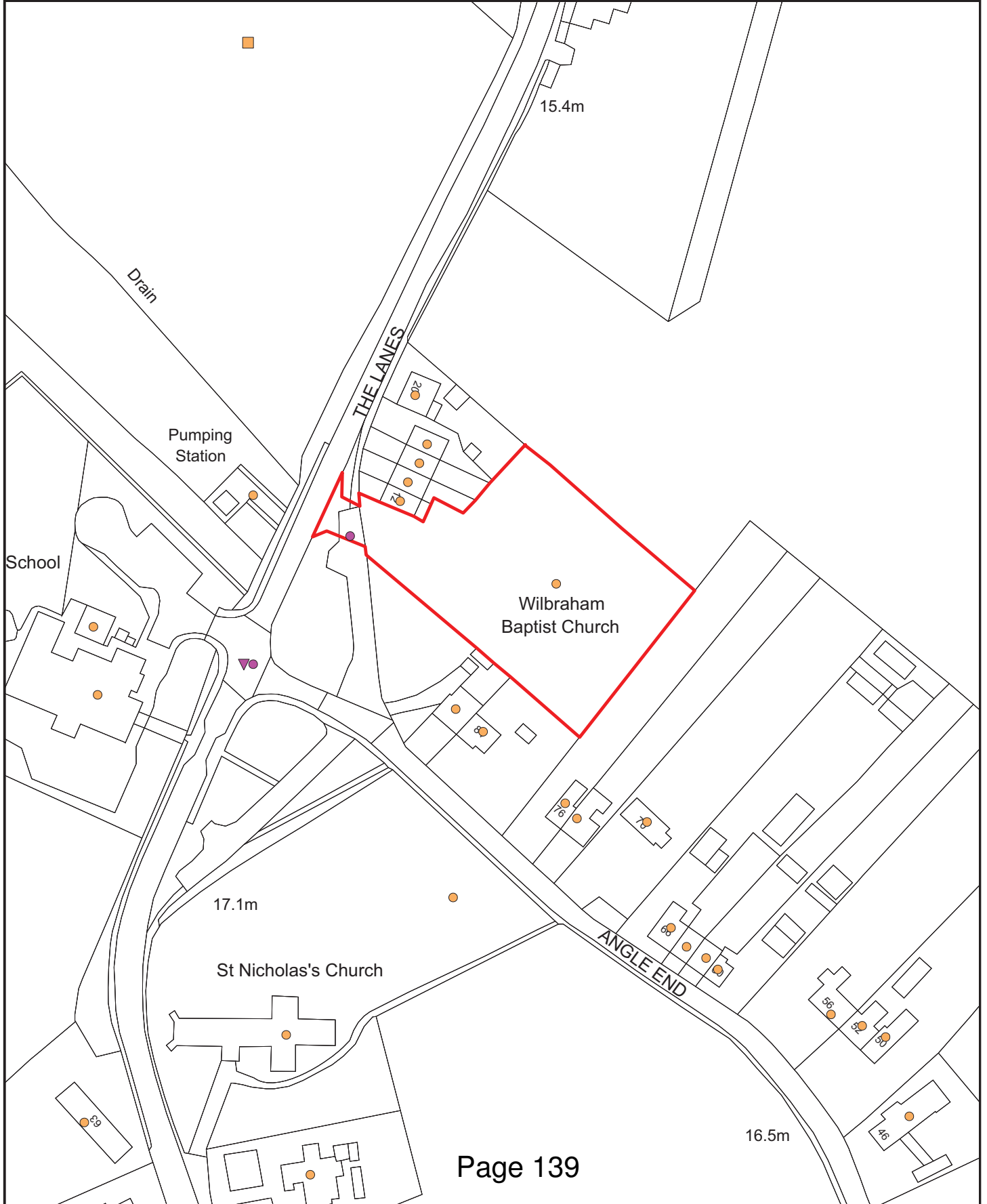
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Agenda Item 15



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

13th May 2015

Enforcement Report

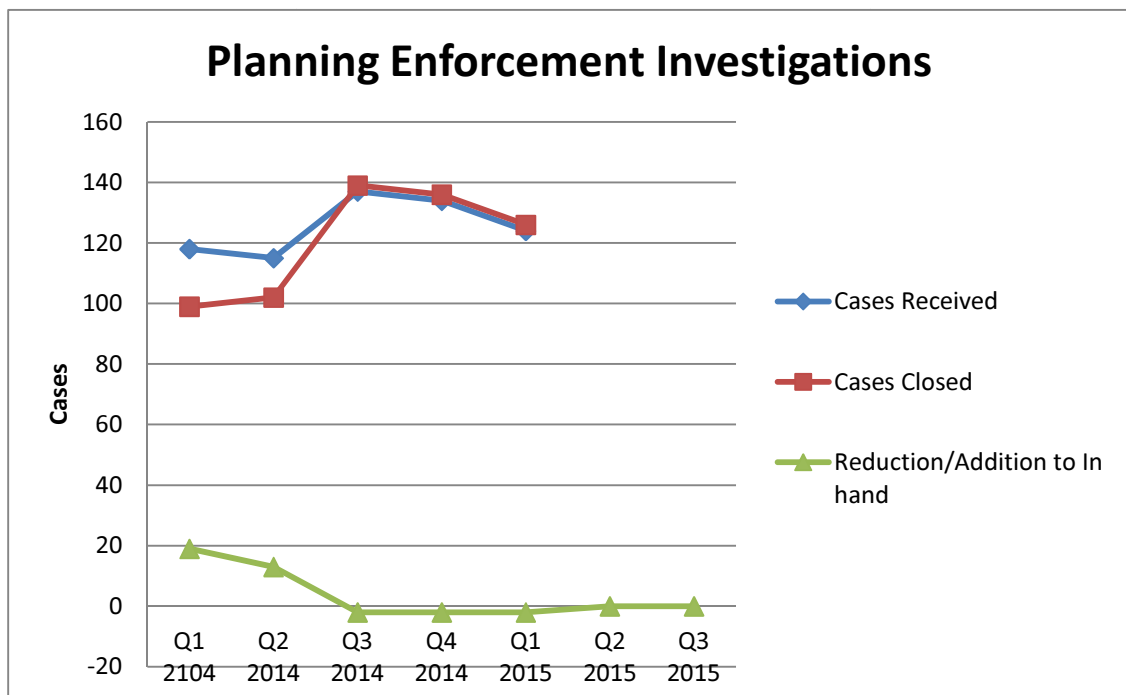
Purpose

- To inform Members about planning enforcement cases, as at 28th April 2015
 Summaries of recent enforcement notices are also reported, for information.

Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
January 2015	37	35
February	42	38
March	45	53
2015 YTD	124	126
2014	504	476



Enforcement Cases on hand:

3. Target 150

4. Actual 75

Notices Served

5.

Type of Notice	Period	Year to date
	March 2015	2015
Enforcement	0	4
Stop Notice	0	0
Temporary Stop Notice	0	1
Breach of Condition	6	7
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	1
Injunctions	0	1
High Hedge Remedial Notice	0	0

Notices issued since the last Committee Report

6.

Ref. no.	Village	Address	Notice issued
PLABOC 1582	Fulbourn	3 Cow Lane	Breach of Condition Notice
PLABOC 1539	Orchard Park	Chieftain Way	Breach of Condition Notice
PLABOC 1539 (c)	Orchard Park		Breach of Condition Notice
PLABOC 1539 (b)	Orchard Park		Breach of Condition Notice
PLABOC 1539 (a)	Orchard Park		Breach of Condition Notice
PLABOC 1538	Orchard Park	Chieftain Way	Breach of Condition Notice

7. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.

8. Full details of enforcement cases can be found on the Councils Web-site

Updates on items 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 draft statements supporting the proposed proceedings have now been considered by Counsel with further information and authorisations being requested in order that the Injunction application can be submitted.

In May 2014, Committee resolved to give officers the authority sought and further work on compiling supportive evidence undertaken since. Periodic inspections of the land have been carried out, most lately in April 2015 (confirming occupation has not ceased, and that breaches of control are continuing and consolidating). Statements accordingly being revised and finalised to reflect; injunction proceedings still appropriate and proportionate to pursue.

b. 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 have now been issued and are effective from 21st March 2014

Planning enforcement notice issued relating to plots 1 to 5 inclusive. Plot no 6 is currently empty and not in breach of planning control. Planning application covering plots 1 to 5 inclusive subsequently submitted and validated. Planning Reference no S/0638/14 refers. Application referred to Planning Committee – Application considered by the Committee and refused contrary to officer recommendation within the report. A letter issued to owner/occupiers including a copy of the Planning decision notice and enforcement notice issued to Plots 1 to 5 Pine Lane instructing them to vacate the land as set out in the enforcement notice - Informed by the Planning Inspectorate (PINS) that an appeal has been

submitted and validated. Appeal hearing 18th February 2015 – Waiting decision

c. Buckingham 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 permission. Retrospective planning application submitted under reference no S/0065/14/FL– Outstanding items submitted, application now validated – Planning application with external planning consultants – Planning application considered, The Council refused permission for use of land for parking of double decker buses / coaches and the laying of surfacing, erection of metal fencing and a gate (Part Retention) 17th September 2014. Sun Fun Travel instructed to vacate the land as soon as possible but no longer than 30 days. Sun Fun Travel failed to comply which has resulted in a file being submitted to legal for the issue of an enforcement notice. Enforcement Notice Issued - Compliance period 1 Month – 10th March 2015. Enforcement Notice complied with and buses removed – Further planning application received and waiting decision.

d. Pear Tree Public House, High Street Hildersham

Complaint received regarding the reported change of use of the premises to residential without the benefit of planning. Investigation carried out; however the results did not reveal any breaches of planning control at this time. Further report received from parish council, content of which investigated resulting in an out of hour's inspection. Planning breach identified as ground floor being used for residential purposes. Breach resolved, situation being monitored. No further information at this time. Planning application - Change of use of shop and ancillary residential use (use class A1), to a 4 Bedroom house. Planning reference S/0040/15 –Refused 27th February 2015. Monitoring continues

e. Plot 11, Orchard Drive – Smithy Fen

Application received for the change of use of plot 11 Orchard Drive to provide a residential pitch involving the siting of 1 mobile home and one touring caravan, an amenity building for a temporary period until 2 May 2018. The application has in accordance with section 70C of the Town & Country Planning Act 1990 been declined.

f. Land at Arbury Camp/Kings Hedges Road

Failure to comply with planning conditions at land known as Parcel H1, B1 and G Under planning references S/0710/11, S/2370/01/O, S/2101/07/RM, 2379/01/O and S/1923/11

Summary

10. As previously reported Year to date 2014 revealed that the overall number of cases investigated by the team totalled 504 cases which was a 1.37% decrease when compared to the same period in 2013. The total number of cases YTD 2015 totals 124 cases investigated which when compared to the same period in 2014 is a 5.08% increase in cases

11. In addition to the above work officers are also involved in the Tasking and Coordination group which deals with cases that affect more than one department within the organisation, including Environment Health, Planning, Housing, Anti-Social behaviour Officers, Vulnerable Adults and Safeguarding Children Teams. Strategic Officer Group, dealing with traveller related matters
12. Enforcement contact details are as follows:

Charlie Swain – Tel: 01954713206 e-mail charles.swain@scambs.gov.uk
Alistair Funge- Tel: 01954713092 e-mail alistair.funge@scambs.gov.uk
Gordon Mills – Tel: 01954713265 e-mail gordon.mills@scambs.gov.uk

Effect on Strategic Aims

13. This report is helping the Council to deliver an effective enforcement service by

Engaging with residents, parishes and businesses to ensure it delivers first class services and value for money

Ensuring that it continues to offer an outstanding quality of life for its residents

Background Papers:

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

Report Author: Charles Swain – Principal Planning Enforcement Officer
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Agenda Item 16



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

13 May 2015

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 24 April 2015. Summaries of recent decisions of importance are also reported, for information.

Decisions Notified By The Secretary of State

2.	Ref.no	Details	Decision	Decision Date
	S/2097/14/VC	Gallagher Longstanton Ltd Longstanton Park and Ride Longstanton	Allowed	24/03/15
	PLAENF.629	Mrs Garlick & Miss Russell Land at Charlwood Farm Camps End castle Camps Cabin style building occupation of building and associated building	Enforcement Notice Quashed and planning permission granted	30/03/15
	PLAENF.1039	HC Moss and Others The Yard The Maltings Millfield Cottenham	Enforcement Notice Upheld	30/03/15
	S/0767/13/FL	HC Moss and Others The Yard The Maltings Millfield Cottenham	Dismissed	30/03/15
	PLAENF.1227	Dr G L Burr Land at Rouses Wood Fleck Lane Shingay-cum-Wendy	Dismissed	07/04/15
	S/2320/14/FL	Mr & Mrs A Waddington 43 North Road Great Abington, conversion to create annex	Dismissed	16/04/15
	S/0619/14/FL	Mr & Mrs Phillips 6 Barrons Green Shepreth, Sub-divide plot to create dwelling	Dismissed	20/04/16
	S/1850/12/FL	Mr I Ford Land adj Carters Farm Main Street Shudy	Allowed	21/04/15

	Camps, Conversion of farm buildings to create dwelling		
S/2308/12/FL	Mr I Ford Land adj Carters Farm Main Street Shudy Camps, Conversion of farm buildings to create dwelling	Allowed	21/04/15
S/1759/14/FL	Mr D Harrington Rear of Lea Court Coles Road Milton Dwelling	Dismissed	21/04/14

Appeals received

3.

Ref. no.	Details	Decision	Received
S/2283/14/FL	Mr C Dyason 2 Primes Corner Histon Extensions	Refused	27/03/14
S/2145/14/FL	Mr C Dyason 2 Primes Corner Histon Change of use of garden	Refused	27/03/15
S/0040/15/FL	Mrs H Moroney The Pear Tree Inn High Street Hildersham Change of Use shop to House	Refused	27/03/15
S/3038/14/FL	Mr & Mrs Johnson 23 South Road Great Abington Detacheed Dwelling	Refused	15/04/15
S/3003/14/FL	Mr J Grey 98 Duxford Road Whittlesford	Refused	19/04/15
S/0411/14/FL	William King Homes Ltd, 26 Butt Lane Milton 6 dwellings following demolition of existiting	Refused	22/04/15

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

4.

Ref. no.	Name	Address	Hearing
S/1451/14/FL S/1476/13/LD S/2097/14/VC	Mr T Buckley	The Oaks Willingham	Inquiry Dates to be confirmed
S/2770/13/F	Mr & Mrs Spencer	Lower Camps Hall Farm Castle camps	Hearing 06/05/05

Summaries of recent decisions

5. None

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

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