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26 May 2015

To: Chairman – Councillor Lynda Harford
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors Brian Burling,
Anna Bradnam, Pippa Corney, Kevin Cuffley, Sebastian Kindersley, Des O'Brien,
Deborah Roberts, Tim Scott, Ben Shelton and Robert Turner

Quorum: 3

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, 3 JUNE 2015 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

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

AGENDA

PAGES

PUBLIC SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised May 2013) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

- 1. Apologies**
Councillor Anna Bradnam has sent Apologies. To receive apologies for absence from other committee members.
- 2. Declarations of Interest**
- 3. Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meeting held

5 - 6

on 13 May 2015 as a correct record. The minutes are available at www.scamb.gov.uk

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

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| 4. | Hauxton: Proposed diversion of public footpath no. 1 under Section 257 of the Town and Country Planning Act 1990 | 7 - 16 |
| | The report from Cambridgeshire County Council, and Appendix B (Order plan), are attached to the electronic version of the agenda on the Council's website and included in the printed copy of the agenda. Appendix A and Appendices C to I are attached to the electronic version of the agenda only. | |
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OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

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

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

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When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

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In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
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Toilets

Public toilets are available on each floor of the building next to the lifts.

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We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

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

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

EXCLUSION OF PRESS AND PUBLIC

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

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

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

Notes

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

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Agenda Annex



Public Speaking at meetings of the Planning Committee

Approved May 2013
Reaffirmed May 2014

What is the Planning Committee?

The Council's Planning Committee consists of 13 District Councillors and is responsible for the determination of the larger, more complex or sensitive planning applications submitted to the Council. It also deals with other matters such as some public rights of way, the protection of important hedgerows, tree preservation and the administration and enforcement of building regulation regimes for existing or proposed buildings. A complete list of matters decided by the Planning Committee can be found by looking at the Council's Constitution (insert link).

When and where do Planning Committee meetings take place?

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

Can anyone attend Planning Committee meetings?

Meetings of the Planning Committee are open to the public, so anyone is able to attend. A range of people with differing interests in specific applications observe these meetings, whether they are applicants or an applicant's agent, objectors, neighbours or other residents, local District Councillors or members of Parish Councils. Despite being a public meeting, in some very occasional cases the law does allow the committee to consider some matters in private. For example, an application may contain information of a personal or commercially sensitive nature that the Council would not be able to publicise. In every case, however, the public interest in excluding the press and public from the meeting room must outweigh the public interest in having the information disclosed.

Can anyone speak at Planning Committee meetings?

The Planning Committee welcomes public speaking and participation from outside of the Committee's membership. Other than Members of the Planning Committee and the Council's officers, there are four main categories of other people able to speak at meetings of the Committee: -

- (1) Objector
- (2) Supporter (usually the applicant or planning agent)
- (3) Parish Council representative (but not the Clerk)
- (4) Local District Councillor(s).

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

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

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

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

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

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

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

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

Committee members will have read the written reports prepared for them, so speakers should try to avoid repeating points that are already explained in that material.

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

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

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

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

How are applications considered?

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

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

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

Updated: 8 May 2013

Agenda Item 2

Planning Committee

Declarations of Interest

1. Disclosable pecuniary interests (“DPI”)

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

2. Non-disclosable pecuniary interests

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

3. Non-pecuniary interests

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

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

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

Address/ Location of land where applicable

Signature:

Name Date

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Agenda Item 4



Date:

To: Legal and Democratic Services Manager, South Cambridgeshire District Council

From: Robert Kemp, Asset Information Definitive Map Officer CC1305

Ref: 119/1

Report on the proposed diversion of part of Public Footpath No.1, Hauxton

1 Purpose

1.1 This report is prepared for South Cambridgeshire District Council by Cambridgeshire County Council in their role as agent for South Cambridgeshire District Council in processing public path orders under s157 of the Town and Country Planning Act 1990, under the memorandum dated February 2007.

1.2 To report on the proposed diversion of part of Public Footpath No.1 Hauxton, required to enable development of the former Bayer Crop Science site in Hauxton.

1.3 Contents

Appendix A: A copy of the diversion application.

Appendix B: A map showing the effect of the proposals.

Appendix C: The Planning Applications and Decision notices.

Appendix D: Consultation Responses.

Appendix E: Site Visit Photographs.

Appendix F: An Aerial Photograph of the site

Appendix G: Memorandum of Agreement with South Cambridgeshire District Council.

Appendix H: Memo from Cambridgeshire County Council Service Director Infrastructure Management and Operations giving approval for this diversion.

Appendix I: Confirmation from Redrow Homes of the proposed surface of the path.

2 Background

2.1 The land is owned by Harrow Estates. The applicant for this diversion was Harrow Estates. The land is in the process of being sold to Redrow Homes who will be continuing the development to the site; including taking forward this footpath diversion. At the present time the land is still owned by Harrow Estates but both parties are in favour of this proposed footpath diversion.

2.2 This diversion order is required to implement a planning permission in relation to planning application numbers S2308/06/O and S/2269/10 which were submitted to South Cambridgeshire District Council on 1 December 2006 and 20 December 2010. The application is for the *Demolition of Buildings, Remediation of land and formation of a development platform and the redevelopment of 8.7 Hectares of previously developed land for a mix use including up to 380 dwellings, office floor space and retail floor space*

and provision of Open Space at Land East of the A10 known as the Former Bayer Crop Science Ltd Site, Hauxton.

- 2.3 The diversion of the footpath therefore falls to be determined by the relevant planning authority under section 257 of the Town and Country Planning Act 1990. Copies of the planning application decision notices can be found at Appendix C.
- 2.4 In February 2007, South Cambridgeshire District Council entered into an Agreement with Cambridgeshire County Council providing that all Public Path Order applications under section 257 of the Town and Country Planning Act 1990 should be processed by the County Council, acting as agents for the District Council. A copy of the Agreement is attached at Appendix G.

3 Site Description

- 3.1 Site photos of the existing route and proposed route taken on 13 November 2012 can be seen at Appendix E. An aerial photograph of the site can be found at Appendix F.

3.2 Existing

The current legal line of Hauxton Public Footpath No. 1 commences at its junction with Hauxton Public Footpath No.5 near The Mill House at Ordnance Survey Grid Reference (OSGR) TL 4323 5264 (Point A on the plan) and then proceeds in an east-south-easterly direction along the western bank of the Riddy Brook for approximately 105 metres to Point B before running south-south-east for approximately 30 metres to OSGR TL 4333, 5256 (Point C) where the path crosses a footbridge and proceeds in an east-north-easterly direction for approximately 17 metres to OSGR TL 4334, 5257 (Point D on the plan) on the west bank of the River Cam where the path continues in a south-south-easterly direction towards Hauxton Village. The length of the section of the existing route to be diverted is approximately 154 metres.

3.3 Proposed

The proposed diversion route would commence at OSGR TL 4323 5266 on the western bank of the River Cam at the point where Hauxton Public Footpaths No.4 and No.5 meet (Point E). The path would then proceed along the western bank of the River Cam in a generally south-easterly direction for 122 metres to OSGR TL 4333 5259 (Point F). The path would then proceed in a south-south-easterly direction for approximately 24 metres to OSGR TL 4334 5257 (Point D). The length of the proposed diversion route would be approximately 146 metres and would have a width of 2 metres.

4 Legal Framework

- 4.1 Section 257 of the Town and Country Planning Act 1990 allows that:

(1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out—

- (a) in accordance with planning permission granted under Part III, or
- (b) by a government department.

(2) An order under this section may, if the competent authority are satisfied that it should do so, provide—

- (a) for the creation of an alternative highway for use as a replacement for the one authorised by the order to be stopped up or diverted, or for the improvement of an existing highway for such use;
- (b) for authorising or requiring works to be carried out in relation to any footpath or bridleway for whose stopping up or diversion, creation or improvement provision is made by the order;
- (c) for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across any such footpath or bridleway;
- (d) for requiring any person named in the order to pay, or make contributions in respect of, the cost of carrying out any such works.'

4.2 An Order shall come into effect once the new route has been certified by either the order-making authority or the highway authority as being of a satisfactory standard for public use. In this instance the County Council as highway authority will undertake the certification.

4.3 The Equality Act 2010 consolidated previous disability legislation. There is currently little formal guidance on how the Act interacts with existing rights of way legislation. However, it is generally understood to require order-making authorities to take into account the reasonable needs of disabled people (using the term in its broadest sense) in considering changes to the rights of way network. The Act requires authorities to be more proactive in recording their thought-processes in making their decisions. A recent Planning Inspectorate decision said that the Act only applies to the alternative route in a diversion. Section 7.5 below documents the position in relation to this case.

5 Cambridgeshire County Council Policy (including maintenance)

5.1 The County Council's own policy (approved by Cabinet in 2003 and revised on 25 May 2010) requires that certain criteria are met if a public path diversion order is to be made. The policy is set out with public path orders under the Highways Act 1980 in mind, but it is sensible to consider the criteria in relation to any proposal under the Town & Country Planning Act 1990, because any new path will be vested in Cambridgeshire County Council as the highway authority and as such responsible for managing them. The highway authority is also responsible for protecting and asserting the public's existing rights, and not allowing them to be removed unless the legal tests are met. The Policy criteria are as follows:

- i. Pre-application consultations have been carried out with the prescribed bodies.
- ii. The existing route is available for use and any 'temporary' obstructions have been removed, in order to allow a comparison to be made. Any request for exemption will

be decided by the Director Highways & Access as to whether or not that is appropriate.

- iii. A suitable alternative path is provided for every path that is to be diverted.
 - iv. The proposed new route is substantially as convenient to the public as the original
 - v. The proposed new route is not less convenient for maintenance than the original
 - vi. No objections are received to the proposals during the statutory consultation period prior to making an order. However, the County Council will review this criterion in individual cases in light of objections and potential public benefit of the proposal.
 - vii. The maintenance burden on the County Council is no greater than that of the original. If the maintenance burden is greater, the landowner may be required to enter into a maintenance agreement with the County Council.
 - viii. A minimum width of 2m is provided for a diverted footpath, and a minimum width of 4m for a diverted bridleway. In exceptional cases, e.g. cross-field paths, it may, taking into account all the available facts, require such a width as it considers reasonable and appropriate.
 - ix. That all the works required to bring the new route into operation are carried out at the expense of the landowner and to the County Council's specifications unless otherwise agreed.
- 5.2 Where there is a desire line on the ground that is not on the definitive route because that is obstructed we will consider that to be evidence of a desire to get from points A-B, and will require the definitive route to be opened up or diverted onto the desire line or another mutually agreed route.

6 Consultations

- 6.1 The local Ramblers' Association, South Cambridgeshire District Council, Hauxton Parish Council, Local County and District Council Members, the prescribed user groups and the utility companies were all consulted about the proposals. The following replies have been received (copies are attached as Appendix D):
- 6.2 The Cambridge Ramblers Group pre-application comments stated that the proposed route has been used by the public for a number of years and that an established path already exists and that provided that a minimum width of 2 metres was available they had no objection to the proposals. In their letter in response to the formal consultation the Cambridge Ramblers Group had no objection to the proposed diversion having been assured by the case officer that 2 metres width existed along the whole of the proposed diversion route. The Ramblers accepted the need by the applicant to close the section of the legal route of footpath No.1 that runs inside the former Bayer Crop Science factory site whilst works were ongoing in the site. The Ramblers also commented that they assumed that the temporary fencing that has been erected along the boundary of much of Footpath No1 will be removed as the development proceeds.
- 6.3 South Cambridgeshire District Council's Ecology Officer acknowledged that the section of Footpath No.1 that will be extinguished by the proposed diversion will become part of the Riddy Walk within the proposed development and that the proposed diversion route is the route already in use by the public and therefore the public will not see any change from the proposals.
- 6.4 Hauxton Parish Council has no objection to the proposed diversion.

- 6.5 South Cambridgeshire District Councillor Lockwood stated that the proposed diversion legitimises the current walked route and therefore she has no objection.
- 6.6 Anglian Water, National Grid, Atkins, Open Reach and Virgin have no objections to the proposals.
- 6.7 The Environment Agency was consulted during the formal consultation period and no response was received.
- 6.8 No other responses were received.

7 Grounds for stopping up and provision of alternative route: Town & Country Planning Act 1990 and Equality Act 2010

- 7.1 The re-routing of part of this public footpath from its existing route to the proposed new route is required in order to implement a planning permission granted under part III of the Town and Country Planning Act 1990. Section 1 (a) of the act is therefore satisfied (see section 4.1).
- 7.2 The new route will provide an alternative path. The proposed new route will legitimise the path alongside the western bank of the River Cam that has been used by the public for some years. The new footpath will be provided in accordance with the Highway Authority's policy for public footpaths.
- 7.3 The applicant has agreed to undertake the necessary works required to implement the proposed new route at their own expense.
- 7.4 The rights of statutory undertakers will not be affected. Subsection 2 of the act is therefore satisfied.
- 7.5 In terms of the Equality Act 2010, the diversion would be neutral and could be considered an improvement, in that the current legal route has a bridge to cross and the proposed route does not require path users to cross over the Riddy Brook but instead remains on the western bank of the River Cam.

8 Grounds for diversion: Cambridgeshire County Council criteria as Highway Authority including Maintenance Liability

- 8.1 Pre-application consultations have been carried out by the applicant.
- 8.2 The current legal line of the footpath is currently obstructed. The legal line has been closed by a temporary traffic regulation order for health and safety reasons whilst the former Bayer Crop Sciences site is re-developed. Given the existence of a nearby alternative along the proposed diversion route, which is open and available for public use, it is reasonable to waive the requirement that the existing route be available for use in this case.
- 8.3 The proposed new route is substantially as convenient to the public as the original if not more convenient as users will no longer have to cross the Riddy Brook but will remain on the western bank of the River Cam. It is also likely to be at least as appealing as the

original route for users as a walk beside the river with views of Hauxton Mill. The existing route and the proposed route are very similar in length.

- 8.4 The proposed new route would not be less convenient for maintenance than the original as there will no longer be a bridge across the Riddy Brook to maintain and the proposed route will have a similar natural surface to the current route. The current bridge is the responsibility of Cambridgeshire County Council to maintain by virtue of the 1974 diversion order which previously altered the route of the path.
- 8.5 Cambridgeshire County Council Bridges Team were consulted as to consider any liability issues which could arise from moving the path and they confirmed that no piling works were required. There are therefore no maintenance or liability issues on behalf of the Cambridgeshire County Council.
- 8.6 No objections were received during the statutory consultation period. The County Council's other requirements regarding width and works for making an order have all been met. The proposed new route would have a width of 2 metres.
- 8.7 Where diversion orders to Rights of Way have been made in order to make way for development to be undertaken a certification clause is included. This requires that a new route will not come into effect until the County Council as Highway Authority has deemed it satisfactory.
- 8.8 The County Council Service Director of Infrastructure, Management and Operations considered this application on 16th August 2013. The director concluded that he had no objection in principle to the proposed diversion as set out in the report, but needed to be satisfied that the new path would be constructed to a sufficient standard to withstand increased usage resulting from the new development in the area. A further report on the current condition of the path was prepared which concluded that the following works needed to be undertaken to stabilise the surface of the path alongside the river:
 - Raise the low spots along the length of the route to the remaining surface height.
 - Raise the newly built up low spots and existing surface by 25 mm using a suitable compacted stone to ensure a consistent level surface along the whole route of the diverted path.
 - Raise the sides using treated wooden boards or recycled plastic boards pegged into the ground to retain suitable compacted stone and to give a full two metre width at the height above.

On 6th February 2015 the developer of the site (Redrow Homes) confirmed in writing (see Appendix I) that they were planning to create a Hoggin Footpath with a timber peg and board edging, satisfying the above requirements. This was discussed with the Rights of Way Officer who was also satisfied with this proposal. On 5th March 2015 The County Council Service Director of Infrastructure Management and Operations agreed that Cambridgeshire County Council as Highway Authority should approve the application to divert part of Footpath No.1 Hauxton.

9 Conclusions

- 9.1 It is considered that the application to divert part of Public Footpath No.1 Hauxton meets the requirements of s.257 of the Town and Country Planning Act 1990 and the policy of Cambridgeshire County Council.

10 Recommendations

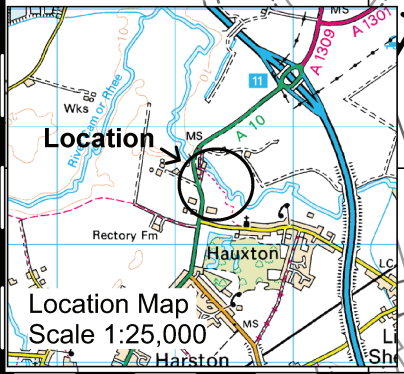
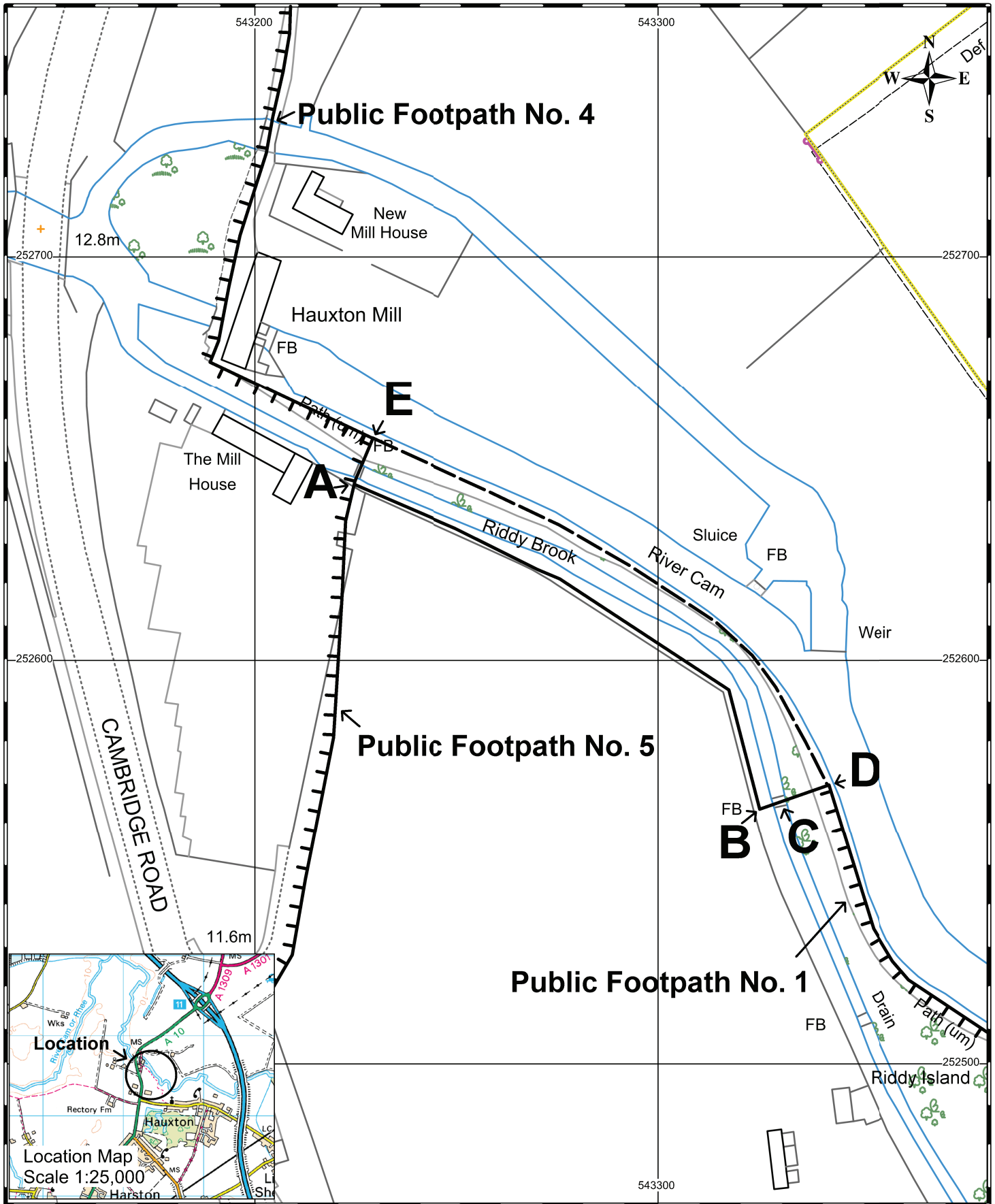
- 10.1 That South Cambridgeshire District Council, as Planning Authority, indicate to Cambridgeshire County Council that the Order should be made.
- 10.2 That an Order is made to divert part of the Public Footpath No.1 Hauxton, as requested by the applicant.
- 10.3 That the final route be inspected by the Cambridgeshire County Council as Highways Authority and certified as satisfactory before the Order comes into effect.

LIST OF DOCUMENTS




A	Copy of the application to divert part of the public footpath No.1 Hauxton
B	Map showing the proposed diversion
C	Copy of planning application S/2308/06/O
D	Consultation Responses
E	Site photographs
F	Aerial Photo of the Site
G	Copy of Memorandum of Agreement between the District Council and Cambridgeshire County Council
H	Memorandum from Cambridgeshire County Council Service Director Infrastructure Management and Operations giving approval for this diversion.
I	Confirmation of surface of the path from Redrow Homes.

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Diversion of Public Footpath No.1 Hauxton



Scale: 1:1250 (at A4)
Date: 27/11/2012

Key -	
Public Footpath to be stopped up (A-B-C-D)	
New route of Public Footpath (D-E)	
Unaffected Public Footpath	

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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2365/14/OL
Parish(es):	Barrington
Proposal:	Outline application for the demolition of all existing buildings and structures, and redevelopment to provide up to 220 residential units, formal and informal open space including allotments, car parking for Barrington Primary School, new pedestrian and cycle links to Barrington village and Foxton station, and associated works - details of vehicular site access arrangements are submitted for approval, with all other matters (layout, scale, appearance and landscaping) reserved for future approval.
Site address:	Former CEMEX Cement Works, Barrington Cement Plant, Haslingfield Road, Barrington
Applicant(s):	Cemex UK Properties Ltd
Recommendation:	Delegated approval subject to completion of S106 Agreement.
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, impact on the village character and landscape, impact on heritage assets, level of services and facilities, access and transport, drainage and ecology.
Committee Site Visit:	Yes
Departure Application:	Yes
Presenting Officer:	Andrew Fillmore
Application brought to Committee because:	The application proposal raises considerations of wider than local interest.

Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 220 dwellings outside the adopted village framework on a brownfield 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 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 National Planning Policy Framework (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 officers are of the view, that on balance, the limited range of services and facilities including employment opportunities in Barrington and surrounding villages and the impact on the character of the village does not significantly and demonstrably outweigh the benefits that include redevelopment of a derelict brownfield site which will deliver up to 220 dwellings, including 40% affordable, towards the required housing land supply.

Planning History

3. The site and surroundings (quarry) have been subject to a number of planning applications, the most relevant of which is county matters consent reference S/01080/10CW. This permission relates to part of the quarry to the north of the application site and allows for:

'Importation, by rail, of the requisite inert material, for a period of 5 years, to partially infill an existing quarry void and provide for the restoration of the western and north-western areas of Barrington Quarry to a combination of agriculture and nature conservation after-uses, and all associated works including railway refurbishment and the retention and continued use of the existing weighbridge, office and workshop'.
4. This consent is in the process of being implemented with the upgrade to the railway line underway, and with the importation of the inert material schedule to begin in 2015. The conditions attached to this permission require the works to have finished by 31 December 2018, and any additional importation would require further planning consent from Cambridgeshire County Council.
5. The full site history is set out in Appendix A.

Policy

6. **National**
National Planning Policy Framework
Planning Practice Guidance
7. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/6 Group Villages

8. Adopted 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 development
- HG/1 Housing Density
- 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/7 Sites of Geological Importance
- NE/9 Water and Drainage Infrastructure
- NE/10 Foul Drainage – Alternative Drainage Systems
- NE/11 Flood Risk
- NE/12 Water Conservation
- NE/14 Lighting Proposals
- NE/15 Noise Pollution
- NE/16 Emissions
- CH/2 Archaeological Sites
- CH/3 Listed Buildings
- CH/4 Development within the curtilage or setting of a Listed Building
- SF/10 – Outdoor Play Space, 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
- TR/3 Mitigating Travel Impact
- TR/4 Non-motorised Transport

9. Supplementary Planning Document(s)

- District Design Guide SPD – adopted 2010
- Public Art SPD- Adopted 2009
- Development Affecting Conservation Areas SPD – Adopted 2009
- Health Impact Assessment SPD – March 2011
- Affordable Housing SPD – March 2010
- Open Space in new Developments SPD – Adopted 2009
- Listed Buildings SPD – Adopted July 2009
- Trees and Development Sites SPD – Adopted January 2009
- Landscape in new development SPD – Adopted March 2010
- Biodiversity SPD – Adopted July 2009

10. *South Cambridgeshire emerging 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 adoption 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 S sustainable drainage systems
 CC/9 Managing flood risk
 HG/1 Design principles
 HG/2 Public art in new development
 NH/2 Protecting and enhancing landscape character
 NH/4 Biodiversity
 NH/6 Green infrastructure
 NH/11 Protected Village Amenity Areas
 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
 SC/13 air quality
 T/I Parking provision

Consultations by South Cambridgeshire District Council as Local Planning Authority

Parish Councils

11. **Barrington Parish Council** (Full comments set out in Appendix B) - Recommend refusal. Comments can be summarised as:

- Recommend refusal on the grounds of unsustainable development.
- The scale of development is disproportionate
- It proposes a 47% increase in housing in a village with one shop, one pub, one primary school, an aged village hall and an aged sports pavilion, poor transport links and no local health care
- Main effects are not mitigated in the proposed S106 despite a number of meetings to explain the villages needs to CEMEX

The cumulative impact of these environmental, social, and economic effects is that Barrington village will be significantly, adversely impacted, - permanently. The proposed development fails the test of sustainability and permission should be refused.

12. Further response received 21 April 2015 (Appendix C) opposing the application for the following reasons:

- The planning system is plan led, and it is for the local authority in consultation with the public to decide where development should go
- The Local Plan identifies the site as unsuitable for housing
- The government wants to see truly sustainable development, not development at any cost
- The correspondence from Harston Surgery makes it clear the site is unsustainable

13. **Haslingfield Parish Council** – There is nothing in this application which appears properly sustainable in the long term. In particular, although the application ticks the appropriate boxes by providing a lot of opportunities for walking and cycling connection to Barrington and Foxton, the main mode of transportation for

residents will be by car. We do not agree with the projected traffic flows, which will result in considerable increase in traffic through Haslingfield. Since there appears to be no provision for improved public transport the planning application appears unsustainable. There are existing problems with queuing of vehicles at the Haslingfield Road junction with the A603 which will be exacerbated. There is no provision for cyclists and walkers between Barrington and Haslingfield. Although the development proposed makes use of a brownfield site, what is proposed is an opportunistic proposal lacking any real merit, being an isolated development without proper infrastructure and services to sustain it creating adverse situations in the surrounding settlements. At the time of commentating of the SCDC Local Plan, we expressed support for properly developed large settlements such as Waterbeach, Northstowe, Cambourne and elsewhere, where there could be a full provision of infrastructure and public services. We remain supportive of such developments but this one does not meet any desirable criteria and Haslingfield Parish Council must therefore express its objection to the proposal.

14. **Orwell Parish Council** – Voted against the potential development of the Barrington site after a public meeting to discuss the impacts and a meeting of Parish Councillors. This led to the overall conclusion that this development is not sustainable. The key points leading to this decision can be summarised as concerns over:

- Increased traffic noise and congestion during construction
- Impacts of the railway journeys in and out of the quarry on local traffic
- Increased traffic flow through Orwell High Street/Fischers Lane and Barrington Rd
- Increased congestion on the main junctions leading out of the village
- Further overload of local services such as schools, public transport, health services which are not planned for
- No provision defined that would adequately prevent further development of the site for housing

15. **Shepreth Parish Council** – Refuse. The Council has a number of concerns, namely traffic and augmented problems with the safety of the A10 junction, increased demand at Shepreth Station and schooling. Most pertinently it is inexplicable that as a neighbouring village to Barrington, Shepreth is not even mentioned in the planning application which will undoubtedly have a tremendous impact on the village and infrastructure.

16. The principal concern is the huge increase in traffic through Shepreth and particular effect on the two A10 junctions into the village. Specifically, the Frog End West Side approach to the A10 junctions which has been on the District and County accident cluster list over many years with a long record of fatalities and injuries reinforced by further accidents in 2014. With 220 new houses locally this is potentially at least 300 additional cars driving through the village. Therefore some kind of traffic lights would be imperative at this junction as a bare minimum.

17. Secondly, the upsurge in the use of Shepreth Station and car park is undeniably bound to occur. Commuters living in the new development will not necessarily use Foxton Station, Shepreth is just as close and accessible. Train services and parking must be considered and improved to cope with the influx.

18. Thirdly, the application does not provide for adequate school places for the expansion in children living in Barrington and the likely knock on effects for Shepreth children who attend Barrington school.
19. **Foxton Parish Council** - Refuse. It is outside the SCDC Local Plan, and is ill timed because it has been submitted prior to the new Local Plan being approved and published. A development of this scale will adversely affect the beautiful historic rural village of Barrington, and will cause conflict with local infrastructure (traffic, sewage, etc), especially when considered along with other development proposed for the area. The additional traffic will have an impact on surrounding villages (particularly Haslingfield and Shepreth) and Foxton will be affected by the increase in traffic on Barrington Road and Cambridge Road. Foxton is also directly affected by the pedestrian and cycle access to Foxton station, of which there is no details in the submitted plans.
20. **Meldreth Parish Council** – No objection. The access road to the houses appears to be a shared access with the quarry so that domestic traffic and heavy commercial vehicles will be mixed together on the road, causing a potential hazard to pedestrians and vehicles, this is especially of concern with the amount of children there may be in the area.

South Cambridgeshire District Council

21. **SCDC Urban Design** – The overall mix and density of housing and open space provision appear acceptable, and the proposals for new pedestrian/cycle links to Barrington and the school encouraged. The application is in outline form and any design for new housing would be developed at a later date.
22. **SCDC Landscape** – Thought needs to be given to how the development landscape will connect with the existing and future landscapes. Both pedestrian and vehicle access, rear garden boundaries, dwellings and parking areas are all shown as connecting with the external landscape. Significant landscape treatments, particularly to the north of the development, will be required to integrate it into the landscape and to mitigate against any adverse landscape and visual effects, viewed from public rights of way to the north.
23. **SCDC Historic Buildings** – New development considered to be sufficiently screened/separated from Conservation Area and historic buildings to prevent any detrimental impact.
24. **SCDC Trees** – The site for the bulk of the development is largely devoid of any significant trees due to historic land use. The area for the proposed car parking will require some tree clearance, however the secluded location of the car parking will not have a significant impact on amenity provided by existing trees. Conditions recommended.
25. **SCDC Ecology** – No objection. The applicant has now provided a greater level of commitment to the provision of a diverse range of habitats and mitigation. The submitted Nature Conservation Management Plan (NCMP) provides some reassurance that the masterplan and the habitats that it presents can be delivered at the reserved matters stage. The submitted NCMP and the illustrative masterplan and the parameters plan should be listed as approved documents/plans should any permission be granted.

26. **Environmental Health (Noise)** – The restoration activities associated with the quarry (county planning reference S/01080/10/CW) does not afford an adequate level of protection for future residents against noise if the two were to co-exist. Recommend refusal unless a Grampian style condition or S106 is imposed preventing the commencement of any residential development until the county minerals permission for restoration activities have been completed in full or additional noise mitigation measures to address the restoration activities is agreed. These measures would indicate siting of earth bunds/acoustic fences, operational noise management plan, reduction in hours when restoration permitted and dust mitigation and management strategy.
27. **Environmental Health (Contamination)** – The Environmental Statement highlighted that mitigation measures are required to minimise the adverse effects posed by ground conditions which broadly comprise the need for further investigation/characterisation of contamination followed by remediation most likely in the form of hotspot removal and import clean soil material. I am in general agreement with these proposals, however I would recommend that further gas monitoring is required. Recommend conditions.
28. **SCDC Environmental Health (Air Quality)** – We are satisfied with the report. Recommend conditions relating to the emission levels of vehicles used in the construction of the site and a requirement that 10% of the buildings total predicted energy requirement will be from on-site renewable energy sources
29. **SCDC Housing** – The applicant has offered 40% affordable housing and has not raised the issue of viability. Given the former use of the site is brownfield we would wish to see that 40% affordable housing is deliverable on this site. The overall housing mix does not offer any 2 bedroom accommodation and is heavily weighed with 43% of the housing being 4 bedroom or more.

Cambridgeshire County Council

30. **CCC Minerals and Waste** – Cambridgeshire County Council, as the Minerals Planning Authority, are content with the applicants submission that the housing development is not in conflict with Core Strategy CS26.
31. **CCC Waste Disposal Authority** – The requirements of the RECAP Waste Management Design Guide needs to be taken into account and a contribution sought for Household Recycling Centre.
32. **CCC Libraries and lifelong learning** – Request contributions for an additional mobile library stop or equivalent provision to serve the 690 residents anticipated to arise from this development.
33. **CCC Floods and Water** - 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.
34. **CCC Sports** – It is important that discussions continue regarding on site provision of formal and informal open space. Whatever is chosen discussions need to be finalised before planning permission is granted on who will actually pay for the upkeep and ongoing maintenance of formal open space areas.

35. **CCC Arts** – There is potential here to provide public art, with the best approach for a group of interested parties, including local people, to assess what is required and put forward an arts provision plan.
36. **CCC Health** – No objection, subject to a condition requiring the provision of a Health Impact Assessment prior to the submission of any reserved matters application.
37. **CCC Highways** – No objection. Subject to conditions including a requirement that the proposed car park opposite the school is only provided if this is deemed necessary following a review of the schools Travel Plan.
38. **CCC Highways (Transport Assessment)** – No objection. Subject to securing the following measures: pedestrian/cycle link to Foxton station, two bus stops near the development access on Haslingfield Road, Travel Plan and upgrade of the proposed footpath to the south of the site.
39. **CCC Education** – The development is very close to Barrington School and the county would be looking for the provision of safe walking/cycling routes from all parts of the residential development to the primary.
40. **CCC Archaeology** – No objection. Recommend a condition. We have been provided with further details of the proposals and of the current site conditions and land use. From this it is clear that the major impacts of the development will be within previously disturbed ground, with less impact in areas where archaeology is likely to survive. Although there may be some disturbance, this is likely to be less intrusive than we previously considered. In view of this I am writing to withdraw our previous objection and advise archaeological issues can be addressed through the inclusion of suitable conditions. Also advise that we consider the industrial heritage of the site to be of significance and that conditions should be included to address the recording of this important aspect of the site history.

Other

41. **NHS Property Services** – There is no spare capacity at Melbourn, Comberton and Harston. The NHS would therefore be seeking contributions in order to provide more capacity at these surgeries.
42. **Harston Surgery** – (Response to the LPA) We currently have 1878 patients per whole time GP, which is just above the national list. It is clear that without an extension at Harston no further significant number of patients can be registered, and it is important that planners and decision makers are aware of this and have a definite strategic plan with NHS England as to how they expect primary health care services to be provided.
43. We do have outline plans as to how we could extend the surgery to provide at least one extra consultation room and significant extra administrative space without losing car parking. We understand there may be some S106 funds available to build an extension; whilst the council have been open about their availability the allocation is to NHS England and they have given no indication that these funds will be allocated to Harston surgery.
44. (Response to the Parish Council) We are in the process of applying for S106 monies from NHS England, and if granted we will build an extension to accommodate the extra patients generated from the 200-300 houses planned for

the Hauxton site. After this we cannot expand anymore and the only option left would be to build new. NHS England have informed us they rule this possibility out completely.

45. (Further response to the LPA) If we are successful in securing the S106 monies from the Hauxton development, we can go ahead and build an extension to the surgery to accommodate the extra 500-600 patients. As we have no idea if we will be successful in our application, to say we are happy to take on more patients from Barrington and Foxton developments is premature. NHS England must have a strategic plan in place as to where these extra 1700+ patients are going to register.
46. **Natural England** – No objection. The application is in close proximity to the Barrington Chalk pit and Barrington Pit SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application will not damage or destroy the interest features for which the site has been notified.
47. **Police Architectural liaison Officer** – No objection. Barrington sees relatively low levels of crime, and the proposed layout is in general terms acceptable.
48. **National Grid** – National grid will not be affected by this application.
49. **Sport England** – Sport England does not wish to comment on this application.
50. **NetworkRail** – A number of level crossings are located within the surrounding area of the application site. The safety of the operational railway and of these crossings is of highest importance to Network Rail. The proposed 220 dwellings is likely to have an effect on the level crossings. It is probable the use of the old rail link between Barrington and Foxton station would increase use of the Barrington road foot crossing. Networkrail is keen to discuss further the opportunities to improve safety at the crossing.
51. **English Heritage** – Express concern that residential development of the site in close proximity to the quarry may prevent the resumption of quarrying for clunch in the future, and that in turn would have implications for the long term availability of clunch and the maintenance of a number of highly graded heritage assets in the region.
52. The development will have the appearance of a suburb or urban extension but is sited away from any existing settlement, and will have an awkward relationship to Barrington and Barrington Conservation Area. While the existing redundant industrial appearance of the site may be regarded as negative impact on the wider setting of Barrington conservation area the introduction of over 200 dwellings will also have the potential for harm.
53. **Wildlife Trust** – The applicants have addressed our concerns over the scale of importance of ecological features and scale of impacts by stating they intend to mitigate any impacts regardless of scale. There is an overall net loss in habitat area so the quality of habitat created will be key to achieving biodiversity gains. No objection if the implementation of high quality habitat creation and nature conservation management plan are secured for the long term.
54. **Environment Agency** – (flood risk) No objection. The proposed discharge rates have been revised down to the equivalent greenfield conditions. Even given the

uncertainties involved with the brownfield run off rates, this proposal is significantly better over the existing situation. Pleased to see the drainage strategy includes removal of the culverts on site to open up the ordinary watercourse which will reduce flood risk and provide new habitat for wildlife. Whilst we have previously objected to this application, the revised drawings have demonstrated that the development will significantly reduce downstream flood risk, improve water quality through the introduction of SUDS and provide ecological benefits through removal of watercourses for culverts. Recommend conditions requiring the development be carried out in accordance with the Flood Risk Assessment and for the provision of a surface water drainage scheme.

55. (conservation) No conservation objections. It is important the protected species identified are protected during any construction works. Appropriate mitigation measures should be put in place and any habitats provided as mitigation should be established before habitat is lost due to construction.
56. (environment management) The development will be acceptable subject to conditions covering foul and surface water drainage and construction method statement.
57. (site specific comments) The site is located above a Principal Aquifer, Water Framework Directive (WFD) groundwater body, WFD drinking water protected area and is adjacent to a watercourse that leads to River Cam/Rhee. The site is of high sensitivity and could present potential pollutants to controlled waters. Recommend conditions relating to remediation strategy and piling/foundation design.
58. **Anglian Water - (Wastewater Treatment)** The foul drainage from this development is in the catchment of Foxton Water Recycling Centre that does not have the available capacity for these flows. However, an alternative Water Recycling Centre at Haslingfield does have the capacity and can accommodate the development. (Foul Sewerage Network) The sewerage system at present has available capacity for these flows providing the connection is made to manhole 3002 in Chapel Hill via a pumped regime at a maximum of 3.8l/s
59. **Barrington Church of England School** – Express reservations about the effects on the school.
- The school would struggle with accommodation. In line with Government requirements for adequate 'pre' and 'after' school provision, we have established a successful after school club that utilises the 'spare' classroom which would be affected by increased number of pupils.
 - As well as additional classrooms, there will be a need to assess other facilities required such as toilets, dining areas, play-areas, heating and drainage as well as car parking.
 - The impact on road safety is a concern
 - Happy Bunnies relocating to the school will cause logistical and safe guarding issues which have not been addressed.
60. **West Cambridgeshire Hundreds Group** – The applicants should be held to account should they manage to disrupt or destroy the existing habitat, and their attempts at enhancements fail, as when 'replacing' destroyed habitat with so called 'like for like' this is all too common an occurrence, and by then it is too late, as the species are lost permanently.

61. **Campaign for the Preservation of Rural England** – Object. Number of dwellings is out of proportion to the village, increase in population would overwhelm village facilities, contrary to policy ST/6, village has poor transport which would encourage car ownership, unsustainable site for this scale of development. The site is appropriate for 10 dwellings.

Representations

62. Three letters of representation has been received supporting the development stating this would be good for the village providing much needed housing, remove a decommissioned industrial presence on the doorstep of the village, and make effective use of a brownfield site.

63. 104 letters of representation have been received opposing the scheme for the following reasons;

- Non-compliance with draft Local Plan
- Not sustainable location
- Adverse impact on traffic congestion
- Lack of proper consideration of alternative sites
- Surface water drainage and flood risk implications for Barrington
- Insufficient impact on sewerage
- No capacity at primary school
- No capacity at surgery
- Result in a satellite housing only complex
- Disproportionate increase in size of village
- Insufficient infrastructure
- Lack of public transport in Barrington
- Lack of services in the village
- There is no need for the affordable units, recent developments have secured the previously unmet need
- Adverse impact on SSSI
- Only people to benefit will be CEMEX shareholders
- Cycleway to station not likely to be used

Planning Comments

64. The former CEMEX cement works site comprises 9.88ha of previously developed (brownfield) land located close to but separated from, and to the north of Barrington village. The factory ceased production in 2008, with the loss of 80 jobs, and was decommissioned in 2012 and has since remained redundant. The site is served by a number of vehicular access points (only one is currently in use) off Haslingfield Road as well as a railway line which runs from Foxton station.

65. The quarry immediately to the north of the site has partly been restored to agriculture, with a further area waiting restoration. This land benefits from County Matters consent for the importation of inert material by railway, with this scheduled to begin in 2015. The conditions attached to this permission require the works to have finished by 31 December 2018

66. Part of the quarry, which is not proposed to be restored, still holds limestone 'clunch' which is used in the restoration of historic buildings, however the planning permission for extraction of this material has lapsed. Leachate (liquid that in the course of passing through matter extracts soluble or suspended solids) is

removed from the site with an average of 2 tanker movements per day between the hours of 07:00 and 18:00, with this proposed to continue.

67. The application proposal relates to the previously developed land (cement factory) where consent is sought for up to a maximum of 220 residential units. Additionally it is proposed to provide a shared pedestrian and cycle link to Foxton railway station, pedestrian/cycle connections through the woodland to Barrington and a car park to serve the primary school, along with 2.01ha of agricultural land given over to formal and informal open space including allotments.
68. 40% of the dwellings are to be affordable, on a 70/30 rented to shared ownership basis. In terms of mix at least 40% of the homes will be 1 or 2 bedroom, with circa 25% 3 and 4 bedroom respectively.
69. The application seeks outline permission (access only) with the matters of layout, scale, appearance and landscaping reserved.
70. The development represents EIA development as defined by The Town and Country Planning (Environmental Impact Assessment) Regulations and as such the application was accompanied by an Environmental Statement. The information contained within this statement has been used in assessing the proposal.

Principle of development

71. The NPPF requires Councils to boost significantly the supply of housing to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
72. On the 25 June 2014 in two appeal decisions for sites in Waterbeach the Inspectorate 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 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. These 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 new development in villages). The Inspectorate did not have to consider policy ST/6 but as a logical consequence of the decision this should also be a policy 'for the supply of housing'.
73. 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.

Is the site a sustainable location for 220 residential units?

74. Paragraph 17 of the NPPF sets out a number of core planning principles including:

- encouraging the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental quality
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities to meet local needs

75. The NPPF states there are three dimensions to sustainable development: economic, social and environmental.

Economic

76. Paragraph 19 of the NPPF advises the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth, and significant weight should be placed on the need to support economic growth through the planning system.

77. The proposed development would give rise to a number of economic benefits. In the short term this would include the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from increased activity. In the long term the provision of housing would help meet the needs of businesses in Cambridge and London, where there will be a realistic travel option by train for future residents. For these reasons the scheme would bring positive economic benefits thus complying with this dimension of sustainable development.

Social

Provision of new housing including affordable units

78. Chapter 6 of the NPPF relates to 'delivering a wide choice of high quality homes' and seeks to '*boost significantly the supply of housing*' placing importance on widening the choice of high quality homes and ensuring sufficient housing (including affordable housing) is provided to meet the needs of present and future generations.

79. The development would provide a clear benefit in meeting the current shortfall in South Cambridgeshire through delivering up to 220 residential dwellings. 40% of these will be affordable on a 70/30 rented to shared ownership basis in compliance with the development plan. In terms of mix, at least 40% of the homes will be one or two bedrooms and 25% three bedroom and four bedrooms respectively, in keeping with policy requirements. Securing both the affordable homes as well as the overall (affordable and open market) mix of houses can be achieved via S106/condition. Officers are of the view the provision of up to 220 houses at a tenure and mix in conformance with adopted policy, is of substantial

benefit and significant weight should be attributed to this in the decision making process.

80. 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 through exception sites. 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.
81. The Planning Practice Guidance (PPG) advises that where a vacant building is brought back into lawful use, or is demolished to be replaced by a new building the developer should be offered a financial credit equivalent of the existing gross floorspace of relevant buildings when the local authority calculates any affordable housing contribution. Vacant building credit does not apply where a building has been abandoned. Officers are of the view, given the length of time since the last use of the site and owners intentions not to restart production, the buildings have been abandoned and no 'credit' is applicable towards reducing the level of affordable housing.

Housing delivery

82. The applicant suggests all of the 220 units will be delivered by 2020 (within 5 years from date of outline consent) primarily due to the very strong demand from house builders (Barrington's high values) resulting from the general attractiveness of the village and its proximity to the University, M11 and Foxton railway station which offers access to the mainline stations at both Kings Cross and Liverpool Street.
83. Officers are of the view that whilst significant remediation of the site is necessary, given the applicants expertise in this matter and very strong demand in this village the majority, if not all, the new houses are likely to be delivered within 5 years. In order to encourage early delivery, officers are of the view it is reasonable to require the applicants to submit the last of the 'reserved matters' application within 2 years from the grant of outline consent, with work to commence within 12 months from such an application being approved.

Open space

84. The development includes the provision of formal and informal public open space, including allotments and Multi Use Games Area, covering a total of 2.01ha, immediately adjoining the residential units. The details of the type and specification of this open space is to be agreed at reserved matters stage, with the long term management of this land secured through the S106. The extent of proposed open space exceeds the guidelines set out in the adopted SPD (Open space in new developments) and will provide for the needs of future residents.
85. Barrington is already served by a large area of both formal and informal open space and whilst the extent of the new provision is welcome, the wider social benefits are limited.

Services and facilities

86. 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.

87. Barrington 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. Furthermore there are no employment opportunities within the village.
88. This lack of services is reflected in Barrington being designated 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.
89. Barrington is located in close proximity to the villages of Orwell, Shepreth, Haslingfield, Harlton and Harston, which are all small settlements categorised as either 'Group' or 'Infill' villages, and as such the collective services offered locally is limited.
90. The provision of up to 220 new houses will assist in maintaining the existing level of services offered in both Barrington and surrounding villages and some weight is given to this benefit, as per paragraph 55 of the NPPF.
91. However the scale of development (220 houses) would represent a significant increase in the size of the village (467 properties) which does not have a range of services and facilities new residents would be expected to use. Furthermore these services are not available in adjoining villages. This lack of service provision weights against the proposal, and Members will need to take this into account in reaching a decision.
92. Residents living in Barrington access primary health care services at Harston surgery and to a lesser extent Melbourn, with the NHS advising there is no spare capacity at either surgery and requesting 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 Harston surgery. Officers have visited the surgery 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).
93. The extension to the surgery would provide a single new GP consultancy room along with further office space, with this additional accommodation capable of serving 1800 patients (NHS guidelines) thus meeting the primary health care needs arising from both this development and at Hauxton.
94. The consultation response from Harston surgery to SCDC advised there was capacity (subject to extending the building) to accommodate this development; however subsequent correspondence to the Parish Council stated this was not the case. When seeking clarification officers were directed to NHS England. NHS England guidelines are clear in advising a ratio of 1800 patients per GP. With the provision of an additional consultation room, this would cater for the increased

needs arising from both this development and the Hauxton scheme. Financial contributions towards extending the surgery would be secured through the S106.

95. The development proposes funding for three additional classrooms at Barrington primary school, with there being sufficient capacity on site to deliver these. The funding will be secured through a S106, with no further contributions sought by the County Council education officials. Sufficient capacity exists at Melbourn Village College to accommodate the increased number of pupils.

Transport

96. One of the core principles of the NPPF is to '*actively manage patterns of growth to make the fullest possible use of public transport*'. Chapter 4 relates to 'Promoting sustainable transport' and advises '*the transport system needs to be balanced in favour of sustainable transport modes*', and goes on to state '*different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas*'. In summary the NPPF seeks to promote sustainable transport solutions, whilst recognising the difficulty of achieving this in rural areas.
97. Bus provision is limited to three services, Orwell-Haslingfield-Cambridge, Royston-Haslingfield and Cambridge-Royston. The closest railway stations can be found at Foxton and Shepreth both of which are circa 3km from the site. From these stations regular services are offered to Cambridge and London. With limited bus provision and with the railway stations only realistically accessible by private car the village is poorly served by public transport.
98. The application proposes to provide a pedestrian/cycleway link along the current railway line to Foxton station, with this to be installed prior to occupation of the first dwelling. Constructing this link, its long term maintenance and provision of additional cycle storage facilities at the station can be secured by S106.
99. Officers are of the view this pedestrian/cycleway will encourage use of the railway for both new and existing residents, and is likely to prove attractive for commuters working in London and Cambridge (where access will be provided to the new station serving the Science Park). As such the provision of this cycleway/footpath will limit the increase in commuting by private car arising due to this development, as well as providing opportunities for existing residents to more easily access the train station by foot/cycle.
100. However, for almost all other journeys (e.g. retail food shopping, leisure pursuits) new residents are likely to commute by private car (due to this being more convenient), resulting in an increase in movements.
101. The county council highways authority transport assessment team raise no objection subject to conditions relating to the provision of the cycle/pedestrian link, provision of bus stops, travel plan and upgrading of the footpath connection to the village. County Council Highways Development Management also do not oppose the development subject to a requirement the car park opposite the school only be installed if required by the review into the schools travel plan.
102. Many of the representation from both Barrington residents and those residing in neighbouring villages express concerns over the impact of increased traffic on already congested roads, highlighting queuing traffic at a number of pinch points.

Whilst these concerns are frustrating for local residents, the highways authority does not oppose the scheme on grounds of either safety or capacity.

Environmental

Landscape

103. The existing site comprises a number of buildings including some very large sheds/machinery along with a tower which is a distinctive feature in the wider landscape. Short views of the site are restricted by the mature woodland which runs along Haslingfield Road and limits views in to the points of access.
104. Given the site's former industrial use and limited views, the development will result in a neutral impact on the landscape character. The Council's landscape officer advises further landscaping is required, in particular to mitigate views from the north and this can be controlled by condition.

Connections to Barrington

105. A large number of local representations draw attention to the development site being separated from Barrington village, referring to the scheme as a 'satellite' housing estate or 'Barrington North'.
106. The development site is physically separated from the village by an area of woodland and is only proposed to be connected via two footpaths, one of which is to provide access to the school. With most movements to and from the site likely to occur by private car the development does not form a natural extension to the built form or encourage new residents to integrate into the village. Officers are of the view the built form of the development is incongruous with the established pattern of the settlement, and the lack of integration detracts from the merits of the scheme. The level of this harm is offset through the removal of a derelict factory site.

Ecology

107. The application is in close proximity to the Barrington Chalk Pit and Barrington Pit SSSI, with Natural England satisfied the proposed development will not damage or destroy the interest features for which the site has been notified and conclude these statutory nature conservation sites do not represent a constraint in determining this application.
108. The Wildlife Trust note that whilst there will be an overall reduction in habitat loss (mainly due to arable land and open mosaic brownfield land) this can be adequately compensated for through an improvement to the quality of the habitat created. These improvements will be secured by condition/S106 and provide new habitat creation and an ongoing management plan.
109. The Council's ecologist is satisfied the habitat creation and management plan results in a diverse range of habits and provides sufficient mitigation.
110. The Environment Agency request conditions relating to the disposal of foul and surface water drainage and provision of a construction method statement in the interests of environmental management. Further conditions requiring a remediation strategy as well as details of any piling/foundation design/boreholes are recommended to deal with risks associated with contamination.

Heritage assets

111. A large part of Barrington village is designated a Conservation Area including land to either side of Haslingfield Road extending up to the boundary with Church Farm. Additionally the village contains a number of listed buildings.
112. English Heritage advice the development will have an awkward relationship to Barrington Conservation Area, neither forming an independent settlement in its own right nor forming an integrated part of the existing village. This response further advises the existing redundant industrial site may be regarded as a negative impact on the wider setting of Barrington Conservation Area but that the introduction of over 200 dwellings would also have the potential for harm.
113. The Council's conservation consultant advises the new development is considered to be sufficiently screened/separated from both the Conservation Area and historic buildings to prevent any detrimental impact.
114. Officers are of the view there is sufficient separation between the application site and village that the principle of replacing the derelict cement factory with residential development offers the opportunity to improve the setting of the Conservation Area, with the details of such a scheme considered at the reserved matters stage.
115. There are numerous listed buildings within the wider vicinity of the site (124 within 2km radius of site boundary), including eight within 100m as follows (Grade 2 unless otherwise specified): Gates and Gatepiers at Barrington Hall, Lodge at entrance to Barrington Hall, Barrington Hall, Church Farmhouse, Primary School, Barn at Rectory Farm, Rectory Farmhouse and Church of All Saints (Grade 1). All these buildings are sufficiently separated from the development by the mature woodland such that no harm to their setting would arise.
116. The construction of the car park and access could potentially harm the setting of the school and Church, however the details of the car park would be secured at reserved matters stage and officers are of the view this aspect of the scheme can be delivered without materially affecting the setting of any listed buildings or the Conservation Area.
117. The site has been in industrial use for a prolonged period of time and is part of the historical context of the village, and appending a condition requiring the industrial heritage be recorded is reasonable and necessary.
118. Cambridgeshire County Archaeology advise the site is located in an area of high archaeology potential with evidence of prehistoric, Roman and Saxon settlements, with a number of investigations in connection with the former quarry demonstrating the significance of the area for late Prehistoric and Roman period. The major impacts of the development will be within previously disturbed ground, with less impact where areas of archaeology is likely to survive, and it is considered this issue can be addressed by condition.
119. The quarry behind the site provides the only accessible source of clunch, a soft building stone used in the restoration of a significant number of highly graded listed buildings, in the county. The last consent allowing the quarrying of clunch has lapsed and any further quarrying would be subject to a new county matters planning application. English Heritage express concern this development may

prevent future quarrying of clunch, due to noise disturbance to the new residents, thus undermining the long term repair of listed buildings.

120. The reserves of clunch lie within the quarry approximately 750m from the site with any future working involving pulling away the material from the quarry face. Minimal disturbance would result from this activity and future quarrying of clunch would unlikely be prejudiced by this development.

Brownfield site

121. One of the core principles in the NPPF is to encourage the effective use of land by reusing land that has been previously developed (brownfield land). The whole of the site proposed for new housing comprises previously developed land thus conforming with this objective of national planning policy. Officers are of the view significant weight should be attributed to this benefit.

Loss of agricultural land

122. The development will result in the loss of 2.1ha of agricultural land, which is to be given over to public open space. This agricultural land is grade 3, and as such the loss is not significant.

Surface and Foul Water Drainage

123. The Environment Agency advise the proposed discharge rates for surface water drainage are the same as the equivalent rates of greenfield runoff, and the proposal represents a significant betterment over the existing situation. The agency go on to highlight the development will significantly reduce downstream flood risk, improve water quality through the introduction of SUDS and provide ecological benefits through the removal of watercourses from culverts.

124. Foul water is to be discharged via mains sewer with Anglian Water confirming there is sufficient capacity to cope with the development.

Noise and disturbance

125. The Council's environmental health officer advises that without mitigation the restoration activities associated with the quarry would result in an unacceptable impact on the living conditions of future residents. The quarry is within the control of the applicants and subject to mitigation measures such as installing earth bunds, acoustic fences, controlling hours of restoration no harm arises through noise disturbance.

126. No adverse concerns are raised with regard to air quality subject to the appending of conditions.

Other considerations

National Grid, Police, Sport England

127. No objections have been received from the National Grid, Police Architectural Liaison Officer or Sport England

Restoration of the quarry

128. The County Council have confirmed the granting of residential use on this site will not affect the ongoing restoration of the quarry or conflict with adopted minerals and waste policy.

Contributions

129. The CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (i) Necessary to make the development acceptable in planning terms;
- (ii) Directly related to the development; and
- (iii) Fairly and reasonably related in scale and kind to the development

130. Under Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended in 2014); after 6th April 2015 a planning obligation may not constitute a reason for granting planning permission if since 6th April 2010 five or more separate planning obligations, that provide for the funding or provision of that project or type of infrastructure, have been entered into. Officers can confirm that there have not been more than 5 planning obligations for the village of Barrington since 6th April 2010.

131. Following lengthy discussions with the planning authority, the Parish Council and elected members the applicant has offered the following heads of terms:

- Building 3 new classrooms at Barrington Primary School at £1,010,520
- Provision of pedestrian cycle links and improvements to Foxton Station Traffic Management within Barrington Village, Bus Service and Infrastructure Improvements at £2,040,00
- New village hall and refurbishment of existing sports pavilion at £1,465,000
- Provision of new football pitch, two tennis courts, car park serving the recreation facilities, land for allotments at £292,000
- Healthcare contribution at £185,900
- Household waste receptacles at £17,136
- Public open space maintenance at £200,000
- Transfer of land to Barrington Parish Council

132. Having regard to the development plan and the NPPF Officers are of the view that these obligations are all considered necessary to make the development acceptable in planning terms and without this level of contribution would not be confident that the development could be considered sustainable. All contributions have been scrutinised and are considered the result as a direct consequence of the development. Although the section 106 list (equivalent to £23,715 per dwelling) is higher than anything previously secured in the District, officers consider that this cost is reflective of the individual needs of the village and is therefore considered fairly and reasonably related in scale and kind.

Conclusions

133. In determining planning applications for new housing development where the council does not have an up-to-date 5 year housing land supply, the balancing exercise is skewed in favour of granting permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

134. Paragraphs 6-9 of the NPPF indicate that 'sustainability' should not be interpreted narrowly and that the three dimensions (economic, environmental, social) of sustainability should be sought jointly and simultaneously. Officers are of the view the proposal would have a clear direct and indirect economic dimension, and offers the opportunity for social benefits arising through the delivery of new homes, including affordable houses, which contribute to the council's shortfall at a mix and tenure in conformance with the development plan, along with expanding the school and maintaining other services and facilities in Barrington and surrounding villages.

135. The environmental dimension is more ambiguous. Benefits arising from the development include redeveloping a derelict brownfield site and new habitat creation. Adverse effects which arise include the development being out of keeping with the character of the village (significantly tempered by the industrial nature of the site), increase in use of the private car (tempered to a lesser degree through the provision of the cycleway/pedestrian link), and limited range of services and facilities including employment opportunities in Barrington and surrounding villages.

136. It is appreciated Members are faced with a difficult balancing exercise. Planning law requires applications be determined in accordance with the development plan unless material considerations indicate otherwise. Officers are of the view, that on balance, the harm arising from the scheme does not significantly and demonstrably outweigh the benefits that include redevelopment of a derelict brownfield site which will deliver up to 220 dwellings, including 40% affordable, and as such there are material considerations which justify approval. For the above reasons the application is recommended for delegated approval subject to completion of a S106 Agreement.

Recommendation

137. Approve subject to conditions and completion of a Section 106 Agreement. Member will be updated on the list of conditions prior to the committee meeting.

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 or elsewhere at which copies can be inspected.

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

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2791/14/OL
Parish:	Melbourn
Proposal:	Outline planning application (including approval of access) for residential development of up to 199 dwellings plus a care home of up to 75 beds, new vehicular accesses from New Road, public open space and a landscape buffer
Site address:	Land East of New Road
Applicant:	Endurance Estates Strategic Land Ltd
Recommendation:	Delegated approval
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, 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 officer recommendation is contrary to the recommendation of refusal from Melbourn Parish Council
Date by which decision due:	27 February 2015

Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 199 dwellings, plus a car home for up to 75 beds, on land 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 scale and 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 any adverse impacts of the development in terms of the scale of development, visual intrusion into the countryside, impact on local services and highways/transport are not considered to demonstrably outweigh the benefits that consist of a contribution of 199 dwellings towards the required housing land supply, including 40% affordable dwellings, and a 75 bed care home and associated employment benefits, in a location with good transport links and a range of services, and creation of jobs during the construction period, and from the care home, that would benefit the local economy. Given the above balance, the application is recommended for delegated approval, subject to the resolution of matters of detail discussed in the report, including the signing of a Section 106 Agreement.

Planning History

3. There is no relevant planning application history on the application site.
4. The site was however considered as part of the Strategic Housing Land Availability (SHLAA) Site 3200, and was assessed at the Issues and Options Stage of the Local Plan as Site H7. This assessment identified the site as an 'amber' site suitable for consideration for allocation as a housing site, and found that it had some development potential, with a capacity for around 200 dwellings to be accommodated. It concluded that development would have a limited impact on landscape setting if a new soft green edge was created to the south.

Policy

5. **National**
National Planning Policy Framework
Planning Policy Guidance
6. **South Cambridgeshire Local Development Framework Core Strategy**
ST/2 Housing Provision
ST/5 – Minor Rural Centres
7. **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 Density
HG/3 – Affordable Housing
SF/6 – Public Art
SF/10 – Outdoor Playspace, Informal Open Space, and New Developments
SF/11 – Open Space Standards
NE/1 – Energy Efficiency

NE/3 – Renewable Energy Technologies in New Developments
NE/4 – Landscape Character Areas
NE/6 – Biodiversity
NE/9 – Water and Drainage Infrastructure
NE/10 – Foul Drainage – Alternative Drainage Systems
NE/11 – Flood Risk
NE/12 – Water Conservation
NE/14 – Lighting Proposals
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
TR/4 – Non-motorised Transport

8. **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
Health Impact Assessment – Adopted March 2011

9. **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/9 – Minor Rural Centres
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
H/7 – Housing Density
H/8 – Housing Mix
H/9 – Affordable Housing
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
T/1 – Parking provision

Consultation by South Cambridgeshire District Council as Local Planning Authority

10. **Melbourn Parish Council** – recommends refusal. It has provided very detailed submissions outlining the Parish Council's objections to the proposed development, including a transport assessment carried out by a highways consultant, a full copy of which is attached as Appendix 1.
11. The Parish Council has also submitted a document summarising 1167 representations it received as a result of its consultation process.
12. In the summary of the reports the Parish Council states that its objections are on the grounds that:
13. 'The principle of development is unacceptable because:
 - a. According to the adopted Proposals Map (2011) and Policy DP/7 in the Development Control Policies DPD 92007), the site is located in the 'open countryside' where there is a general presumption against new development;
 - b. The proposed development is contrary to Policies S/7 and S/9 and the open countryside designation in the emerging Proposed Submission Local Plan 92013/14) and;
 - c. Notwithstanding any case on five-year housing land supply, the proposed development does not accord with the majority of the economic, social and environmental objectives set out in paragraph 7 of the NPPF (2012), and as such does not qualify as 'sustainable' development under the NPPF's presumption in favour of sustainable development.
14. The proposed development is premature and risks prejudicing the emerging Proposed Submission Local Plan (2013/14) and its examination, and any decision or recommendations that the Inspector may make in the Spring/Summer.
15. The applicant's Transport Assessment (TA) and Travel Plan: (i) are flawed where they assign generated flows at the junction of Mortlock Street/High Street; (ii) do not consider the impact of development traffic generated on local conditions outside of the junctions modelled; and (iii) proposed works and measures to mitigate impact that are weak and ineffective with no guarantee or either their implementation or success. Until these issues are addressed, it is not possible to ascertain whether or not the proposed development complies with Policies DP/3 and TR/3 in the Development Control Policies DPD (2007) and emerging Policy TI/2 in the Proposed Submission Local Plan (2013/14).
16. The proposed development is too large and out-of-proportion for a 'Minor Rural Centre' like Melbourn and will harm the character of the village, village life and place an additional burden on key village facilities, contrary to Policy ST/5 in the Core Strategy (2007), Policy DP/3 in the Development Control Policies DPD (2007) and Policy TI/2 in the Proposed Submission Local Plan (2013/14).
17. The proposed development will create unnecessary landscape and visual harm to the surrounding environment and countryside, contrary to Policy NE/4 in the Development Control Policies DPD (2007) and Policy NH/2 in the emerging Proposed Submission Local Plan (2013/14).

18. Melbourn Parish Council has a number of other concerns about the proposed development, including the loss of a locally important tree, the scope for failures in the local sewage system, deficiencies in the applicant's Flood Risk Assessment and Drainage Strategy, and other locally known highway concerns.
19. Melbourn Parish Council's 2014 consultation results clearly demonstrate that the majority of local respondents are opposed to the proposed development.
20. In conclusion, the proposed development is contrary to the statutory development plan and in the absence of any overriding material considerations, should be refused planning permission in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.'
21. A further representation has been received in respect of the revised Transport Assessment, which is attached at Appendix 2. The Parish Council comments that it disagrees profoundly with the conclusions of the TA. The Parish Council has also submitted a list of conditions it would wish to see included should consent be granted.
22. **Cambridgeshire County Council Highways Development Control** – originally objected on the grounds that the proposed access conflicts with the proposed access for a site which has been identified within the SHLAA opposite to this site. Therefore, potentially creating a crossroads which, due to their poor accident record is unacceptable to the Local Highway Authority.
23. Following further consideration of an updated access and plan, and additional information it has no objection in principle to the proposed access from New Road, subject to conditions, including the provision of a raised table junction, speed management measures, new footway and cycleway links along New Road.
24. **Cambridgeshire County Council Transport Assessment Team** – commented in respect of the application as originally submitted that further assessments were required in respect of speed survey information on New Road; clarification of distances that residents within the development will have to travel for public transport services; whether real-time information is available at the bus stops nearest the site; further details detailing at what time of day the survey of current traffic flows was carried out; suitability of proposed access to cater for traffic flows; recalculation of nursing home trips; revised distribution calculations and travel mode split, assessment of A10 Frog End and A505 junctions; detailing of mitigation measures including bus stops, improvements to pedestrian and cycle routes and community transport, and cycle stands.
25. Following discussions with the applicant and the submission of further information the revised comments were submitted still requiring some additional information. Since these comments there has been further discussions with the applicant, as a result of which there are no objections subject to the requirements in paragraph 22 being secured and the following:
26. Improvements to existing bus stops along High Street, including shelters and Real Time Passenger Information (RTPI) (design to be agreed with CCC and Melbourn PC); a new community transport vehicle; new on site car club to serve new residents and existing local residents; upgrades to the traffic signal junction in Melbourn including MOVA; contributions towards the safety scheme at the Cambridge Road/A10 junction; new cycle stands in Melbourn Village and near to the train station in Meldreth; contribution towards the A10 cycleway; a contribution towards improving

public footpath No.9 between Station Road and the railway station; travel plans to be secured through condition.

27. **SCDC Urban Design** – ‘Though the site is out with the village framework, is it within a sustainable location, the site it is largely surrounded by development on three sides, and residential development continues along the opposite side of New Road beyond the extents of the site. The topography of the site will help minimise the impact of any development of this site, as the land beyond rises so the potential for any long views into the site is minimised. For these reasons, the principle of development on this site is therefore not objectionable. The number of units proposed also appears acceptable, though any increase should be resisted as it is likely this will be at the expense of the open space.
28. Any development here will form a new edge to the village, and this will need to be considered carefully. The parameter plans includes a substantial green buffer along the southern boundary of the site. This appears appropriately sized to provide a meaningful buffer/recreational space, and should not be reduced in width as the detailed plans come forward.
29. The vehicular access point appears logical. Given the existing boundary constraints, particularly the backs of houses, there are limited opportunities for connections. The masterplan includes a pedestrian link at the northwest corner of the site, this should definitely be included to increase permeability. Opportunities for connections to existing rights of way etc should be made wherever possible.
30. There are a number of issues to address in the masterplan should a detailed application be developed. These include providing a suitable frontage to New Road, the quality of the green spaces, parking arrangements, distribution of the affordable housing, and incorporation of renewable energy measures.
31. **SCDC Landscape and Trees** – Landscape – No objection. As indicated above, the proposed landscape buffer to the southern boundary of the site should be instigated to avoid or reduce the effects of the proposed development on the edge of the village settlement. A minimum of 10m of woodland mix vegetation should be incorporated as mitigation works.
32. Conditions should include submission of full details of both hard and soft landscape works; five year replacement planting for both trees and shrubs following completion; ‘no-dig’ construction in route protection area; boundary treatment to dwellings; external lighting scheme; hard landscape works to include details of kerbs, paving materials, edging and street furniture.
33. **SCDC Ecology** – No objection. The South East boundary is very much welcomed having a minimum depth of 30m. This enables it to provide a multiple of functions (screening, habitat provision and public open space together with a wandering path).
34. It is noted that the parameter plan has a significant overlap between the residential development land and the proposed strategic green buffer which equates to 10m, why is this? This could potential result in what looks like a large green buffer being reduced by 10m with a loss to habitats and open space.
35. The use of partial tree screening in the South East boundary is welcomed as the blocks of trees do not disconnect people from the open farmland to the south. The blocks of trees provide a softer transition from the farmland habitats to the residential development and its open space.

36. Beech trees are present as hill top copses and plantations in this part of the district. Their use along with other chalk favouring species (privet, guelder rose and spindal) would be considered appropriate.
37. The existing traditional orchard should be viewed as an important biodiversity resource for the site (albeit just offsite). The habitat appears to have been extended through the planting of further orchard trees around the pumping station – can this been confirmed as correct? What other areas of orchard planting are proposed, are they in the SE boundary? At the full application stage gardens backing on to the orchard should also be planted with some fruit trees.
38. The development could adopt an orchard theme. Can a community orchard be established in the central open space?
39. The use of soakaways in public open spaces (rather than rear gardens) would provide an opportunity for habitat provision and ensure that they remain well maintained (soakaways in gardens may be redevelopment/interfered with in future leading to problems). Publically accessible SUDS would provide opportunities for habitat integration in to features such as swales and could be planted to provide complementary habitats to the drier parts of the site.
40. There is a degree of north to south habitat corridor provided by the trees associated with the paths leading to the central open space, similar is provided near to the west of the site. The final provision of street trees is very important to achieving these green links. Can it be confirmed that street trees can be and will be provided as this outline plan indicates?
41. The proposal for fence lifting by 200mm (or simply leaving out the gravel boards at fence bases) is welcomed along rear boundary fences so that small animals (hedgehogs and amphibians) can gain access to some gardens.
42. A range of specialist bird and bat boxes should be erected upon buildings. The built-in/integrated forms are preferential to externally added ones.
43. Specialist seed mixes, such as those that can provide flowering lawns, should be used in public open spaces where requirements are not for meadow habitats. If a quick sward establishment is required then the use of turf mat should be proposed. A reduction in basic amenity grass could act as a catalyst for a reduction in the overall mowing regimes of public open spaces.
44. The findings of the ecological assessment of this site are accepted. That being that skylark, corning bunting and dunnock hold territories just off of the site, that only a small parcel of land has potential for reptiles and that no significant arable plants occur in the site. The provision of semi-natural grassland and shrub habitats within the green buffer will provide further nesting sites for some species of farmland bird that nest in hedgerows or in undisturbed rough grassland zone.
45. **Design Enabling Panel** – concluded that this was a well-presented development proposal which demonstrates the evolution of the general design development to date but, which is capable of further improvement through further consideration.
46. It stressed that its comments and opinion were based solely on the design/layout of the proposal. It was acknowledged that the site is outside the settlement boundary, and is not presently designated for development.

47. The Panel was of the view that there is scope to develop a more efficient road layout, with particular regard to the public open space. The Panel questioned the need to have the central green space bisected by a vehicular route in addition to the perimeter vehicular access, which served all the outward facing dwellings.
48. The general approach of having areas of different character and density was broadly supported and encouraged.
49. The siting and detail of the retirement/care home was questioned, together with issues such as the siting and quantity of parking (insufficient provision?).
50. The scale of the care home and the impact upon the street scene on entering the site and in 'opposition' to relatively modest housing opposite with significant difference in scale and bulk did not convince the Panel.
51. It was considered that the scheme would benefit from a more active relationship to New Road and provide more visual engagement, notwithstanding the potential to maintain some perimeter planting and screening to the road.
52. The south east linear green space was supported, and the potential to provide buffer planting but still maintain views, both in and out of the development, was encouraged. The opportunity to create a space of significant external interest and activity should be explored and developed. As well as physical activity this might include an element of public art.
53. It was considered that there is scope for significant landscaping to the north east and south perimeters, and to respond differently accordingly to the neighbouring land use and character e.g. the need to maintain mutual privacy from houses to the north. The opportunity to have a softer buffer/some continuity of fruit trees and orchard to the east, and the scope for breaks in a substantial planting and green buffer to the south and open farmland beyond.
54. With regard to the dwellings fronting the central green space, scope for some increase in height and bulk at least in part. This in turn would allow some breaks in built up frontage to create greater visual permeability and maintain views, or at least glimpses, beyond the site, such as the framed views illustrated within the 'Initial Ideas Plan'.
55. Consideration has been given to the car users experience as they drive through the development, but the same thought needs to be given to the pedestrian experience. There is scope to improve and enhance the quality of the pedestrian connections across the site, especially linking into the linear green space, with minimised road crossings and tying in with open vistas in and out of the site, again as shown in the 'Initial Ideas Plan'.
56. The Panel would strongly encourage any potential links to surrounding streets and land, and thereby prevent this potential development becoming one large cul de sac.
57. Further consideration/detail needs to be given regarding the nature of the central green space, how it will be used and what it will contain. The inclusion of orchards in this particular location was questioned.

58. The potential to maximise dwelling orientation for optimal use of renewable energy sources should be a design driver (it was noted, and welcomed, that it is intended to provide a minimum 20% renewable energy).
59. It was noted that the car park provision obviated the need for parking courts, with a presumption in favour of curtilage parking, which was supported and encouraged.
60. It would appear that the housing/dwelling mix is appropriate, but the distribution of affordable dwellings needs further consideration, with pepper-potting across the site being strongly encouraged.
61. **Cambridgeshire County Council Education** – The County Council initially provided informal comments on the emerging development proposals in response to questions raised about the capacity of existing education provision in the village. County Council Officers have not met with the developers to formally comment on the emerging proposals.
62. County Council officers have met with the local County Councillor, District Councillors and representatives of Melbourn Parish Council to discuss the emerging proposals and the implications of these on education provision in the village.
63. In providing comments on the planning application, the County Council needs to be mindful of the existing provision in the village as well as the ability to secure additional capacity through the expansion of this provision. This is particularly important in considering a development of this scale, which is unlikely to generate sufficient additional demand to justify the development of new education provision.
64. County Council officers also need to be mindful of the ability and/or willingness of developers to secure or contribute towards the mitigation of the impact of the development. With regards to developments of this scale this can mean the developer being willing to make S106 contributions towards the expansion or provision of additional capacity. Through discussions on previous planning applications it has been made clear that if developers are willing to make appropriate contributions, the County Council would be at significant risk if they opted to object to the planning application.
65. This last point is particularly relevant in consideration of the planning application submitted in this case. County Council officers recognise that there is significant concern from many people within Melbourn about the capacity of existing provision to cope with the additional demand for places created by the proposed development.
66. *Early Years*
67. Early years provision in Melbourn currently consists of the pre-school, located adjacent to the primary school and the Little Hands Nursery. Both settings operate at, or close to, capacity and have limited opportunity for further expansion within their existing accommodation.
68. With existing pressures on provision in the village the County Council is already exploring opportunities for expansion of capacity of the existing providers to ensure that the two settings can provide sufficient places to meet the existing need.
69. There would therefore, be a need, for the developer to provide mitigation, in the form of a S106 contribution to enable the Council to either promote the expansion of one of the existing settings or to develop a new setting in the village.

70. There is concern that a S106 contribution would not be sufficient, as existing premises and sites may not offer sufficient capacity for further expansion. At this stage the County Council considers that there is the opportunity to explore expansion of the pre-school provision linked to the primary school site, as part of work to increase capacity at the primary school.
71. *Primary Education*
72. Melbourn Primary School currently operates with a Published Admission Number (PAN) of 45. The school is already operating over capacity, having made over admissions in many year groups to accommodate increasing demand from within the village resulting from demographic changes and recent housing development.
73. Demographic forecasts for the village suggest that there is a need to expand the school to meet the existing demand from within the village, regardless of the potential for further housing development in the village. There is therefore, a clear need for the developer to provide appropriate mitigation to address this additional demand.
74. Although it is accepted that there are some concerns that the current school site offers limited opportunity for further expansion, the County Council believes that there is the potential for the school to be expanded by a further half a form of entry (15 places in each year group). This would allow the school to operate a two class structure across all year groups, and would create sufficient additional places to meet the existing and forecast demand which would be expected from this site and other proposed housing developments currently identified in the village.
75. In this regard, although the County Council recognises the very real concerns expressed by the Parish Council at a recent meeting to discuss the development proposals, it is confident that it is possible to mitigate the impact of the development. In doing so, it is anticipated that the County Council as well as providing additional teaching space, would be able to improve the overall educational environment at the school.
76. Currently, with no detailed scheme for the expansion of the school, the County Council can only seek contributions based on the standard formula approach used by the District Council. This is far from ideal, and could lead to the County Council needing to secure additional investment from within its own five-year capital programme. This is a consequence of the pace and timing of the scheme coming forward for development. It is recognised and accepted however, that, subject to the developer making an appropriate contribution, proportionate to the impact of the development, the County Council is not in a position to object to the development proposals as submitted.
77. *Secondary education*
78. Melbourn Village College is the local secondary school serving the village. The college currently operates with a PAN of 148. However, the school currently has significant capacity within all year groups. Notwithstanding the increasing demand for school places across the County, this is forecast to remain the case for the foreseeable future.
79. Reflecting the level of existing capacity at the Village College, the County Council does not have any concerns that the proposed development would have an adverse impact on the available secondary school capacity.

80. In conclusion the County Council does have some concerns that the impact of this development may be challenging to mitigate, especially in terms of early years and primary school provision. However, the County Council has previously identified that the primary school site has the capacity to enable the expansion of the school to become a 420 place, 2 form of entry school.
81. For this reason, whilst retaining some concerns about the impact of the development, it is assumed that the developer will make an appropriate contribution to mitigate the impact of the proposed development. With a contribution towards mitigating the impact of the development proposals, there is no basis for the County Council to object to the development proposals as set out in the planning application regarding education provision.
82. Since submitting the above the County Council has now advised that the capital programme includes a programme for providing 2 permanent classrooms which will replace the existing temporary classrooms on the school site. Mitigation for the development would be to increase the capacity to a 2FE school by providing a further 4 classrooms in addition to the 2 previously mentioned. Early years mitigation could be found by relocating the current pre-school to a new building elsewhere on the school land, and thereby free up a further classroom which may be used by the primary school.
83. **Cambridgeshire Archaeology** – Archaeological evidence extends across the site and includes funerary and occupation remains of Middle Bronze Age date. Earlier evidence appeared to be confined to relict occupation soils containing Neolithic worked flints, which were preserved in the top of natural depressions in the chalk, but no ‘cut features’ of this date were seen in the evaluation trenches. Later evidence included a Roman trackway – part of the long-distance route of ‘Ashwell Street’, along with associated features that had a clear relationship to it, and are considered contemporary. 19th century land divisions and tracks were also present.
84. The Heritage Statement indicates that no extant heritage assets of national importance will be affected by this proposed development, and that no new assets of equivalent status exist on site. This statement is accepted.
85. While significant, none of the newly encountered archaeological evidence is considered to be of national importance or of sufficient local importance to prevent the scheme from going ahead. The construction impacts of the scheme could be mitigated by conducting a programme of archaeological work to conserve the interest of the archaeological deposits, features and monuments through their appropriate recording, analysis and publication.
86. There are no objections 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 phased negative condition.
87. **Cambridgeshire County Council Minerals and Waste** – comments that the submitted documentation omit any reference of the adopted Minerals and Waste Core Strategy (July 2011) and the linked RECAP Waste Management Design Guide SPD (February 2012). These both have policies and guidance which need to be reflected in the development’s Construction Environmental Management Plan (CEMP) and the Waste Audit and Strategy going forward. This is particularly important for both constructional and operational phases of the development.

88. Operational Waste – although at present only the TA makes reference to the South Cambridgeshire District Council waste collection service vehicles it is important that the applicant is aware of the other requirements set out within the RECAP Waste Management Design Guide SPD. This will take account of the need for recycling facilities and a financial contribution to the Household Recycling Centre service. This will need to be considered as part of the RECAP Tool Kit and Contributions Assessment that will need to be submitted at the Reserved Matters application stage. This requirement can also be secured by planning condition.
89. Compliance with the RECAP Waste Management Design Guide can be secured by condition and the submission of a CEMP can be required by condition.
90. **Cambridgeshire County Council Floods and Water** – comments that it is positive that the site has considered 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 a residential roads, therefore it should be considered at the early stages whether there are any other types of SuDS that can be used in the street scene, such as the use of infiltrating rain gardens. Overall there should be more emphasis on SuDS greenways across the site to try and enhance the ecology, amenity or street scene benefits that SuDS can bring more widely. Further detailed design is required to demonstrate how exceedance flows above the 1 in 100 year plus climate change event will be dealt with across the site without increasing flood risk to adjacent areas.
91. 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 the SuDS are adopted and provision is made for its maintenance, in perpetuity.
92. **Cambridgeshire County Council Sports, Arts and Museums** – Reference about how the new population will be accessing sports, museums and arts facilities should be provided. Developers stated that they have considered the Public Art SPD before compiling the application but there is no mention of public art being provided within the site.
93. The County Council suggests that contributions are sought towards sports, museums and arts provision to support existing facilities, e.g. the sports facilities at the Village College site could be enhanced. The amount will be compatible with SCDC standards for sport and general guidance for arts and museums.
94. Developers should be aware that there will be increased demand and that leisure/recreational/cultural facilities are important for community cohesion.
95. Consider avoid putting LEAPs in the middle of housing. It leads to older children congregating and making noise late into the night.
96. **Cambridgeshire County Council Libraries and Lifelong Learning** – Melbourn is currently served by 2 mobile library stops and a volunteer run Library Access Point. The development will be over half a mile from the Library Access point and therefore we will be asking for a contribution of £28.92 per increased head of population for a new mobile stop to serve the residents of this new development, especially the 75 residents of the care home.
97. **Environment Agency** – comments that the proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as

detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition. These are the demonstration of how appropriate protection and maintenance of the surface water drainage scheme will be achieved, and the provision of details of long term ownership/adoption of the surface water drainage scheme.

98. Conditions should also be included to deal with any contamination not previously identified which is found, and any remediation strategy required, and securing a scheme for the provision and implementation of a scheme for pollution prevention and control of the water environment.
99. **Anglian Water** – Initially commented that the foul drainage from the development is in the catchment of Melbourn Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows.
100. Following the receipt of correspondence from Melbourn Parish Council expressing concerns about the impact of further development in Melbourn, Anglian Water has met with representative to discuss their issues.
101. Initial desktop assessment indicated the network should be able to accommodate the development site without detriment and this formed the basis for Anglian Water's initial response to this planning consultation. However, Anglian Water has commenced detailed modelling of the foul network serving Melbourn to identify the impact of further development and to confirm if mitigation is required. The modelling will not be completed until the end of June 2015. With this in mind, it recommends, if the Council are minded to grant permission that a drainage condition is applied.
102. Anglian Water has indicated that on completion of the modelling of the Melbourn foul network if the proposed new development site at land east of New Road is identified as requiring mitigation, it will work proactively with the Developer to decide the optimum way forward. Dependent on the site and the network the mitigation could be a number of options, from a pump station and rising main to drain the site to the network, to additional storage or upsizing of existing infrastructure to deal with expected flows from the number of properties being planned. In strategic terms it indicates that the process can be completed from underwriting to commissioning of any asset in 18 months, but again this is dependent on the type of works that are required.
103. **Environmental Health Scientific Officer (Contaminated Land)** – is satisfied that a condition relating to contaminated land is not required.
104. **Environmental Health Officer** – No objection in principle provided issues raised are dealt with by condition or similar in order to minimise potential adverse impacts on existing and future residents, the wider community/living environment, and to protect quality of life, amenity and health. The conditions are also necessary in delivering and facilitating a sustainable quality development, and to ensure there is proper service provision.
105. Conditions are recommended to control construction noise, vibration and dust; operational noise impact assessment and a scheme for noise insulation or other noise mitigation in respect of the proposed care home and electricity; operational odour control scheme (care home); artificial lighting scheme; operational waste and recycling/waste management strategy.

106. A Local Equipped Area of Play (LEAP) appears to be proposed immediately to the rear of existing residential properties in Clear Crescent. In this location there is the potential for noise and disturbance to be caused to existing premises. However, the degree of any impact cannot be fully determined until further detailed design is submitted for consideration. Further noise impact assessment may be required when detailed design proposals are submitted for approval.
107. The submitted Energy and Sustainable Design Statement states that to meet renewable energy requirements, one of the options available are Biomass Boilers, for both the housing and care home. Before it is confirmed that this is suitable in this location, an air quality impact assessment may be required to determine if such systems are acceptable in terms of local air quality impacts and effects. In addition, as the supply of fuel for such biomass boilers is likely to include HGV type vehicular deliveries, the hours when such deliveries can take place may need to be restricted to daytime to protect amenity.
108. **Housing Development Officer** – The applicant is proposing 199 dwellings plus a care home of up to 75 beds. The affordable housing contribution on this application equates to 80 dwellings, which the applicant is suggesting in this outline application to be 70% rented and 30% intermediate. This offer is currently policy compliant, and in line with the Affordable Housing SPD.
109. Within the Design and Access Statement the applicant makes reference to the proposed housing mix and that the starter homes of 1 bed apartments should fall within the affordable housing provision, but not within the market provision.
110. Policy DP/2 does reflect a housing mix of at least 40% 1 or 2 bedroom homes, and is a reflection of the entire housing market, and not just the affordable homes as suggested by the applicant. There should be 1 bed homes within the market provision.
111. The emerging Local Plan is suggesting a slightly different housing mix of at least 30% 1 and 2 bed homes, at least 30% 3 bed homes and at least 40% 4 bed homes, with 10% flexibility.
112. The affordable housing should be evenly distributed throughout the development, and good quality design and layout should allow for tenure neutrality. The affordable homes should at least meet the old HCA space standards as a minimum as affordable homes are not under-occupied.
113. There is no affordable housing provision required within the 75 bed care home, but Strategic Housing would like to better understand the model that the applicant proposes to use in the provision of this type of housing given that recently an older person housing scheme (Southwell Court) was recently shut in Melbourn, with financial reasons being cited.
114. From recent discussions with the county and health partners there would appear to be a shortage of residential care homes in the District and there was particular disappointment with the care home that closed in Melbourn.
115. **NHS Property Services** – states that capacity for Primary Care services in Melbourn is provided by the Orchard Surgery. The surgery is now at capacity and, as indicated in relation to the proposed development at Victoria Way, will need to build and extension in order to provide capacity for new residents of both sites.

116. In line with the contribution requested for Victoria Way, the NHS seeks a contribution of £638 per dwelling, indexed, equating currently to £140,360 (£13398 of which relates to the care home). It is proposed that this contribution should be made at the commencement of development as the additional capacity would be needed as soon as possible.
117. **Orchard Surgery (Melbourn)** comments that it has discussed how it could accommodate the significant increase in patient numbers that could arise from this and proposed large scale developments in the area. NHS England has already indicated that support would not be given to a new surgery development, and the Surgery has considered a possible extension to its current premises. After monitoring the daily usage, it has become increasingly evident that there appears to be insufficient car parking to accommodate any significant increase in patient numbers.
118. In addition there is concern amongst the Partners with the unstable and constantly changing economic/funding rules applied to General Practice such that they would not wish to commit financially to an extension of the surgery premises at this time. This could result in the Surgery being unable to accommodate the additional numbers of patients proposed and may eventually lead to the closure of the list to new patients in order to protect the delivery of safe and timely medical care to current patients.
119. **Environmental Health (Public Health Specialist)** – comments that the Housing Impact Assessment (HIA) has been assessed as Grade B, which meets the required standard of the HIA SPD policy.
120. Although the HIA is weak in places its main objective is to identify possible health impacts resulting from the development, and this has been undertaken and reported within the HIA. This has been assessed as Grade B as the weaknesses do not materially affect the submitted application. However, due to the nature of the development (care home) it is recommended that a condition is included in any planning consent requesting a further health impact assessment at reserved matter stage. This could be a rapid or screening HIA particularly to focus on design of the care home and its surroundings.
121. **Cambridgeshire Fire and Rescue Service** – requests that adequate provision is made for fire hydrants, to be secured by planning condition, or a Section 106 agreement.
122. The **Trees Officer's** comments will be reported

Representations

123. 257 letters have been received from 176 households (172 in Melbourn), objecting on the following grounds:
- Adding 199 new homes in Melbourn in one go (an increase of 10% in population) will place too much strain on the infrastructure, which are already overloaded.
 - Overdevelopment of the site. NPPF states that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. Neither the current nor emerging Local Plan provide for development of this site.
 - Site is outside the village envelope.

- New housing stock is necessary, but this development will cause unacceptable harm to the village. Onus is on the Council to allocate suitable land for development. This site was previously rejected.
- Development contrary to Policies S/2, S/4 and S/9 of the Submission Local Plan.
- The site on the outskirts of the village, with only one road in and out, will result in an isolated development and harm Melbourn's sense of community.
- Traffic in Melbourn is a problem already, with vehicles using unsuitable residential roads as rat runs and traffic jams occurring regularly at the traffic lights in the centre of the village. Beechwood Avenue and Back Lane are already used as a rat run. Access onto Cambridge Road north of the village is needed. Congestion at A505/New Road at peak times. Frog End junction is dangerous. Existing speed limits are ignored.
- New Road is not capable of supporting the additional traffic. It already has traffic calming measures needed due to existing traffic volumes it carries.
- Access to site is opposite existing accesses on New Road, leading to potential for accidents and congestion.
- Already congestion in High Street, New Road, and Mortlock Street in particular. The traffic lights and outside the Primary School and Co-op are already problem areas.
- Significant flaws in the Transport Statement.
- Prejudice access to land at 36 New Road – allocated site.
- Children of the village should be able to have all their education in the village. Even at the moment pre-schools and the primary school are full. Money that will be provided by the developer will not be sufficient to provide for the new development.
- Health services should be available in the village, and at the moment the GP and NHS dentist are full. There are long waiting times for appointments.
- Melbourn is a centre for surrounding villages. There are proposals for development going in for these too. What is being done to look at the cumulative effect of all these local proposals?
- Concern about capacity of sewage and surface water drainage systems. Problems with flash flooding. There has been decrease in water pressure since the development in Victoria Way.
- The site floods.
- Not sustainable.
- Detrimental impact on landscape and wildlife. Impact of emergency access on TPO tree.
- Increase in pollution, with health impacts.
- Will the care home be run by the Council as this is what is needed.
- Care home is not needed as two in the village already, one of which has recently closed.
- Proposed old people's home will mean more heavy traffic in and out i.e. ambulances and supply lorries.
- Need for new general store to support development.
- Melbourn becoming town rather than village.
- Three storey houses are out of keeping.
- 199 houses deliberately proposed to be under 200 which would require additional amenities to be provided
- Safety risk to pedestrians, particularly children walking to school.
- Need to provide additional recreational space.

- Assumption that people will walk to Meldreth Station unrealistic, as evidenced by chaos of cars at peak time in the station car park. People would not walk to other facilities in the village, putting additional pressure on roads and parking.
- Train service is at capacity during peak hours.
- Buses are slow and unreliable.
- Biking to Cambridge not a safe option, particularly as now the Royston-Cambridge bike highway has been put on hold. Cycle routes to and from the development site are not good.
- Not well related to existing facilities.
- Existing roadside footpaths do not extend as far as the site. Those that do exist are often narrow and in a poor state of repair
- Extra policing will be required.
- The existing green edge to the village is adequate.
- Detrimental impact on residential amenity. Loss of views out of village. Impact to rear of West Barn, New Road. Noise and light pollution from the care home.
- Irreversible loss of high quality Grade 1 or 2a agricultural land.
- Brownfield land should be developed first.
- Where would the additional employment required come from?
- Impact of construction traffic.
- There has already been a lot of building work in the village over the last few years.
- Already approval for 65 houses on opposite side on New Road, with more planned.
- Impact on response time of ambulances. Impact of additional traffic on regional ambulance centre – not mentioned in the application
- Contributes nothing to the village, other than a few affordable houses.
- Precedent for further development of land to the south.
- Impact on Foxton crossing.
- Inadequate local consultation by developer.
- 86% of the village are against the proposal. The local view should be supported.

124. County Councillor Susan van de Ven has submitted comments on the application, which are attached as Appendix 3.

Applicants Representations

125. A letter from the applicant's agent responding to points raised by Melbourn Parish Council is attached as Appendix 4.

Site and Proposal

126. The site is located to the east of New Road, immediately to the south east of existing dwellings in Clear Crescent and Fordham Way. It comprises approximately 10.9 hectares of primarily open arable land, the southern side of which slopes upwards in gradient, away from the village.

127. The site is bounded to the north east by East Farm, to the west by New Road and the rear of the curtilage of two former barns, now in residential use, and to the south by arable land, which continues to rise more steeply away from the village.

128. On the opposite side of New Road are residential properties, including Victoria Way. Land to the rear of Victoria Way, and the land associated with 36 New Road is a proposed residential allocation in the emerging plan. Members granted consent for the

erection of 64 dwellings on the land to the rear of Victoria Way at the December 2014 meeting (Ref; S/2048/14/OL), and there is an application currently under consideration for the erection of 26 dwellings at 36 New Road (Ref; S/0287/15/OL).

129. Some planting exists along the north west boundary of the site with existing properties in Clear Crescent and Fordham Way, including 3 trees which are the subject of a Tree Preservation Order (TPO). There is a hedgerow and orchard planting to the north east of the site. There is also a TPO on a Horse Chestnut tree on the site frontage in the north west corner of the site. This tree is shown as being removed.
130. The outline application, with all matters reserved part from access, proposes the erection of up to 199 dwellings, a care home of up to 75 beds, landscaping, vehicular access and formal and informal open space. An illustrative masterplan is submitted in order to demonstrate that the site can accommodate the amount of development proposed.
131. Vehicular and pedestrian access is proposed to New Road. The application states that this has been designed to be compatible with the proposed access which would serve the allocated residential development on the opposite side of New Road. In addition and pedestrian and cycle access is proposed at the northern end of the site, which will also serve as an emergency access point. A new footway is proposed along the east side of New Road from the site access to connect to the existing footway to the north west.
132. The application is accompanied by a Design and Access Statement, Planning Statement, 5-Year Housing Land Supply Report, Transport Assessment, Landscaping and Visual Assessment, Arboricultural Assessment, Heritage Statement, Flood Risk Assessment, Foul Sewage Utilities Assessment, Ecology Report, Archaeology Evaluation Report, Energy and Sustainability Statement, Health Impact Assessment, Ground Investigation Report, and Geophysical Survey Report.

Planning Considerations

133. *Housing Land Supply*
134. 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.
135. 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”.

136. 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).
137. *Principle of development*
138. The site is located outside the Melbourn 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 199 dwellings, and care home of up to 75 beds, 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.
139. Melbourn is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/9 of the Draft Local Plan. These are villages where there is a reasonable range of services and facilities, and residential developments of up to 30 dwellings are normally supported in policy terms. The erection of up to 199 dwellings, plus care home, would exceed the amount of residential dwellings allowed in such locations and would not support the strategy for the location of housing across the district. However, this policy is considered out of date due to the current lack of a 5 year housing land supply.
140. *Deliverability*
141. The applicant has agreed that the time period allowed for submission of reserved matters can be reduced to 1 year from the date of consent. An indicative timetable has been submitted which states that reserved matters and contracts will be dealt with in year 1, with up to 50 dwellings and the care home being constructed in year 2, with 50 dwellings in each of the following years, and completion in year 5.
142. The results of the modelling being undertaken by Anglian Water are not known, and therefore the extent of new works, if any, which may be required to provide capacity for proposed development are yet to be identified. However, officers are of the view that the indication given by Anglian Water that works would normally be expected to be carried out within 18 months, means that the deliverability of the scheme should not be prejudiced.
143. 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.
144. *Sustainability of development*
145. 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.

146. *Economic*

147. Paragraph 19 of the NPPF advises the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth, and significant weight should be placed on the need to support economic growth through the planning system.

148. The proposed development would give rise to a number of economic benefits. In the short term this would include the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from increased activity. In the long term the provision of housing would help meet the needs of businesses in Cambridge and London, where there will be a realistic travel option by train for future residents. The applicant states that the proposed care home would create at least 40 full time equivalent jobs in the care industry. For these reasons the scheme would bring positive economic benefits thus complying with this dimension of sustainable development.

149. *Social*

150. Provision of new housing including affordable dwellings:

151. Chapter 6 of the NPPF relates to 'delivering a wide choice of high quality homes and seeks to 'boost significantly the supply of housing' placing importance on widening the choice of high quality homes and ensuring sufficient housing (including affordable housing) is provided to meet the needs of present and future generations.

152. The development would provide a clear benefit in helping to meet the current shortfall in South Cambridgeshire through delivering up to 199 residential dwellings. 40% of these units will be affordable, with a 70/30 tenure split in favour of rented properties. This equates to 80 dwellings, excluding the care home. The applicant has indicated that the affordable units will be distributed throughout the development in small groups or clusters. Density is indicated at being 35 dwellings per hectare over the net developable area.

153. The applicant indicates that the mix of market housing will be in accord with Policy H/8 of the emerging Local Plan. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 199 houses is a benefit and significant weight should be attributed this in the decision making process.

154. The applicant has provided a letter from a group interested in providing the care home element of the scheme.

155. Open Space:

156. Areas of formal and informal public open space are shown on the indicative layout plan. These include an informal linear green space of approximately 1.8ha, which will define the south east boundary of the site, and will create a soft green edge to the village, and approximately 0.6ha of formal play space, with a central open space surrounded by dwellings. The extent of proposed open space exceeds the guidelines set out in the adopted SPD (Open space in new developments) and will provide for the needs of future residents, although the wider social benefits are more limited.

157. The details of the type and specification of the open space areas is to be agreed at reserved matters stage, with the long term management of this land, along with appropriate off-site and maintenance contributions, secured through the S106.
158. Services and Facilities:
159. 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'.
160. As a Minor Rural Centre, Melbourn is a village where there is a reasonable range of services and facilities. These include a Village College (1.6km), Primary School (0.75km), Church (0.9km), a range of shops, a number of public houses, doctor's surgery (0.6km), dentist, with a railway station in Meldreth (1.7km. Distances are approximate and taken from the centre of the site.
161. The nearest bus stop is located on the High Street, which is some 900m from the centre of the application site, and is outside the easy walking distance of 800m.
162. 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.
163. Both the NHS and Orchard Surgery have confirmed that there is currently no capacity at the surgery to cater for the new development, and that the premises will need to be extended so that it can accommodate the additional patients that will be generated by this and the development site to the west of New Road. Whilst it may be physically possible to extend the building, additional car parking cannot be achieved on the site. The applicant initially entered into discussions with NHS Property Services about provision of a new surgery building on the site, however this was not supported by NHS.
164. At the current time a specific scheme for extension of the premises has not been identified, and therefore the NHS has requested a contribution on the basis of a sum per person, in line with that sought for the recently consent development on land off Victoria Way. This will be secure through the Section 106 Agreement. The Highway Authority is seeking a cyclepath from the development site along New Road to the Orchard surgery, which will improve connectivity.
165. The County Council has identified the need for funding for a total of 4 additional classrooms (2 of which are already committed) at Melbourn Primary School, with there being sufficient capacity on site to deliver these. There is also a need for additional early years provision. The funding will be secured through the S106. Sufficient capacity exists at Melbourn Village College to accommodate the increased number of pupils. It is hoped that early years provision can also be secured at the Primary School site, with community access being secured.
166. Transport:
167. There has been considerable local concern from both Melbourn Parish Council and residents regarding the potential highway implications of a development of this scale. These concerns relate to the new access and traffic on New Road, but extend further afield and include the impact on the New Road/Orchard Road junction, the junction of New Road/A505, the junction of Cambridge Road/A10.

168. The County Council has considered the Transport Assessment submitted with the application, and initially required to the applicant to undertake significant additional work, as highlighted in paragraph 23 above.
169. Following consideration of this additional information it has raised no objection, subject to the applicant either providing, or contributing towards either new highway works or improvements to existing highway infrastructure.
170. At the proposed entrance to the site a raised table junction will be created, and existing traffic calming features removed. A new footpath link will be provided along the east side of New Road from the site entrance to link to the existing footpath further north on New Road. The applicant is also being asked to provide a footpath/cycleway along New Road, as far as the entrance to the Doctor's Surgery. The Highway Authority is confident that this can be provided within the existing public highway, although there may be some sections where a full 2m width is not achievable. These works should be secured by a Grampian style condition. There is not space within the public highway to provide a cycleway to the High Street junction.
171. Speed humps along New Road are to be replaced with cycle friendly speed cushions. A new car club is to be set up to serve new and existing residents. A new community transport vehicle is sought to cater for the needs of the development. These will be secured at the expense of the applicant.
172. The nearest bus stops to the site are on High Street, near Vicarage Close. It has not been possible to secure new bus stops closer to the site, however the Highway Authority is seeking to secure improvements to existing stops through the provision of shelters and a RTPi system. These works can be secured through the Section 106 Agreement at the expense of the applicant.
173. The Highway Authority has identified that the traffic light junction between New Road, High Street and Station Road, is likely to be at capacity by 2020, but that the introduction of a more flexible mode of control, such as a MOVA, if correctly set up, will provide some additional capacity, and is considered to be a suitable mitigation for this development on this occasion. These works can be secured through the S106 at the expense of the applicant.
174. The Highway Authority is also seeking a contribution from the applicant towards improvements to the Cambridge Road/A10, with the amount being based upon percentage increase in traffic at this junction likely to be generated by the development.
175. New cycle stands are to be provided in Melbourn village and near to the train station in Meldreth, and a contribution is sought for improvements towards improving footpath No.9 between Station Road and Meldreth Station, with the overall scheme costing £81,600. A contribution, proportionate to the new development, is also being sought towards the Cambridge Road cycle improvements scheme, and the Royston A10 cycle scheme.
176. Travel plans for the development can be secured through condition, and should relate to both the residential and care home elements.
177. *Environmental*
178. Landscape:

179. The proposal represents a large scale development beyond the existing south east edge of the village, and the site is prominently viewed when approaching the village along New Road from the higher land to the south. The application documentation recognises that the development will have an impact on the visual character of this part of the village. However, the site will represent and extension of an area of relatively modern development at the edge of the village and provides an opportunity to secure an increased landscape buffer.
180. The illustrative masterplan shows a significant area of planting proposed along the south east boundary of the site. The Landscapes Officer has assessed the application and concluded that there are no objections on landscape grounds, subject to the landscape buffer being secured. The conditions suggested in paragraph 32 can be included in any consent.
181. Ecology:
182. The Ecology Officer has considered the report submitted with the application and has raised no objection. The proposed landscape buffer officer's potential for significant ecological enhancement. Many of the points raised by the Ecology Officer can be dealt with during detailed discussions prior to the reserved matters submission, with the ecological enhancements being secured by conditions attached to the outline consent.
183. Trees:
184. The main area of the site does not contain existing trees, however there are a number along the north east boundary, including 3 Horse Chestnuts which are covered by a TPO. The application documentation proposes felling of the Horse Chestnut tree of the New Road frontage, as a result of the proposed emergency access to the development. The arboricultural report submitted with the application states that there is Bacterial Bleeding Canker throughout the stem, and needs to be felled. The health of the tree is contested by the Parish Council, with the tree being of significant local value. The comments of the Trees Officer will reported, but the loss of this tree should be prevented unless proven essential due to the issues identified in the arboricultural report.
185. Heritage Assets:
186. The proposed development does not have a direct impact on the Conservation Area, There are no listed buildings close to the site.
187. Cambridgeshire Archaeology comments that the Heritage Statement indicates that no extant heritage assets of national importance will be affected by this proposed development, and that no new assets of equivalent status exist on site. This statement is accepted. It has no objections to development proceeding in this location, but considers that the site should be subject to a programme of archaeological investigation secured through the inclusion of a phased negative condition. This condition can be included in any consent.
188. Residential Amenity:
189. The construction phase of a development of this scale will have an impact on residential amenity. However this impact can be mitigated by the inclusion of conditions requiring submission of a Construction Environmental Management Plan, and restrictions on hours of deliveries and operation of power driven machinery.

190. Officers are confident that the impact of the residential element of the development, in terms of overlooking, loss of light and overbearing impact on existing properties, can be mitigated by appropriate layout and design at the reserved matters stage.
191. Officer share the concerns about the location of the proposed care home element of the scheme, and this will require further consideration at the reserved matters stage to ensure that the proposed building, car parking areas and associated lighting do not result in a loss of amenity to existing adjacent properties in New Road.
192. Notwithstanding the above the development of this site will inevitably impact on existing residential amenity as the site is currently open agricultural land.
193. Design and Layout:
194. The application is in outline and there detailed design and layout are not for consideration at this stage. The Urban Design Officer and Design Enabling Panel were of the view that further improvements could be made to what was already a well presented scheme. These matters can be considered further prior to the submission of a reserved matters application.
195. Officers are of the view that the illustrative scheme demonstrates that the site can physically accommodate the scale of development proposed.
196. Surface Water Drainage:
197. 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.
198. The local concerns relating to surface water drainage are noted, however proposed discharge rates for surface water drainage will be required to be the same as the existing rates of greenfield runoff, and a SuDS scheme will be required. The application indicates that the development will utilise on site infiltration and storage methods to ensure that flood risk is not increased elsewhere.
199. Foul Water Drainage:
200. There have been concerns expressed about existing drainage problems in the village, albeit on the north east side. However, it is important to ensure that this development does not exacerbate existing problems. The results of the modelling of the existing system and Melbourn works will identify if any mitigation is required as a result of these works. Anglian Water has recognised that it is required to carry out any mitigation works required, and officers are of the view that these should be able to be secured within a timescale which will not prejudice deliverability of the scheme. However, as the extent of any works required are not yet known, any consent would be delegated, and the matter brought back to Members for further consideration if as a result of the findings the deliverability of the scheme was materially compromised.
201. A foul water drainage scheme can be secured through a Grampian style condition.
202. Energy Efficiency:
203. The application is accompanied by an Energy and Sustainability Statement which indicates demonstrates that the proposed development will provide 20% of its required

energy from renewable sources, thereby exceeding the 10% development plan requirements. The report identifies options such as PV panels, solar thermal panels, a biomass boiler to serve the care home, and passive heating through building orientation. A scheme can be secured by condition.

Contributions

204. The CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (i) Necessary to make the development acceptable in planning terms;
- (ii) Directly related to the development; and
- (iii) Fairly and reasonably related in scale and kind to the development

205. Under Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended in 2014); after 6th April 2015 a planning obligation may not constitute a reason for granting planning permission if since 6th April 2010 five or more separate planning obligations, that provide for the funding or provision of that project or type of infrastructure, have been entered into. Officers can confirm that there have not been more than 5 planning obligations for the village of Melbourn since 6th April 2010.

206. The Section 106 Agreement is currently being discussed with the applicant but should include the following:

Building of new classrooms and the provision of Early Years facilities at Melbourn Primary School, with the sums to be secured being £826,229.55 (£11,719 per pupil) and £417,900.

Healthcare contribution at £140,360

Sports space at £200,000 – a deficit in sports space has been identified for projects in the village.

Indoor community space at £100,000 – a deficit has been highlighted in Melbourn, notwithstanding the provision of new hub. This is identified for use as part of the primary school project where community access for groups would be secured
Libraries and Lifelong Learning at £13,812.19

Household waste receptacles at £13,830.50

Highway infrastructure contributions including Cambridge Road cycleway improvements £17,850, Royston A10 cycle scheme £5,640, new community transport vehicle £45,000, Cambridge Road/A10 junction safety scheme £21,120.

Figures for the bus stop improvements are to be agreed once details of the scheme are agreed. The level of contribution to the improvements to footpath No.9 are to be agreed.

207. Matters such as the footpath, cycleway provision and speed measures in New Road, and improvements to the traffic signal junction will be secured by condition.

208. Having regard to the development plan and the NPPF Officers are of the view that these obligations are all considered necessary to make the development acceptable in planning terms and without this level of contribution would not be confident that the development could be considered sustainable. All contributions have been scrutinised and are considered the result as a direct consequence of the development and proportionate to the development.

Conclusion

209. In determining planning applications for new housing development where the

Council does not have an up-to-date 5 year housing land supply, the balancing exercise is weighted in favour of granting permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

210. Paragraphs 6-9 of the NPPF indicate that 'sustainability' should not be interpreted narrowly and that the three dimensions (economic, environmental, social) of sustainability should be sought jointly and simultaneously. Officers are of the view the proposal would have a clear direct and indirect economic benefit, and offers the opportunity for social benefits arising through the delivery of new homes, including affordable houses, which contribute to the Council's shortfall at a mix and tenure in conformance with the development plan, along with expanding the school, surgery and helping to maintain other services and facilities in the village.
211. A development of this size on the edge of the village will have some environmental impact, such as visual intrusion into the countryside, and increased traffic movements through the village. It is recognised that Members are faced with a difficult balancing exercise. Planning law requires applications be determined in accordance with the development plan unless material considerations indicate otherwise. Officers are of the view, that on balance, the harm arising from the scheme does not significantly and demonstrably outweigh the benefits of the scheme which will deliver up to 199 dwellings, including 40% affordable, and 75 bed care home, along with associated jobs, and as such there are material considerations which justify approval. For the above reasons the application is recommended for delegated approval subject to completion of a S106 Agreement

Recommendation

212. Delegated approval, subject to the further comments of Anglian Water and to conditions and completion of a Section 106 Agreement. Member will be updated on the list of conditions prior to the committee meeting.

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: -

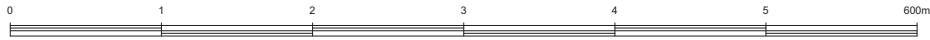
- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the 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/2791/14/OL

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

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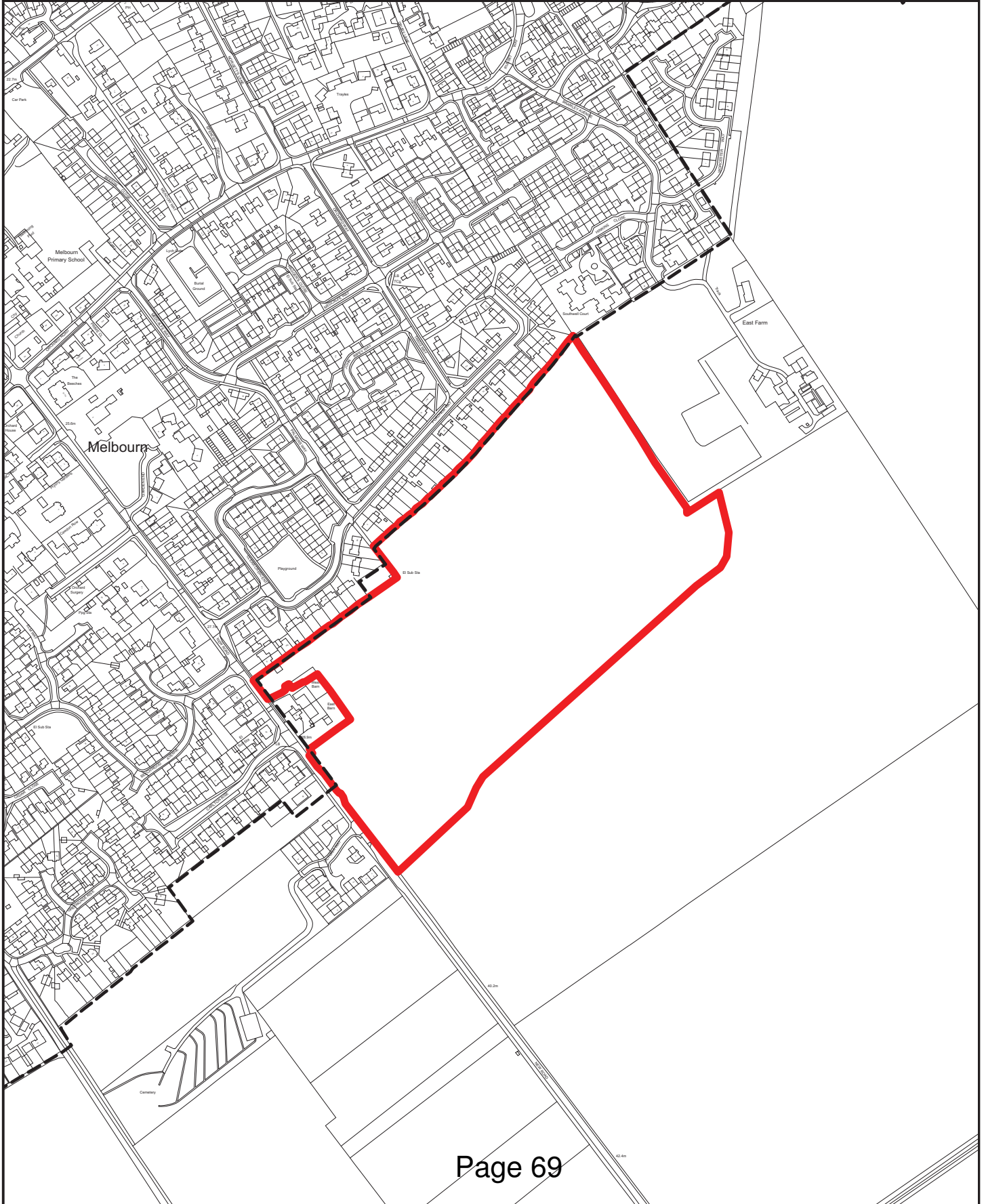
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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

03 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0070/15/FL

Parish(es): Melbourn

Proposal: Erection of a single dwelling and access following demolition of extension and garage associated with 40 Medcalfe Way

Site address: 40 Medcalfe Way, Melbourn, SG8 6HU

Applicant(s): Mr A De Simone

Recommendation: Approval

Key material considerations: Principle and density of development
Residential amenity
Character of the surrounding area
Highway safety and parking

Committee Site Visit: No

Departure Application: No

Presenting Officer: David Thompson

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

Date by which decision due: 3 March 2015

1. Planning History

2. S/0863/90/F – extension to dwelling at 40 Medcalfe Way – refused and appeal dismissed
3. SC/0135/52 – erection of dwelling - refused

4. Planning Policies

5. National

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6. **Local Development Core Strategy 2007:**
ST/5 Minor Rural Centres

7. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
DP/1 Sustainable Development
DP/2 Design of new development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
HG/1 Housing Density
NE/1 Energy Efficiency
NE/6 Biodiversity
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

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

9. **Proposed Submission Local Plan**
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
S/9 Minor Rural Centres
HQ/1 Design Principles
NH/4 Biodiversity
H/7 Housing Density
H/11 Residential space standards for market housing
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

Consultations

10. **Melbourn Parish Council** – object to the proposal for the following reasons:
 - The proposal would represent overdevelopment of the site
 - The development would not respect the character of the surrounding area
 - Lack of parking provision also needs to be considered

11. **Local Highway Authority** – no objection subject to conditions

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

Representations

13. No representations received

Planning Comments

14. The application site is land within the curtilage of no. 40 Medcalfe Way in Melbourn. The property is one of a pair of semi-detached properties in a residential area which is characterised by properties of a similar size, arranged in a mixture of short terraces and semi-detached dwellings. There is an existing garage to the rear of the dwelling, with the access to this running to the west of the dwelling.
15. The applicant seeks full planning permission for the erection of a dwellinghouse to be adjoined to the eastern elevation of the existing property at no. 40. The existing garage and the single storey extension on the side elevation of no. 40 would be demolished as part of the scheme.

Principle of Development

16. 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 Melbourn as a Minor Rural Centre where the construction of new residential dwellings within the framework is supported.
17. The site is within the Melbourn development framework. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/5 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.
18. The application site areas is 0.45 hectares and so the erection of an additional dwelling on the site would be in excess of 40 dwellings per hectare and given that the plot layout in the surrounding area is relatively high density, this is considered to be acceptable in this instance.

Residential amenity

19. The gable elevation of the proposed dwelling adjacent to the boundary with no. 42 would be 13 metres from the corresponding side elevation of that property. The oblique relationship between the properties, the extent of the separation distance to be retained and the fact that the gable elevation of the proposed dwelling would be blank are factors which are considered to ensure that the development would not have an adverse impact on the amenity of that neighbouring property.
20. A separation distance of 20 metres would be retained to the side elevation of no. 1 Medcalfe Way to the south west of the site. Given the oblique angle to be retained and the fact that the rear building line of the proposed property would not extend beyond that of 38 and 40, it is considered that the proposed development would not allow unreasonable overlooking into or overshadowing of the property at no. 1.
21. In relation to the existing property at no.40, the single storey element at the rear of the proposed dwelling has been reduced in projection by 1 metre, to ensure that there would not be any unreasonable overshadowing of the ground floor window on the rear elevation of that neighbouring property.
22. There would be no adverse impact on the residential amenity of any of the other neighbouring properties.

Character of the surrounding area

23. The Parish Council have commented that the proposal would result in overdevelopment of the plot and would be contrary to the character of the locality. It is the case that the existing property is one of a pair of semi-detached dwellings, as are the properties to the north on the opposite side of the road and to the east. Nevertheless, there is a row of terraced properties to the north west (17-23 Medcalfe Way) and to the south west (1-7 Medcalfe Way).
24. Within this context, given that the proposal would respect the front and rear building lines of the existing properties at 38 and 40, it is considered that the development would not be out of character with the surrounding area, given the variation in building types evident within the street scene. By matching the height and proportions of the existing pair of properties, it is considered that the scheme would not result in overdevelopment of the plot and would not have an overbearing impact on the character of the street scene.

Highway safety and parking

25. The proposal would result in the loss of the garage that currently serves no. 40. The scheme would make provision for one on-site parking space per dwelling. In terms of the introduction of an additional driveway on the street, the Highway Authority has raised no objection to the proposals. Given that a number of properties on the opposite side of Medcalfe Way have parking spaces in front of the dwelling, it is considered that the proposed on-site parking arrangements would not be detrimental to the visual amenity of the surrounding area.
26. The Parish Council has raised the issue of parking capacity in the area and the need to avoid a detrimental impact in this regard. The proposal would provide one parking space per dwelling. This is below the average parking requirement of 1.5 spaces per dwelling across the district stipulated in the Development Control Policies DPD.
27. However, policy TR/2 states that in more sustainable locations, lower levels of parking provision will be sought. Melbourn is classified as a Minor Rural Centre and the site is 0.5 miles from High Street, where a number of shops and facilities and public transport links to Cambridge and Royston exist. Given this situation and the fact that a number of the existing dwellings on Medcalfe Way have similar parking arrangements to those proposed in this development, it is considered that the proposal does meet the requirements of local plan policy in this regard.

Other matters

28. The Environmental Health Officer has raised no objections to the proposed development, subject to conditions being imposed in relation to restricting noise during construction which can be attached to the decision notice.
29. The proposal would result in the loss of an existing hedgerow at the front of the property. Given that there are a range of front boundary treatments evident on the street scene, including close boarded, post and wire fencing and hedges of various species, it is considered that the removal of the hedge would not harm the character of the area on the basis that a suitable replacement boundary treatment is secured. This, along with details of proposed landscape planting can be secured by condition.
30. Following the revision to the NPPG in November 2014, developments of 10 dwellings or less are no longer subject to the requirement to pay 'tariff based' contributions

through section 106 agreements. In this case therefore, no off-site open space or infrastructure provision can be secured, despite this being a requirement of the adopted policies within the LDF.

Conclusion

31. The proposed development is considered to respect the character of the surrounding area in terms of scale, density and design, given the variety of property types available within the street scene. The proposal would result in a loss of one on-site parking space serving no 40 and only one space is to be provided for the new dwelling. Given the sustainable location of the site in terms of connectivity to facilities and local transport, this arrangement is considered to comply with policy. The Highway Authority and the Environmental Health Officer have not raised any objections to the proposals.
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 development remains acceptable

Recommendation

33. Approval subject to the following:

Conditions

- a) Time limit
- b) Approved plans
- c) Details of construction materials
- d) Details of boundary treatments to be submitted and agreed
- e) Landscaping scheme
- f) Landscaping maintenance
- g) Car parking spaces to be laid out prior to occupation and retained free from obstruction
- h) Details of driveway construction
- i) Pedestrian visibility splays to remain free from obstruction
- j) Removal of permitted development rights for extensions and alterations (including front boundary treatments)
- k) Control of noise during construction
- l) Management of traffic and material storage during construction phase
- m) Surface water drainage details
- n) Foul water drainage details

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

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



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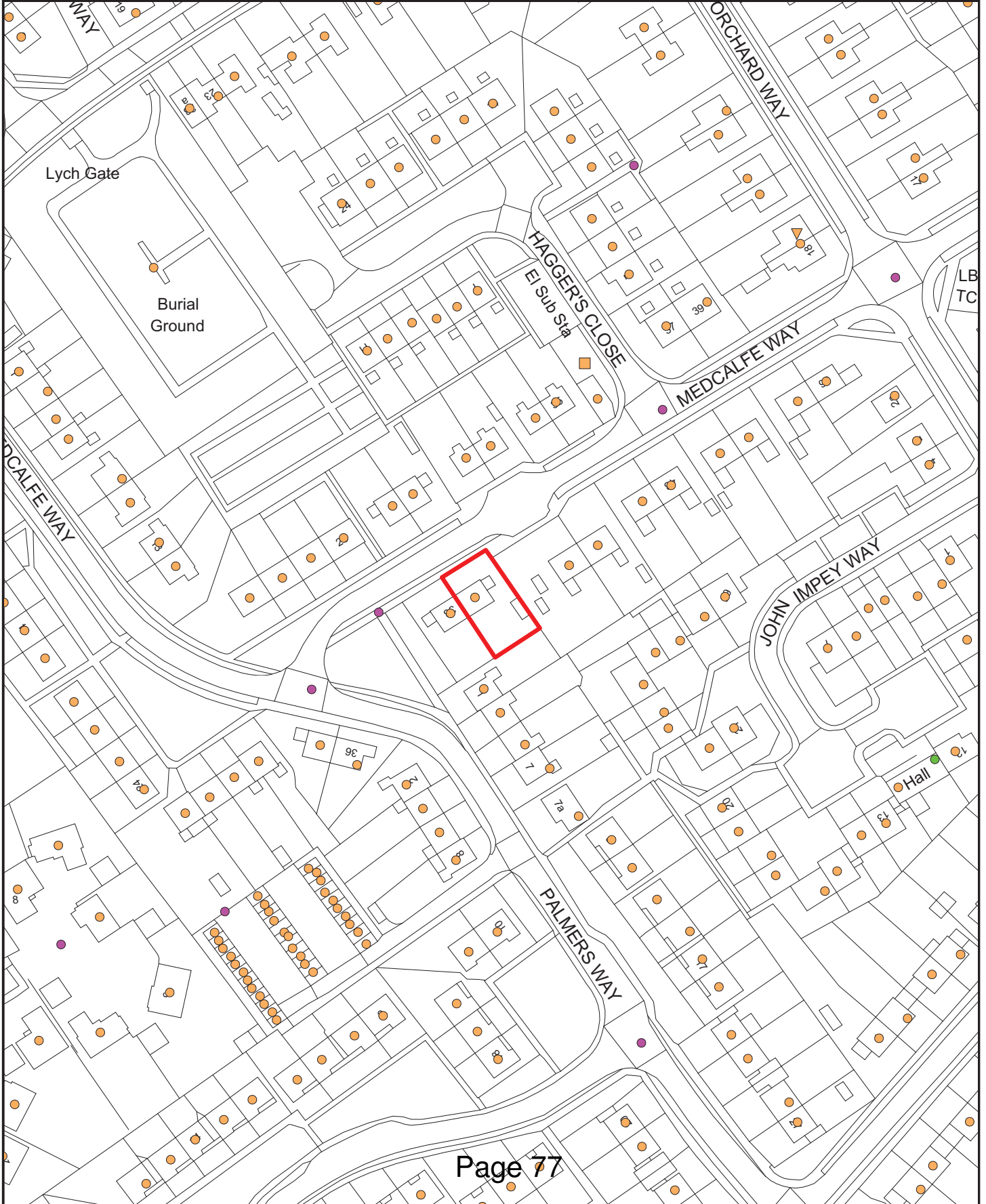
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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/1013/15/FL
Parish(es):	Cottenham
Proposal:	Extension to Local Authority Depot to provide Additional Secure Vehicle Parking Area and Open Storage and Extension to Existing Office/ Welfare Building
Site address:	Cambridge Waste Management Park, Ely Road, Waterbeach
Applicant(s):	Alboro Development Limited
Recommendation:	Approval
Key material considerations:	Countryside Highway Safety Biodiversity Flood Risk
Committee Site Visit:	No.
Departure Application:	Yes
Presenting Officer:	Karen Pell-Coggins
Application brought to Committee because:	The District Council rents the site from the applicants.
Date by which decision due:	14 July 2014

Planning History

1. **S/1306/12/FL** - Local Authority Depot including Secure Compound for Vehicle Parking Area with Associated Open Storage and Office Building - Approved

Planning Policies

2. **National Planning Policy Framework (NPPF) 2012**
3. **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/7 Development Frameworks
ET/5 Development for the Expansion of Firms
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/7 Sites of Biodiversity or Geological Importance
NE/11 Flood Risk
NE/14 Lighting Proposals
NE/15 Noise Pollution
CH/2 Archaeological Sites
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

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

S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
E/16 Expansion of Existing Businesses in the Countryside
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/5 Sites of Biodiversity or Geological Importance
NH/14 Heritage Assets
CC/9 Managing Flood Risk
SC/10 Lighting Proposals
SC/11 Noise Pollution
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

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

Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010

6. **Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD 2011**
CS26 Mineral Safeguarding Areas

7. **Cambridgeshire and Peterborough Minerals and Waste Site Specific Policies
DPD 2012**

M1A Cottenham (Sand and Gravel)
W1K Waterbeach (Waste Management Park)
W2B Cottenham (Landfill Site)

Consultations

8. **Cottenham Parish Council** - Comments are awaited.

9. **Landbeach Parish Council** - Has no objections.

10. **Waterbeach Parish Council** - Comments are awaited.

11. **Local Highways Authority** - Comments that the proposal would not have a significant impact upon the public highway provided a condition is attached to any consent to secure on-site parking and turning.

12. **County Council Transport Assessment Team** - Requests further information in relation to existing traffic movements and proposed trip generation details including modes of travel and times of arrival and departure from the site, capacity assessments of the roundabout and junction on the A10, levels of vehicle parking on the site and alternative means of travel to the site to be able to fully assess the transport impact of the development.
13. **Historic England** - Has no objections due to the bund screening and comments that the development is an area subject to development, quarrying and landscaping and the development is unlikely to have an adverse impact upon the significance of the Scheduled Ancient Monument.
14. **County Council Historic Environment Team** - Has no objections and comments that archaeological works are not necessary as the development would be located on previously disturbed ground and it is unlikely that significant archaeological features will survive.
15. **Environment Agency** - Comments are awaited.
16. **Waterbeach Level Internal Drainage Board** - Comments are awaited.
17. **Land Drainage Manager** - Comments are awaited.
18. **Contaminated Land Officer** - Has no objections but recommends a condition in relation to a contamination investigation due to the previous use of the site for landfill and factory works.
19. **Environmental Health Officer** - Has no objections.
20. **Ecology Officer** - Comments that the site is adjacent to an area that holds a Great Crested Newt population. However, a permanent amphibian fence has been erected to prevent animals from coming to harm within the wider area. Subject to the fence being retained and in a good condition, there is no reason to disagree with the ecology report submitted with the application. Welcomes the meadow planting and the specific seed mix that was previously agreed but is concerned that
21. **Landscape Design Officer** - Comments that the proposed development would not have a detrimental impact upon the landscape character, views and visual receptors. However, the proposed meadow planting enhancement measures are insufficient due to the proximity to the adjacent woodland. Suggests alternative landscape measures such as trees to expand the network of semi-natural habitats as a condition of any consent.
22. **Trees and Landscapes Officer** - Comments that the trees within the adjacent County Wildlife Site would not be affected by the floodlighting.
23. **County Council Minerals and Waste Team** - Comments are awaited.

Representations

24. None received.

Planning Comments

25. The key issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon the character and appearance of the countryside, highway safety, contamination, drainage, flood risk, ecology, landscaping and archaeology.

Site and Surroundings

26. The site is located on the southern section of the Cambridge Waste Management Park that is situated outside of any village framework and within the countryside. It lies the north west of the A10 (Cambridge to Ely Road) and former Dickerson Industrial Estate, north of the Cambridge Research Park and villages of Waterbeach and Landbeach, east of the village of Cottenham and south west of the hamlet of Chittering.
27. The site measures approximately 1 hectare in area and currently comprises the existing District Council Environmental Services depot. It consists of a hard surfaced compound for the parking of refuse vehicles and open storage for associated plant and equipment along with a single storey office/welfare building and staff parking spaces. A 2.4 high metal palisade fence bounds the site. Six floodlights are situated on the perimeter. Access to the site is via the Amey Cespa roundabout on the A10 to the north for heavy vehicles and via the internal access road through the industrial estate to the east for light vehicles. The hours of operation are 06.00 to 18.00 Mondays to Saturdays.
28. The site is situated within Flood Zone 1 (low risk) and 2 (medium risk). A number of watercourses and water bodies surround the site. The Car Dyke Scheduled Ancient Monument is situated in close proximity to the west of the site and the Beach Ditch and Landbeach Pitts Willow Wood County Wildlife Sites are situated in close proximity to the south and south west of the site.

Proposal

29. This full planning application, received on 14 April 2014, proposes the extension of the existing District Council depot to accommodate the City Council Council's refuse vehicles to provide a shared waste service to serve both administrative areas within a single management team.
30. The plans seek an extension of 3500 square metres to the hard surfaced compound to provide an additional 20 parking spaces for refuse vehicles, 76 parking spaces for employees vehicles and an open storage area for equipment. The plans also include an extension of 95 square metres to the southern side of the existing office/welfare building to provide improved facilities for the additional drivers and crew, the repositioning of the existing boundary fence to enclose the new compound and the repositioning of one flood light and erection of two new floodlights to the new boundary. The access arrangements would remain as existing.

Principle of Development

31. The site is located outside of any village framework and in the countryside. It does not fall within an Established Employment Area in the Countryside and the proposed use is not related to agriculture, horticulture, forestry, outdoor recreation or other uses which need to be located in the countryside. The development would therefore be contrary to Policy DP/7 of the adopted LDF and Policy S/8 of the emerging Local Plan.

32. The development would represent the consolidation of a non-conforming use in terms of its location in the countryside a significant distance away from existing settlements. The development would not therefore comply with Policy ET/5 of the adopted LDF.
33. However, the proposal would comprise the expansion of an existing firm that has been in the Cambridge area for a significant period of time with a viable business, the user is named, the development is of scale appropriate to its location, there would be no adverse impact upon the character and appearance of the countryside and there would not be a significant increase in the amount or different nature of traffic generated. The development therefore meets the tests of Policy E/16 of the emerging Local Plan.
34. Two representations that support the emerging policy and two representations that object to the emerging policy have been received. The support for the policy is because it offers appropriate encouragement for the sustainable growth of existing businesses in rural areas. The objections to the policy is because it is weaker than the existing due to the original operation of the business for 5 years being reduced to 2 years and the removal of the restriction on the scales of development.
35. Given the current stage of the emerging Local Plan, the limited number and nature of the objections received in relation to this emerging policy and the good degree of consistency with the NPPF, some weight can be attached to Policy E/16.
36. Paragraph 28 of the NPPF supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It states that local plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
37. The proposal would result in a shared refuse service between South Cambridgeshire District Council and Cambridge City Council. This would have significant financial benefits and operational benefits in the form of more efficient waste collection rounds that would reduce HGV miles and heavy traffic associated with the existing City Council depot in Mill Road being relocated away from the city centre so that all journeys would begin and end at the Cambridge Waste Management Park.
38. Due to the emerging Local Plan policy and NPPF being material considerations in the decision making process, that the adopted policy is out of date and the special circumstances above, no objections are therefore raised to the principle of the development. The application has been advertised as a departure.

Character and Appearance of the Countryside

39. Whilst it is acknowledged that the development would result in some loss of openness and rural character, this would have a minimal impact upon the landscape character of the area as the site is located within an existing industrial complex that is not visible from any public viewpoints surrounding the site. The development is not therefore considered to adversely affect the character and appearance of the countryside.

Setting of Scheduled Ancient Monument and Archaeology

40. The development would be located 200 metres to the east of the Car Dyke Scheduled Ancient Monument. As a result of the existing industrial complex and bund that screens the monument from the site, the development is not considered to

damage the setting of this designated historic asset. The proposal would not harm any significant features of archaeological interest.

Highway Safety

41. The Transport Assessment submitted with the application states that the proposal would not result in an increase in traffic generation from heavy vehicles accessing the site via the roundabout on the A10 as this already exists due to Cambridge City Council's refuse vehicles disposing of the waste collected upon the rounds at the Cambridge Waste Management Park before returning to the existing city depot for overnight storage. The only change would be the times of access to the Cambridge Waste Management Park which would alter from entry and exit in the afternoon to exit in the morning and entry in the afternoon. Further information is required to be able to make an assessment of the impact upon highway safety and the comments of the County Council Transport Assessment Team would be sought.
42. The proposal would, however, result in an increase in traffic generation from light vehicles accessing the site via the internal access road through the former Dickerson Industrial Estate and on to the A10 as a number of additional employees would be based at the depot. This would lead to additional traffic entering the site in the morning and exiting the site in the afternoon. Further information is required to be able to make an evaluation of the impact upon highway safety and the comments of the County Council Transport Assessment Team would be sought.

Parking

43. The depot currently has 134 employees and 74 vehicle parking spaces. The proposal would result in an additional 60 employees and 79 parking spaces. This would lead to a total of 194 employees and 149 parking spaces. Further information is required on the need for this level of vehicle parking on site and the comments of the County Council Transport Assessment Team would be sought.
44. The Cambridge City Council Employee Travel Plan 2008 has been submitted with the application to demonstrate that there is a package of measures in place to promote sustainable travel and decrease the method of travel by the private motor vehicle. However, it is not up-to-date and is not relevant to this application as it references sites in the city. Further information is required to make an evaluation on the alternative modes of transport available and the comments of the County Council Transport Assessment Team would be sought. A condition would need to be attached to any consent to secure a full travel plan related to this particular site.

Ecology

45. The development would not adversely affect nearby habitats for protected species such as Great Crested Newts due to the presence of an amphibian fence. The provision of meadow planting would enhance the biodiversity of the site.

Trees and Landscaping

46. The proposal would not result in the loss of any trees or landscaping that is important to the visual amenity of the area or the features of the adjacent County Wildlife Site. However, biodiversity enhancement measures above meadow planting are required to expand the range of semi-natural habitats on the site. This would be a condition of any consent.

Flood Risk and Drainage

47. The site lies within Flood Zone 1 (low risk). The Flood Risk Assessment submitted with the application states site levels would be above the 1 in 100 year flood level plus climate change and that that surface water would be discharged to the existing water treatment lagoon that has adequate capacity for the storage of run off. However, comments from the Environment Agency and Drainage Board are awaited to determine the impact of the development upon flood risk and drainage.

Contamination

48. An investigation into contamination is required as a result of the previous use of the site to ensure that the development would not cause a risk to human health or groundwater. This would be a condition of any consent unless the information is submitted prior to the determination of the application and agreed by the Contaminated Land Officer and Environment Agency.

Other Matters

49. The site lies close to allocated mineral and waste sites. The comments of the County Council Planning Team are awaited to determine the impact of the development upon these areas.
50. The development is not considered to harm the amenities of neighbours given the surrounding land uses.

Recommendation

51. It is recommended that the planning committee grant officer delegated powers to approve the application subject to the outstanding comments and any conditions required by statutory consultees together with the following 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: - Drawing numbers CP/ADL/WCVC/01, 15:021-2 Revision C, 15:021-4 Revision A and 15:021-5.
(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 be occupied until full details of 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.)

- d) All 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.)
- e) No development approved by this permission shall be commenced, unless otherwise agreed, until:
- i) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
 - ii) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
 - iii) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
 - iv) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.
 - v) The application site has been subject to an appropriate scheme for the investigation and monitoring of ground gas.
 - vi) Where required, detailed proposals for the mitigation or otherwise rendering harmless of any ground gas have been submitted to and approved in writing by the Local Planning Authority.
- (Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
- f) The development hereby permitted shall not be occupied until a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

- South Cambridgeshire Local Plan Submission March 2014
- South Cambridgeshire Supplementary Planning Documents
- Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD 2011
- Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals 2012
- National Planning Policy Framework 2012
- Planning File References S/1013/15/FL and S/1306/12/FL

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

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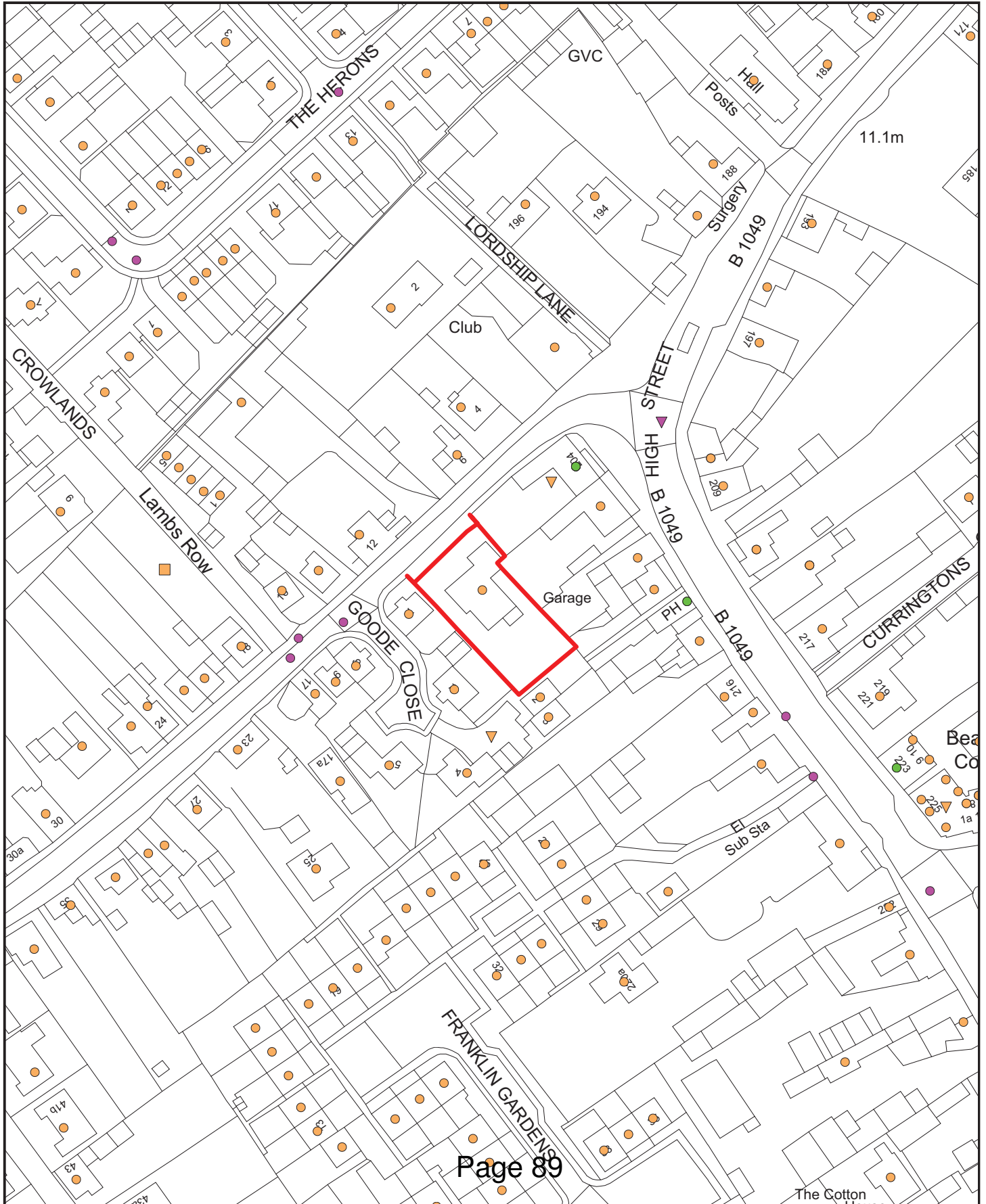
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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

03 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0152/15/FL

Parish(es): Great Shelford

Proposal: Demolition of existing dwelling and erection of replacement dwellinghouse

Site address: 1 Mingle Lane, Great Shelford, Cambridgeshire CB22 5 BG

Applicant(s): Mr Haslam and Dr. Hussain

Recommendation: Approval subject to conditions

Key material considerations: Principle of development
Residential amenity
Character of the surrounding area
Highway safety and parking
TPO Tree

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: David Thompson

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

Date by which decision due: 12/03/2015

1. Planning History

2. C/0792/61 – Full planning permission for the erection of a two storey side extension to form a garage and w/c at ground floor level and 2 bedrooms at first floor level - approved

3. Planning Policies

4. National

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

5. Local Development Core Strategy 2007:

ST/4 Rural Centres

6. **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
 - NE/1 Energy Efficiency
 - 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
7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
 - Trees and Development Sites
 - District Design Guide
8. **Proposed Submission Local Plan**
 - S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in favour of sustainable development
 - S/8 Rural Centres
 - HQ/1 Design Principles
 - NH/4 Biodiversity
 - H/7 Housing Density
 - H/11 Residential space standards for market housing
 - 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

9. **Consultations**

Great Shelford Parish Council – object to the proposal (both original and amended schemes) for the following reasons:

- The revised scheme would still result in a detrimental impact on the outlook from the sitting room window of the neighbouring property at 1A Mingle Lane.

In relation to the original proposals, the Parish Council's comments were as follows:

- The two storey rear element of the proposed house will dominate, overshadow and cut out light to the windows at ground and first floor level on the south eastern side of 1B and to the rear conservatory of that property, which is not shown on the submitted block plan.
- The location of the rear building line of the proposed house is contrary to pre-application advice given by the planning officer. The proposal is contrary to policy DP/3 of the Local Plan and advice given on daylight and sunlight in the District Design Guide SPD.

- The location of the proposed driveway will have an intrusive impact on the occupants of no. 3 Mingle Lane and would therefore be detrimental to the residential amenity of that property.
- The location of the garage proposed to the rear of the property would result in harm to the residential amenity of no.1B Mingle Lane through the noise/disturbance generated by traffic movements.

Highway Authority – no objection subject to conditions relating to the provision of pedestrian visibility splays from the relocated access, the construction of the new driveway and the management of traffic and the storage of materials during the construction process.

District Council Environmental Health Officer (EHO) – no objections subject to standard conditions relating to the construction process.

District Council Tree Officer – No objections subject to compliance with the ‘no dig’ method for laying the paving at the front of the property and the installation of the protective fencing as specified in the Tree Survey submitted with the planning application.

10. Representations

Objections from the properties at 1B and 5 Mingle Lane have been received in response to the amended plans. The following concerns were raised:

- The proposed access running down the side of the property with parking and garaging at the rear would create possible access for future development at the rear of the site which would not be supported
- The relocation of the driveway (to the eastern side of the site) would result in noise and exhaust pollution to the neighbouring properties
- The large window on the eastern elevation has been retained in the revised plans – this is considered to be an unreasonable invasion of privacy
- The revised plans do not address the concern with the original scheme in that the window in the sitting room of 1B which faces the common boundary with the application site will still be overshadowed as the two storey development would block light to that window.

Objections were received from no.s 1B, 3 and 5 Mingle Lane in relation to the original proposals. The following concerns were raised (in addition to those raised in relation to the amended scheme):

- The first floor terrace proposed at the rear would overlook the gardens of the neighbouring properties to the east (3 and 5 Mingle Lane)
- There is a legal covenant on the land in the rear portion of the site which restricts the amount of development that can occur
- The development will allow unreasonable overlooking into the property at 3 Mingle Lane

11. Planning Comments

12. Site

13. The application site is 1 Mingle Lane, which is currently occupied by a two storey dwelling. The neighbouring property to the south east (no.3) is a bungalow, the property to the north west is a two storey dwelling. The existing vehicular access is close the location of a Sycamore tree which is protected by a Tree Preservation Order.

14. Proposal

15. The applicant seeks full planning permission for the demolition of the existing dwelling and the erection of a replacement dwelling, with alterations to the access to the property.

16. The scheme has been amended to address officers' concerns regarding the impact of the proposal on the neighbouring properties. The following alterations have been made:

- The property has been moved 1.5 metres forward (towards the front boundary) within the plot
- The gable section of the building closest to the south eastern boundary has been reduced in depth by 1 metre at both first and ground floor level, setting it back from the rear elevation of the central element of the proposal.
- The balcony originally proposed at first floor level on the eastern side of the dwelling has been removed
- The garage originally proposed at the rear of the dwelling has been removed
- The applicant has agreed to the removal of the hardstanding shown within the root protection area of the Sycamore which is the subject of the TPO

17. Principle of Development

18. The site is within the Great Shelford development framework. Great Shelford is classified as a Rural Centre under policy ST/4 of the Core Strategy and would retain this status in the emerging Local Plan (policy S/8). The principle of the development of a dwelling on the site is therefore acceptable, subject to all other material considerations being satisfied.

19. Residential amenity

20. The Parish Council and the occupants of no. 1B Mingle Lane consider that the revised proposals do not address the concerns expressed in relation to the impact on the residential amenity of that property. Pulling the proposed property forward by 1.5 metres has reduced the extent to which the dwelling would extend beyond the rear building line of 1B, ensuring that the development would remain clear of the 45 degree line taken from the centre point of the closest window on the rear elevation of the neighbouring property. It is therefore considered that the amended scheme would not result in unreasonable overshadowing of the rear elevation of that property.

21. The occupant of no.1B has made the point that the living room window in the side elevation of that property would still be overshadowed by the corresponding side elevation of the proposed dwelling, which would be located 0.5 metres from the common boundary. Given that the separation distance between the proposed dwelling and that window would be approximately 2 metres, it is acknowledged that the two storey height of the building would result in overshadowing to that window.

22. However, that window is considered to be secondary because it is immediately adjacent to the conservatory which extends from the rear elevation of that property and allows light into the room through the internal link door and window panels. The revised location of the proposed dwelling ensures that the rear elevation of that element of the scheme would only project 1 metre beyond the rear building line of the main rear elevation of the property at 1B. This revision means that the development would not result in unreasonable overshadowing of the side or rear elevations of the conservatory, which is the main source of light into the affected room. Within this context, it is considered that the proposed development would, on balance, not result in an unreasonable impact on the residential amenity of that property.
23. In relation to the impact on the properties to the south east, the scheme as originally submitted would have resulted in a two storey development projecting 7.5 metres beyond the rear elevation of the bungalow at no. 3, with a separation distance of just 4 metres across the common boundary. This situation would have contravened the 45 degree 'rule of thumb' and would have resulted in unreasonable overshadowing of the kitchen window of that property.
24. The revised scheme has reduced the length of the south eastern elevation and by pulling the building forward on the site, the proposal is now within the 45 degree line, with the extent of the projection of the dwelling beyond the rear elevation of no. 3 reduced down to 5 metres. The applicant has also provided evidence that the vertical 45 degree line (taken from the kitchen window of the neighbouring and extending upwards towards the proposed building.) This indicates that the proposed dwelling would not be of a height that would infringe this line. Given that the revised scheme accords with both elements of the 45 degree 'test,' it is considered that the development would not have an adverse impact on the amenity of that property through overshadowing.
25. Concerns have been raised by the occupants of no 3 and no. 5 that the large window in the south eastern side elevation of the proposed dwelling would allow unreasonable overlooking into the rear gardens of those properties. This window would serve a landing area on the staircase of the proposed property and not a habitable room. However, the applicant has agreed to a condition requiring this large window and all of the other high level windows on the two side elevations of the dwelling, at first floor level, to be obscurely glazed. This would be reasonable to the occupants of the property as all of the other affected windows are either secondary or serve bathrooms/en-suites and would prevent any unreasonable overlooking into any of the neighbouring properties.
26. In relation to the relocated access, due to the fact that the proposal is for the replacement of one dwelling as opposed to the creation of additional units on the site, it is considered that the level of traffic generated by the additional accommodation would not give rise to any harm to the amenity of neighbouring residents in terms of noise or environmental health.
27. It is considered that the re-siting of the property 1.5 metres forward in the amended scheme would not result in an adverse impact on the residential amenity of the front elevation windows of either of the neighbouring properties. The development would remain well within the parameters of the respective 45 degree lines and the separation distances to be retained to the potentially affected windows would avoid harm to the outlook from the front elevations of those dwellings. No opportunities for unreasonable overlooking would result from this alteration to the scheme.

28. Character of the surrounding area

29. The proposed dwelling would be significantly larger than the existing property it would replace. The amendment to move the property forward 1.5 metres within the plot is considered not to be detrimental to the character of the streetscene due to the fact that the development would not sit forward of the front building lines of the garage front extensions to 1A and 1B. In addition, the north western element is recessed behind the front building line of the south eastern element and this design feature is considered to respect the relatively subtle changes in the front building lines in the row of properties which include the application site.

30. The design approach is considered to be acceptable as the use of gabled frontages is evident on adjacent properties and similar designs have recently been approved at nos 6 and 10 Mingle Lane.

31. Highway safety and parking

32. The Highway Authority has raised no objections to the relocation of the access and has recommended standard conditions in relation to the maintenance of pedestrian visibility splays, the construction of the driveway (in terms of materials and avoiding surface water run off onto the highway) and the management of traffic and the storage of materials during the construction process. These can all be added to the decision notice. The plans indicate that two parking spaces would be provided at the front of the property and this would be sufficient to meet the requirements of policy TR/2 of the LDF.

33. TPO

34. The applicant has submitted a tree survey in support of the application. In relation to the protected Sycamore tree, the report indicates that the proposed development would not have any adverse impact on its condition. The survey proposes means of protection during the construction process, including a 'no-dig' method for the laying of hardstanding in front of the property and the erection of protective fencing to define the root protection area. The Council's Tree Officer has raised no objections to the proposals on the basis that these measures are implemented, following the applicant's confirmation that no hardstanding would be installed within the root protection area, as appears to be indicated on the plans. Details of both hard and soft landscaping can be secured by condition.

35. Other matters

36. The concerns expressed by neighbours and the Parish Council in relation to encroachment of the development into the rear portion of the site are noted and the garage originally shown to the rear of the property has been removed on the amended plans. Planning applications have to be determined on their own merits and as this scheme relates only to the replacement of the existing dwelling, the potential for future development at the rear of the site is not a material consideration in assessing this scheme. Any future applications would also have to be assessed on their own merits.

37. The Environmental Health Officer has raised no objections to the proposed development, subject to conditions being imposed in relation to restricting noise during construction which can be attached to the decision notice.

38. Conclusion

39. The amended proposal is considered, on balance, to have addressed officers' concerns in relation to the impact of the original submission on the residential amenity of the neighbouring properties. There are no objections to the design of the replacement dwelling within the context of the surrounding development and the impact on the protected Sycamore tree is likely to reduce as a result of the relocation of the access. There are no objections to the scheme in relation to highway safety or environmental health.
40. The revised scheme is therefore considered, on balance, to comply with the relevant local and national planning policies.

41. Recommendation

Approval subject to the conditions listed in paragraph 42.

42. Conditions

- a) Time limit
- b) Approved plans
- c) Details of construction materials
- d) Details of boundary treatments to be submitted and agreed
- e) Compliance with mitigation measures listed in Tree Survey
- f) Landscaping scheme
- g) Landscaping maintenance
- h) Car parking spaces to be laid out prior to occupation and retained free from obstruction
- i) Details of driveway construction
- j) Pedestrian visibility splays to remain free from obstruction
- k) Removal of permitted development rights for extensions to the dwelling
- l) Obscure glazing of specified windows
- m) Control of noise during construction
- n) 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;
- (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

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



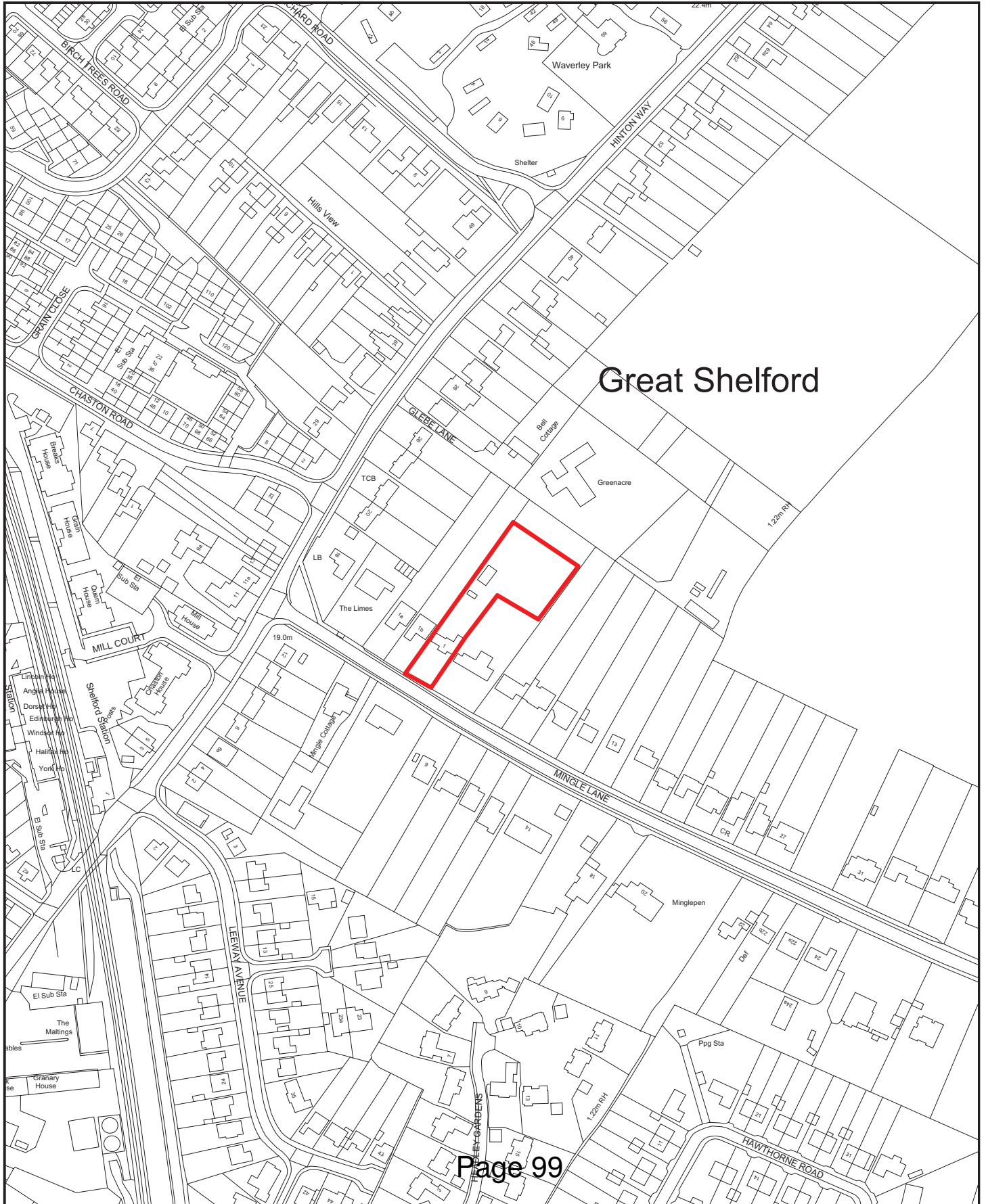
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Great Shelford

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Agenda Item 10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0572/15/FL

Parish(es): GREAT SHELFORD

Proposal: External Alterations, Conversion of Existing Dwelling to Two Dwellings and New Access

Site address: 2 Granhams Road

Applicant(s): Mrs S. Maltby

Recommendation: Approval (as amended)

Key material considerations: Highway Safety

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 Great Shelford Parish Council

Date by which decision due: 5 June 2015

Planning History

1. **S/1865/11/F** - Repositioning and Redesign of Roof Light - Approved
S/1862/11/F - Wooden Trellis Fencing (part retrospective - Approved
S/0963/10/F - Erection of Side/Rear Extension following Demolition of Existing-Approved

Planning Policy

2. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007**
ST/2 Housing Provision
ST/4 Rural Centres
3. **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/7 Development Frameworks
HG/1 Housing Density
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

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

S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/8 Rural Centres
HQ/1 Design Principles
H/7 Housing Density
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

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

Open Space in New Developments SPD - Adopted January 2009
District Design Guide SPD - Adopted March 2010

Consultation

6. **Great Shelford Parish Council** – Recommends refusal for the following reasons: -

“There are already two residential units on this site, therefore if permitted development rights are removed, we would have no objection to the conversion to two dwellings.

The traffic frequently builds up from the junction with High Green because of the railway crossing. Provision should be made within the site for parking and turning for the cars of both dwellings using the existing access only so that cars do not have to back on to the highway and retaining the existing wall.”

7. **Local Highways Authority** – Requires a conditions for the provision of pedestrian visibility splays measuring 1.5 metres x 1.5 metres on both sides of the access and maintained free from obstruction over a height of 600mm, the driveway is constructed to fall so that private water does not drain across the public highway, the driveway is constructed with bound material so that loose material does not spill on to the public highway and a construction traffic management plan. Also requests an informative with regards to works to the public highway.

8. **Environmental Health Officer** – Suggests a condition in relation to the hours of operation of site machinery and noisy works along with site deliveries. Also request informatives with regards to the burning of waste on site, pile driven foundations and disturbance during construction.

Representations

9. None received.

Planning Considerations

10. The key issues to consider in the determination of this application relate to the principle of the development, density, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety and neighbour amenity.

Site and Surroundings

11. The site is located within the Great Shelford village framework. It currently comprises a semi-detached, single storey, brick and tile bungalow that has been previously extended to the south to provide an annexe. There is a driveway to the front of the extension with two parking spaces and access on to Granhams Road. A low wall aligns the front boundary. The site is situated close to the junction of Granhams Road with High Green and a railway crossing.

Proposal

12. The proposal seeks external alterations to the existing dwelling, conversion to two dwellings and a new access. The development would result in a three bedroom unit and a one bedroom unit. The alterations consist of a new door to the north elevation and windows blocked up to the south and east elevations. A fence would subdivide the rear gardens of the plots. Part of the existing driveway would be soft landscaped. The new access would measure 5 metres in width and be positioned adjacent to the northern boundary of the site. Two additional parking spaces would be provided.

Principle of Development

13. The site is located within the village framework of a Rural Centre. The village has a wide range of services and facilities and the provision of one additional dwelling on the site is supported in policy terms.

Density

14. The site measures 0.05 hectares in area in total. The conversion of the existing dwelling to two dwellings would equate to a density of 40 dwellings per hectare. This would be in accordance with the density requirement of at least 40 dwellings per hectare for sustainable villages such as Great Shelford.

Character and Appearance of the Area

15. The proposed external alterations to the building would be minor and in keeping with the character and appearance of the existing building.
16. The provision of a new access would open up the front of the site but this is considered to harm the character and appearance of the area.

Highway Safety

17. The proposed access is not considered to be detrimental to highway safety. Whilst it is acknowledged that there would be no on-site turning and one additional parking space would be provided that would lead to an additional vehicle reversing on to the public highway, this would be located further away from the Granhams Road and Cambridge Road junction and reduce the reversing from the existing access closer to

the junction. Pedestrian visibility splays would be provided on each side of the access that would comply with the Local Highways Authority standards and be a condition of any consent.

18. Three vehicle parking spaces would be provided for the existing and proposed dwellings that would accord with the Council's parking standards that require an average of 1.5 spaces vehicle parking spaces per dwelling.

Neighbour Amenity

19. The proposal is not considered to adversely affect the amenities of neighbours or the future occupiers of the properties through a loss of privacy or an unacceptable rise in the level of noise and disturbance providing conditions are attached to any consent to ensure adequate boundary treatment, a scheme of soft landscaping and the removal of permitted development rights for hard surfaces.

Developer Contributions

20. The proposal would not lead to an increase in the number of bedrooms and therefore developer contributions towards open space and community facilities would not be required. A contribution towards waste receptacles is also not required given the recent advice in the NPPG in relation to small residential schemes.

Conclusion

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

Recommendation

22. Approve subject to the following 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: - Drawing numbers SM/GR/P301, SM/GR/P305A, SM/GR/P306A, SM/GR/P307A and SM/GR/P309.
(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 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 development is occupied as two separate dwellings in accordance with the approved details and shall thereafter be retained.
(Reason - In the interests of the amenities of the occupiers of the properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- d) 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 - In the interests of the amenities of the occupiers of the properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- e) 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 - In the interests of the amenities of the occupiers of the properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- f) The development, hereby permitted, shall not be occupied as two separate dwellings until the three vehicle parking spaces have been laid out on the site as shown on drawing number SM/GR/P305A.. The vehicle parking spaces shall thereafter be retained for parking purposes.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- g) The development, hereby permitted, shall not be occupied as two separate dwellings until visibility splays have been provided on both sides of the new access within an area of 2 metres x 2 metres measured from and along respectively the back of the footway as shown on drawing number SM/GR/P305A. The splays shall be retained and maintained free from any obstruction over a height of 600mm
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- h) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, E and F 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 the amenities of the occupiers of the properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Submission March 2014
- South Cambridgeshire Supplementary Planning Documents

- National Planning Policy Framework 2012
- Planning File Reference S/0572/15/FL.

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

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/1013/15/FL
Parish(es):	Cottenham
Proposal:	Extension to Local Authority Depot to provide Additional Secure Vehicle Parking Area and Open Storage and Extension to Existing Office/ Welfare Building
Site address:	Cambridge Waste Management Park, Ely Road, Waterbeach
Applicant(s):	Alboro Development Limited
Recommendation:	Approval
Key material considerations:	Countryside Highway Safety Biodiversity Flood Risk
Committee Site Visit:	No.
Departure Application:	Yes
Presenting Officer:	Karen Pell-Coggins
Application brought to Committee because:	The District Council rents the site from the applicants.
Date by which decision due:	14 July 2014

Planning History

1. **S/1306/12/FL** - Local Authority Depot including Secure Compound for Vehicle Parking Area with Associated Open Storage and Office Building - Approved

Planning Policies

2. **National Planning Policy Framework (NPPF) 2012**
3. **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/7 Development Frameworks
ET/5 Development for the Expansion of Firms
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/7 Sites of Biodiversity or Geological Importance
NE/11 Flood Risk
NE/14 Lighting Proposals
NE/15 Noise Pollution
CH/2 Archaeological Sites
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

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

S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
E/16 Expansion of Existing Businesses in the Countryside
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/5 Sites of Biodiversity or Geological Importance
NH/14 Heritage Assets
CC/9 Managing Flood Risk
SC/10 Lighting Proposals
SC/11 Noise Pollution
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

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

Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010

6. **Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD 2011**
CS26 Mineral Safeguarding Areas

7. **Cambridgeshire and Peterborough Minerals and Waste Site Specific Policies
DPD 2012**

M1A Cottenham (Sand and Gravel)
W1K Waterbeach (Waste Management Park)
W2B Cottenham (Landfill Site)

Consultations

8. **Cottenham Parish Council** - Comments are awaited.
9. **Landbeach Parish Council** - Has no objections.
10. **Waterbeach Parish Council** - Comments are awaited.
11. **Local Highways Authority** - Comments that the proposal would not have a significant impact upon the public highway provided a condition is attached to any consent to secure on-site parking and turning.

12. **County Council Transport Assessment Team** - Requests further information in relation to existing traffic movements and proposed trip generation details including modes of travel and times of arrival and departure from the site, capacity assessments of the roundabout and junction on the A10, levels of vehicle parking on the site and alternative means of travel to the site to be able to fully assess the transport impact of the development.
13. **Historic England** - Has no objections due to the bund screening and comments that the development is an area subject to development, quarrying and landscaping and the development is unlikely to have an adverse impact upon the significance of the Scheduled Ancient Monument.
14. **County Council Historic Environment Team** - Has no objections and comments that archaeological works are not necessary as the development would be located on previously disturbed ground and it is unlikely that significant archaeological features will survive.
15. **Environment Agency** - Comments are awaited.
16. **Waterbeach Level Internal Drainage Board** - Comments are awaited.
17. **Land Drainage Manager** - Comments are awaited.
18. **Contaminated Land Officer** - Has no objections but recommends a condition in relation to a contamination investigation due to the previous use of the site for landfill and factory works.
19. **Environmental Health Officer** - Has no objections.
20. **Ecology Officer** - Comments that the site is adjacent to an area that holds a Great Crested Newt population. However, a permanent amphibian fence has been erected to prevent animals from coming to harm within the wider area. Subject to the fence being retained and in a good condition, there is no reason to disagree with the ecology report submitted with the application. Welcomes the meadow planting and the specific seed mix that was previously agreed but is concerned that
21. **Landscape Design Officer** - Comments that the proposed development would not have a detrimental impact upon the landscape character, views and visual receptors. However, the proposed meadow planting enhancement measures are insufficient due to the proximity to the adjacent woodland. Suggests alternative landscape measures such as trees to expand the network of semi-natural habitats as a condition of any consent.
22. **Trees and Landscapes Officer** - Comments that the trees within the adjacent County Wildlife Site would not be affected by the floodlighting.
23. **County Council Minerals and Waste Team** - Comments are awaited.

Representations

24. None received.

Planning Comments

25. The key issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon the character and appearance of the countryside, highway safety, contamination, drainage, flood risk, ecology, landscaping and archaeology.

Site and Surroundings

26. The site is located on the southern section of the Cambridge Waste Management Park that is situated outside of any village framework and within the countryside. It lies the north west of the A10 (Cambridge to Ely Road) and former Dickerson Industrial Estate, north of the Cambridge Research Park and villages of Waterbeach and Landbeach, east of the village of Cottenham and south west of the hamlet of Chittering.
27. The site measures approximately 1 hectare in area and currently comprises the existing District Council Environmental Services depot. It consists of a hard surfaced compound for the parking of refuse vehicles and open storage for associated plant and equipment along with a single storey office/welfare building and staff parking spaces. A 2.4 high metal palisade fence bounds the site. Six floodlights are situated on the perimeter. Access to the site is via the Amey Cespa roundabout on the A10 to the north for heavy vehicles and via the internal access road through the industrial estate to the east for light vehicles. The hours of operation are 06.00 to 18.00 Mondays to Saturdays.
28. The site is situated within Flood Zone 1 (low risk) and 2 (medium risk). A number of watercourses and water bodies surround the site. The Car Dyke Scheduled Ancient Monument is situated in close proximity to the west of the site and the Beach Ditch and Landbeach Pitts Willow Wood County Wildlife Sites are situated in close proximity to the south and south west of the site.

Proposal

29. This full planning application, received on 14 April 2014, proposes the extension of the existing District Council depot to accommodate the City Council Council's refuse vehicles to provide a shared waste service to serve both administrative areas within a single management team.
30. The plans seek an extension of 3500 square metres to the hard surfaced compound to provide an additional 20 parking spaces for refuse vehicles, 76 parking spaces for employees vehicles and an open storage area for equipment. The plans also include an extension of 95 square metres to the southern side of the existing office/welfare building to provide improved facilities for the additional drivers and crew, the repositioning of the existing boundary fence to enclose the new compound and the repositioning of one flood light and erection of two new floodlights to the new boundary. The access arrangements would remain as existing.

Principle of Development

31. The site is located outside of any village framework and in the countryside. It does not fall within an Established Employment Area in the Countryside and the proposed use is not related to agriculture, horticulture, forestry, outdoor recreation or other uses which need to be located in the countryside. The development would therefore be contrary to Policy DP/7 of the adopted LDF and Policy S/8 of the emerging Local Plan.

32. The development would represent the consolidation of a non-conforming use in terms of its location in the countryside a significant distance away from existing settlements. The development would not therefore comply with Policy ET/5 of the adopted LDF.
33. However, the proposal would comprise the expansion of an existing firm that has been in the Cambridge area for a significant period of time with a viable business, the user is named, the development is of scale appropriate to its location, there would be no adverse impact upon the character and appearance of the countryside and there would not be a significant increase in the amount or different nature of traffic generated. The development therefore meets the tests of Policy E/16 of the emerging Local Plan.
34. Two representations that support the emerging policy and two representations that object to the emerging policy have been received. The support for the policy is because it offers appropriate encouragement for the sustainable growth of existing businesses in rural areas. The objections to the policy is because it is weaker than the existing due to the original operation of the business for 5 years being reduced to 2 years and the removal of the restriction on the scales of development.
35. Given the current stage of the emerging Local Plan, the limited number and nature of the objections received in relation to this emerging policy and the good degree of consistency with the NPPF, some weight can be attached to Policy E/16.
36. Paragraph 28 of the NPPF supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It states that local plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
37. The proposal would result in a shared refuse service between South Cambridgeshire District Council and Cambridge City Council. This would have significant financial benefits and operational benefits in the form of more efficient waste collection rounds that would reduce HGV miles and heavy traffic associated with the existing City Council depot in Mill Road being relocated away from the city centre so that all journeys would begin and end at the Cambridge Waste Management Park.
38. Due to the emerging Local Plan policy and NPPF being material considerations in the decision making process, that the adopted policy is out of date and the special circumstances above, no objections are therefore raised to the principle of the development. The application has been advertised as a departure.

Character and Appearance of the Countryside

39. Whilst it is acknowledged that the development would result in some loss of openness and rural character, this would have a minimal impact upon the landscape character of the area as the site is located within an existing industrial complex that is not visible from any public viewpoints surrounding the site. The development is not therefore considered to adversely affect the character and appearance of the countryside.

Setting of Scheduled Ancient Monument and Archaeology

40. The development would be located 200 metres to the east of the Car Dyke Scheduled Ancient Monument. As a result of the existing industrial complex and bund that screens the monument from the site, the development is not considered to

damage the setting of this designated historic asset. The proposal would not harm any significant features of archaeological interest.

Highway Safety

41. The Transport Assessment submitted with the application states that the proposal would not result in an increase in traffic generation from heavy vehicles accessing the site via the roundabout on the A10 as this already exists due to Cambridge City Council's refuse vehicles disposing of the waste collected upon the rounds at the Cambridge Waste Management Park before returning to the existing city depot for overnight storage. The only change would be the times of access to the Cambridge Waste Management Park which would alter from entry and exit in the afternoon to exit in the morning and entry in the afternoon. Further information is required to be able to make an assessment of the impact upon highway safety and the comments of the County Council Transport Assessment Team would be sought.
42. The proposal would, however, result in an increase in traffic generation from light vehicles accessing the site via the internal access road through the former Dickerson Industrial Estate and on to the A10 as a number of additional employees would be based at the depot. This would lead to additional traffic entering the site in the morning and exiting the site in the afternoon. Further information is required to be able to make an evaluation of the impact upon highway safety and the comments of the County Council Transport Assessment Team would be sought.

Parking

43. The depot currently has 134 employees and 74 vehicle parking spaces. The proposal would result in an additional 60 employees and 79 parking spaces. This would lead to a total of 194 employees and 149 parking spaces. Further information is required on the need for this level of vehicle parking on site and the comments of the County Council Transport Assessment Team would be sought.
44. The Cambridge City Council Employee Travel Plan 2008 has been submitted with the application to demonstrate that there is a package of measures in place to promote sustainable travel and decrease the method of travel by the private motor vehicle. However, it is not up-to-date and is not relevant to this application as it references sites in the city. Further information is required to make an evaluation on the alternative modes of transport available and the comments of the County Council Transport Assessment Team would be sought. A condition would need to be attached to any consent to secure a full travel plan related to this particular site.

Ecology

45. The development would not adversely affect nearby habitats for protected species such as Great Crested Newts due to the presence of an amphibian fence. The provision of meadow planting would enhance the biodiversity of the site.

Trees and Landscaping

46. The proposal would not result in the loss of any trees or landscaping that is important to the visual amenity of the area or the features of the adjacent County Wildlife Site. However, biodiversity enhancement measures above meadow planting are required to expand the range of semi-natural habitats on the site. This would be a condition of any consent.

Flood Risk and Drainage

47. The site lies within Flood Zone 1 (low risk). The Flood Risk Assessment submitted with the application states site levels would be above the 1 in 100 year flood level plus climate change and that that surface water would be discharged to the existing water treatment lagoon that has adequate capacity for the storage of run off. However, comments from the Environment Agency and Drainage Board are awaited to determine the impact of the development upon flood risk and drainage.

Contamination

48. An investigation into contamination is required as a result of the previous use of the site to ensure that the development would not cause a risk to human health or groundwater. This would be a condition of any consent unless the information is submitted prior to the determination of the application and agreed by the Contaminated Land Officer and Environment Agency.

Other Matters

49. The site lies close to allocated mineral and waste sites. The comments of the County Council Planning Team are awaited to determine the impact of the development upon these areas.
50. The development is not considered to harm the amenities of neighbours given the surrounding land uses.

Recommendation

51. It is recommended that the planning committee grant officer delegated powers to approve the application subject to the outstanding comments and any conditions required by statutory consultees together with the following 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: - Drawing numbers CP/ADL/WCVC/01, 15:021-2 Revision C, 15:021-4 Revision A and 15:021-5.
(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 be occupied until full details of 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.)

d) All 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.)

e) No development approved by this permission shall be commenced, unless otherwise agreed, until:

- i) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
- ii) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
- iii) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
- iv) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.
- v) The application site has been subject to an appropriate scheme for the investigation and monitoring of ground gas.
- vi) Where required, detailed proposals for the mitigation or otherwise rendering harmless of any ground gas have been submitted to and approved in writing by the Local Planning Authority.

(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

f) The development hereby permitted shall not be occupied until a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

- South Cambridgeshire Local Plan Submission March 2014
- South Cambridgeshire Supplementary Planning Documents
- Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD 2011
- Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals 2012
- National Planning Policy Framework 2012
- Planning File References S/1013/15/FL and S/1306/12/FL

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

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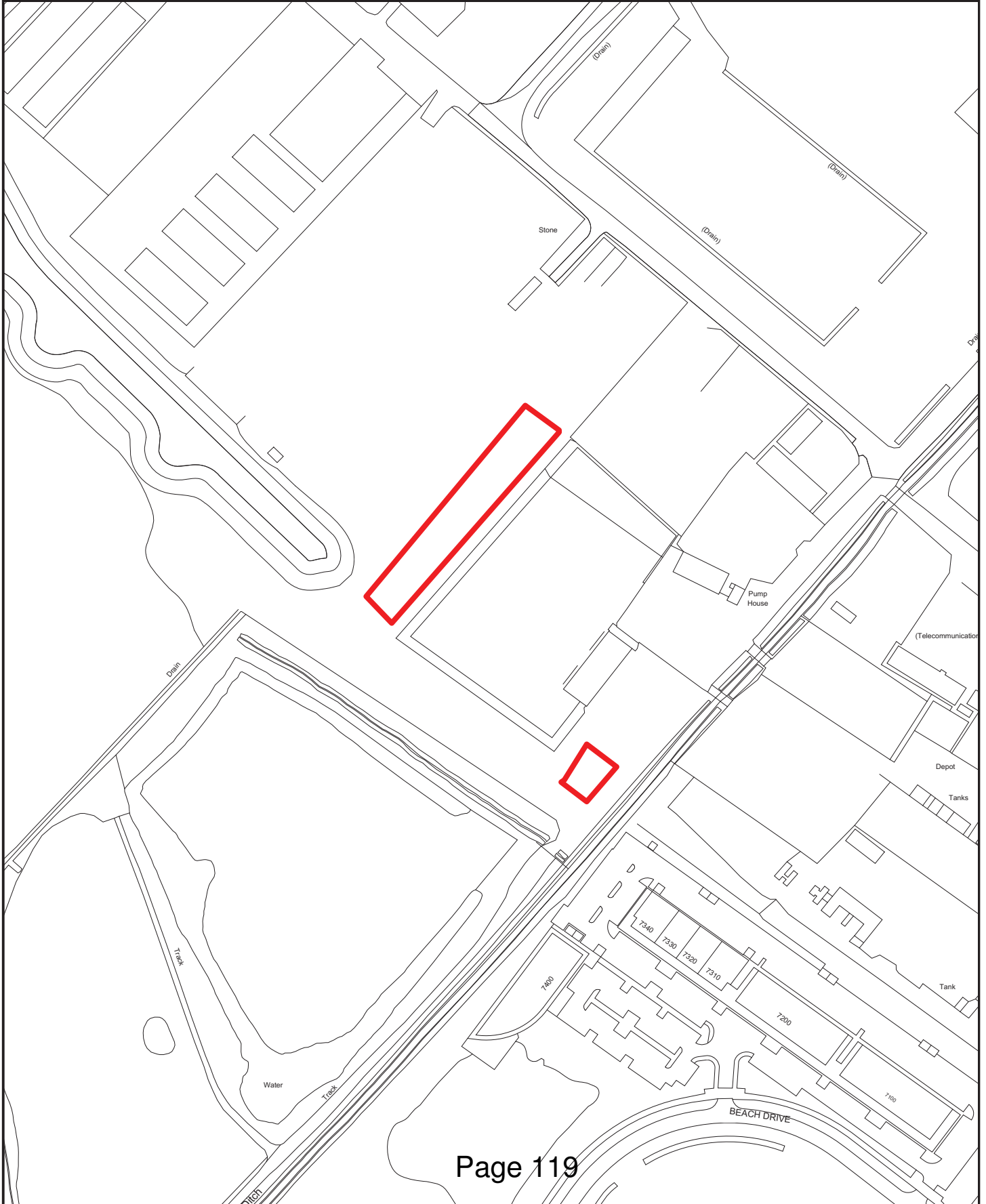
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Agenda Item 12

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 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:	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:	30/04/2015

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 were 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 be appropriate. Requests conditions in regard to the proposed materials should consent be granted.
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 single storey garage which is accessed by a separate driveway and separate parking area. The site is well landscaped with substantial trees and hedgerows along its boundaries and within the plot.

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 discussed 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 density level of achieving 30 dwellings per hectare in more sustainable locations under Policy HG/1 Housing Density. 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 and modern to the existing traditional design of the dwellings in the area, the proposal is considered significantly different and would be 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 4.5 metres in height 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, size, scale and massing from the existing garage building, the proposal is not considered to encroach on the character, low density appearance and openness of the PVAA. The proposal would not interrupt or 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 or impede upon the open views of the Grade II* listed mill from College Road and the north west part of The Crescent. The proposal as a result would retain the spaciousness and open character of the area and setting of the mill.

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



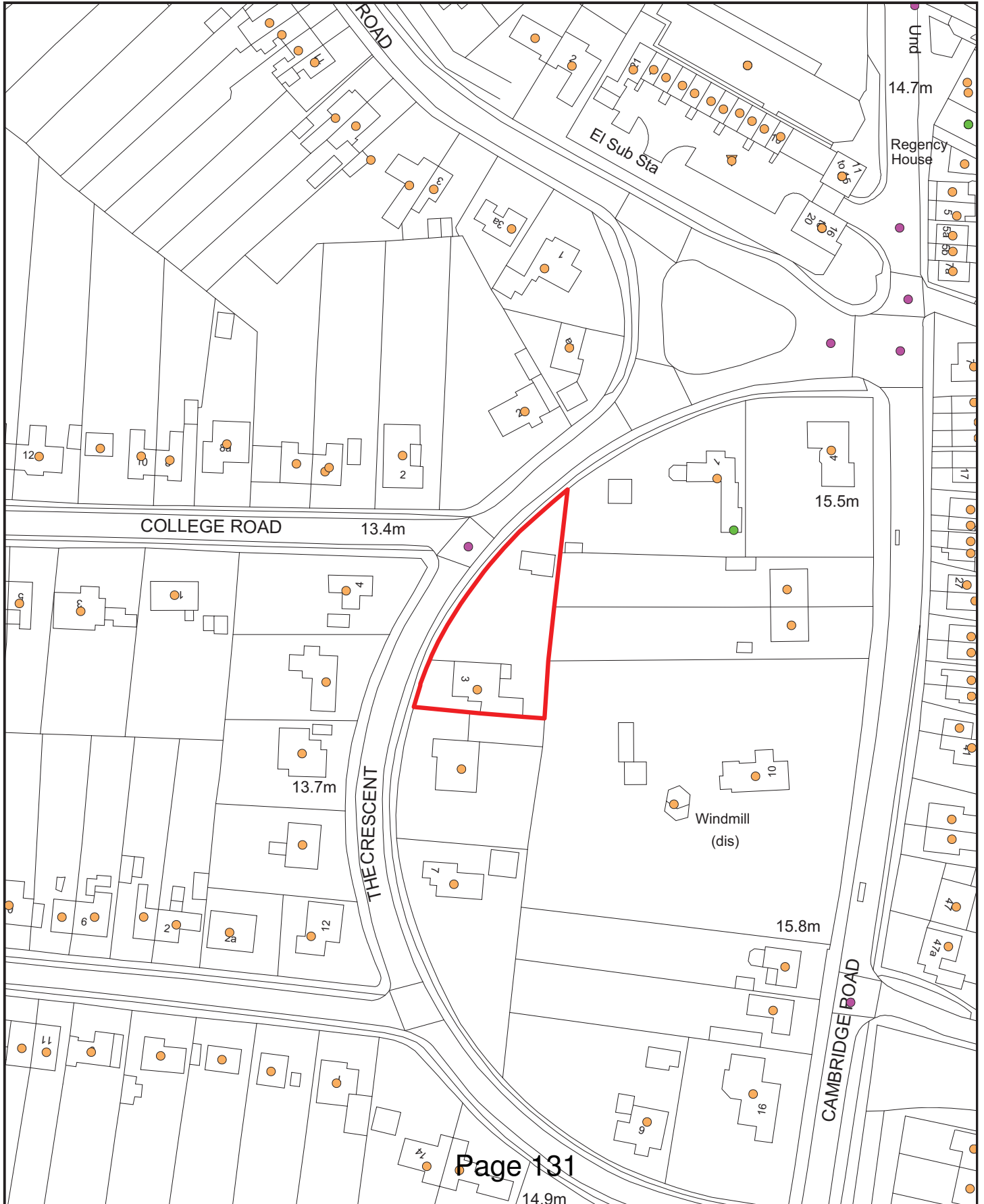
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Agenda Item 13

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number / type of application:	S/0324/15/FL / Full Application
Parish(es):	Linton
Proposal:	Replacement windows and doors in front and rear elevations
Recommendation:	Approval subject to conditions in paragraph 8.
Material considerations:	Visual Impact Setting of Conservation Area/Listed Buildings
Site address:	2 High Street, Linton
Applicant(s):	Raj Wadhvani, Linton Dental Practice
Date on which application received:	20 February 2015
Site Visit:	None
Conservation Area:	Yes
Departure Application:	No
Presenting Officer:	Katie Christodoulides, Senior Planning Officer
Application brought to Committee because:	The recommendation of Linton Parish Council conflicts with the Officer recommendation of approval
Date by which decision due:	29 April 2015

Executive Summary

1. The application was originally submitted for the replacement of all the windows and door in the front elevation, and replacement of the patio doors in the rear elevation of the building with white, wood grain effect UPVC windows. Following Amended Plans received on the 15 May 2015 the proposal seeks consent for the replacement of the windows and doors in the front and rear elevation with timber. This follows unauthorized work in which the existing white timber windows and door were replaced with black UPVC windows

Planning History

2. **S/0226/14/FL-** Change of use from a dwelling to a dental practice-Approved.

Planning Policies

3. **National Planning Policy**
National Planning Policy Framework (NPPF)

Local Development Framework Development Control Policies 2007:

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
CH/5 Conservation Areas

South Cambridgeshire Local Development Framework Supplementary Planning Documents:

District Design Guide SPD
Conservation Area SPD

Proposed Submission Local Plan (July 2013)

NH/14 Heritage Assets

Consultation with Council Services and Statutory consultees

4. **Linton Parish Council-** Recommends refusal. The proposed windows are timber and proposed design does not match the original windows and other buildings in the area. Concerns are raised regarding loss of privacy from the CCTV cameras and parking of contractor vehicles.

Conservation Consultancy- The proposed timber sash windows and door will improve the traditional appearance of the buildings and enhance the Conservation Area.

Representations from members of the public

5. **Hill House, 4, The Grip-**The proposed CCTV cameras would detract from the character of the building and street scene. The proposed UPVC windows would not be sympathetic to the character of the area and would be out of keeping.

No Address Provided- Raises concerns regarding the materials and design of the proposed windows and CCTV.

No Address Provided-Raises concerns regarding the materials, design, colour of the reveals and CCTV to the character of the area.

Hill House, The Grip-Raises concerns regarding the character, design, appearance, detail and materials for the proposed windows and impact upon the street scene and character of the area. Concerns raised regarding the CCTV.

No Address Provided- Objects to the proposal on the grounds of character and the proposed windows and doors being out of keeping with the character of the area.

6. **Comments from the Planning Officer**

The proposal seeks consent for the replacement of five windows and the front door in the front elevation of the building, and replacement patio doors in the rear elevation with white timber windows and a black timber door. This follows unauthorized work in which the existing white timber windows and door were replaced with black UPVC

windows. The site lies within the Conservation Area, with numerous listed buildings and more modern buildings located along the High Street. The building is prominent in street scene views due to its siting and position on the corner of the High Street and A1307.

The proposed white timber windows and patio door, and proposed black front elevation door, although not similar in style to the original windows and doors would comprise of a traditional sash design. The proposal would be in keeping with the simple design and character of the existing property, and the proposed materials and detailing would enhance the character and appearance of the Conservation Area. The proposed windows and doors would not detract from the character and appearance of the existing property, Conservation Area and setting of the adjacent listed buildings.

A condition shall be added to ensure the works are completed within three months of the date of the permission, given the current works are unauthorized and subject to Enforcement action.

Other matters

Linton Parish Council and various neighbours have raised concerns regarding parking outside the property. There is sufficient parking available to the rear of the building and an informative will be added to any consent granted to advise the applicant of this.

Conclusions

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

Recommendation and Reasons for Approval

8. Approval subject to:

Conditions

- (a) The development hereby permitted shall be completed within 3 months from the date of this permission.
(Reason – To ensure compliance of the works and that the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: 14:295/09 Rev C, 14:295/23 Rev A, 14:295/24 & 14:295/08 Rev B.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Informatives

- (a) The applicant should ensure that construction and delivery vehicles park off the public highway and within the site to the rear of the building.

Background Papers:

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- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Proposed Submission South Cambridgeshire Local Plan July 2013
- National Planning Policy Framework 2012
- National Planning Policy Guidance
- Planning File: S/0226/14/FL

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



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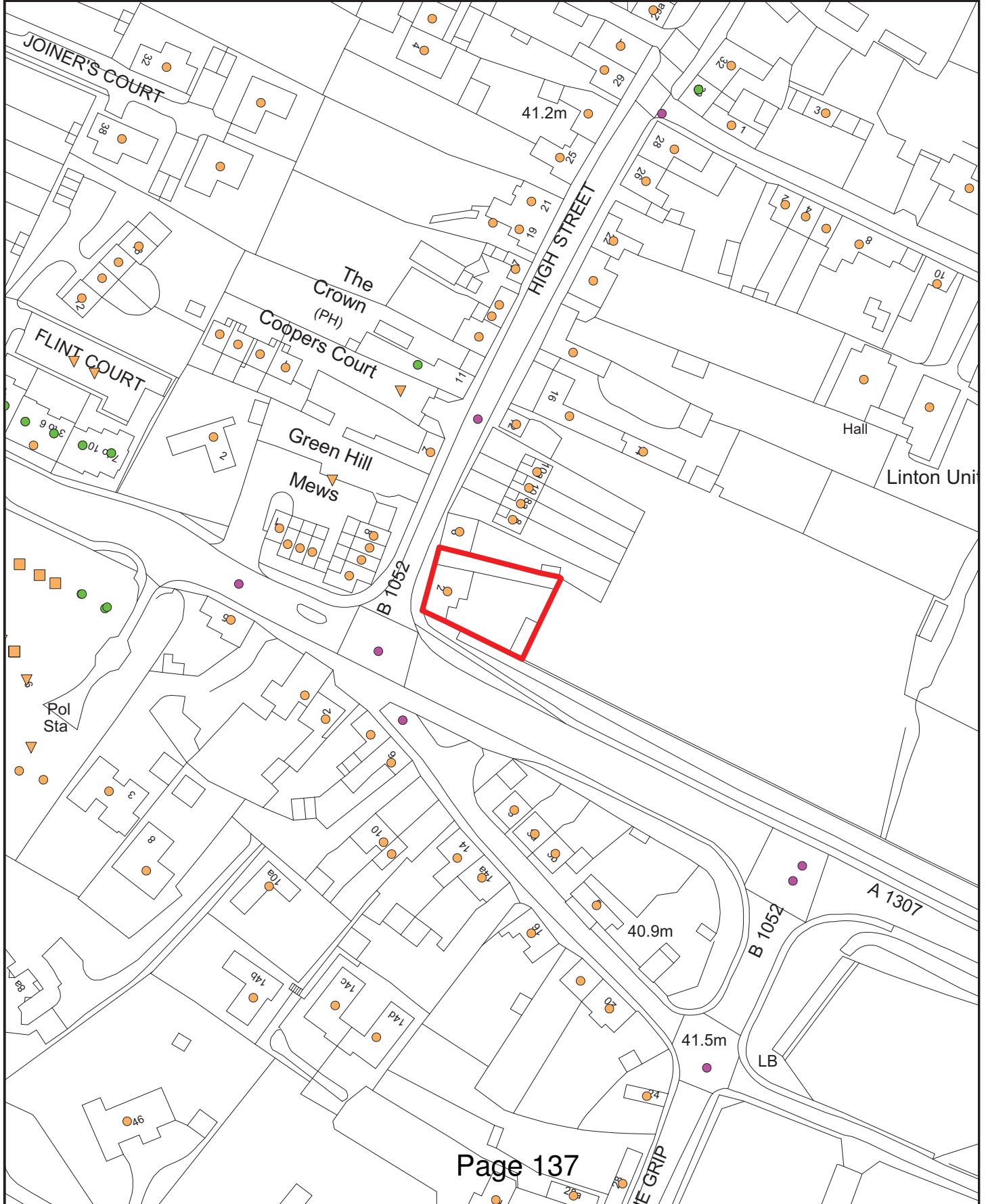
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Agenda Item 14

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 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.
64. A further letter in support of the application, which has been submitted by the applicant for Member's consideration, along with additional comments from the applicant's agent and proposed layout plan, are attached at Appendix 1.

Planning Considerations

65. 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.
66. 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

67. 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.
68. 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.
69. 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

70. 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

71. 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 are 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.
72. 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

73. 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

74. 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.
75. 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)

76. Officers have concluded that the proposal is inappropriate development by definition as it will not preserve the openness of the Green Belt.
77. 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.
78. 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.
79. The recreational benefits are recognised, but are not considered to be of a scale in this case that would outweigh the identified harm.

80. 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.
81. 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

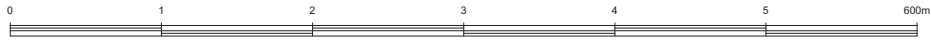
Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -

- (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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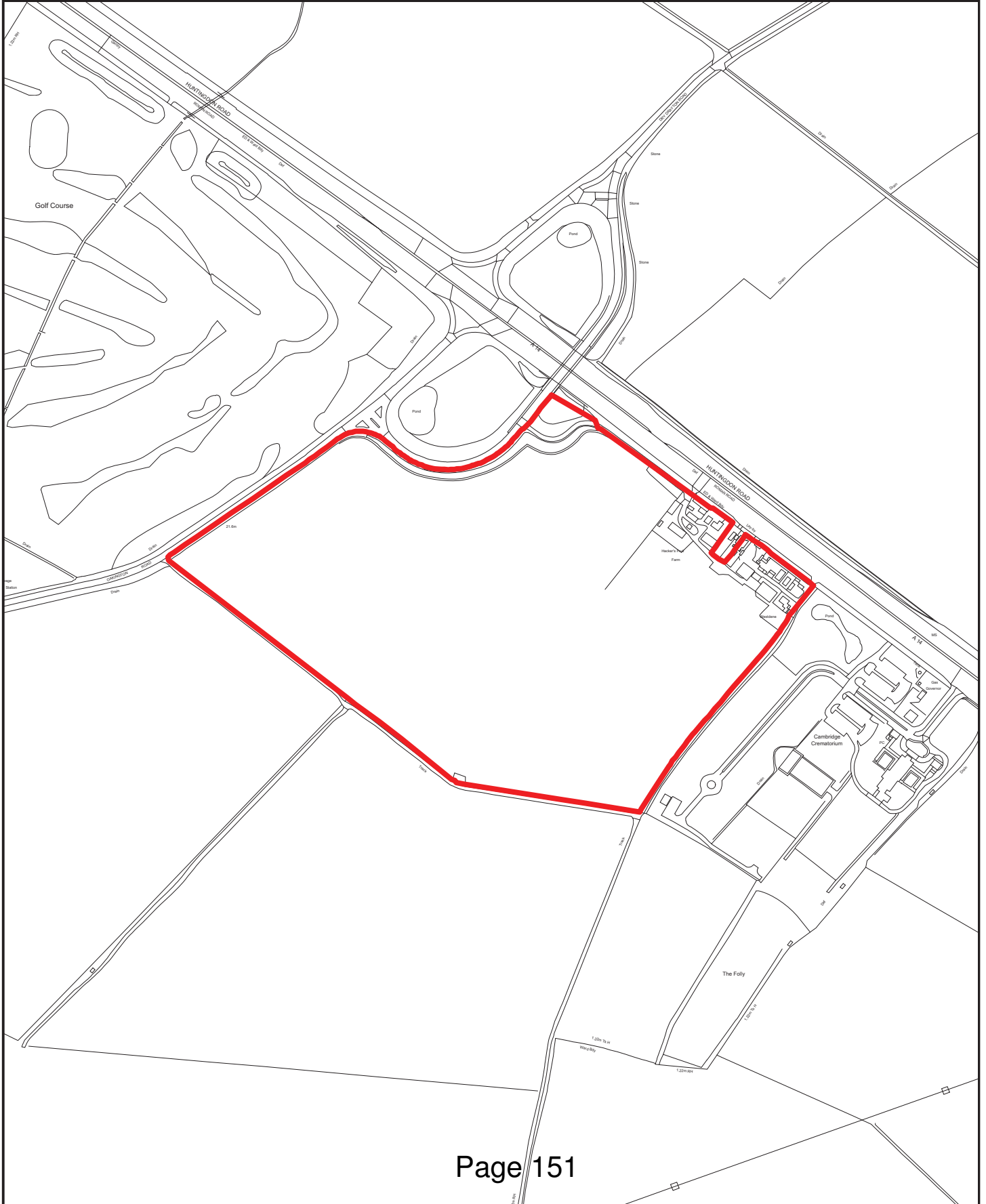
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Agenda Item 15

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 June 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2829/14/FL
Parish:	Fowlmere
Proposal:	Conversion of redundant former barn building and alterations to form residential dwelling and erection of detached garage
Site address:	Rear of Lanacre, Chrishall Road
Applicant(s):	Mr Colin Blundell
Recommendation:	Approval
Key material considerations:	Principle of conversion and housing need Whether the building is capable of conversion Impact on surrounding area and neighbours Access
Committee Site Visit:	None
Departure Application:	No
Presenting Officer:	Andrew Winter/John Koch
Application brought to Committee because:	The recommendation of the Parish Council conflicts with that of Planning Officers
Date by which decision due:	28 January 2015

Planning History

1. Planning permission was granted for a glasshouse, polytunnel and sales building in 1995 (ref S/1456/95/F).
2. In 2012 a lawful development certificate (ref S/0436/12/LD) was issued to allow occupation of the dwelling at No.86 Chrishill Road by persons not in agriculture work as per application SC/72/1244.

Planning Policies

3. **National Planning Policy Framework 2012**

4. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Village Frameworks
HG/8 Conversion of Buildings in the Countryside for Residential Use
TR/2 Car and Cycle Parking Standards

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

District Design Guide SPD – adopted March 2010

6. **Proposed Submission Local Plan (July 2013)**

CC/4 Sustainable Design and Construction
H/16 Re-use of Buildings in the Countryside for Residential Use
HQ/1 Design Principles
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
TI/3 Parking Provision

Consultations

7. **Parish Council** – Recommends refusal: “Fowlmere Parish Council does not support this application (voted 6-0 in favour of refusal to approve). The Parish Council pay regard to the National Planning Policy Framework but alongside it the Local Development Framework can still be considered where such are up to date and consistent with the NPPF – we consider this to be a case in point. The NPPF at page 14, item 6, para 55 is consistent with the LDF July 2013 chapter 7, ‘Reuse of buildings in the countryside for residential use’, policy H/16 ‘Reuse of buildings in the countryside for residential use’. The PC feels it doesn’t fulfil the criteria required in the NPPF nor does it appeal to follow the criteria in H/16 LDF.
8. The building appears to be a very light-weight construction, more in keeping with a shed rather than a substantial agricultural building. The building would appear to need a large amount of construction work doing to it i.e. not as described in para b (of H/16). This would in reality make it practically a ‘new-build’.
9. The information given as to the marketing of the building for employment purposes seems minimal and there is no proof that it has been marketed thoroughly, as would have been expected. The circulation areas of the papers employed to market the property are very narrow and restricted and one would have expected also that there would be a bill-board at the site itself. A 5-year lease seems very restrictive and would also reduce the attractiveness.
10. The site lies outside the village framework, and is therefore wholly contrary to established policy. Any approval on this site would set a precedent.”

Council’s Rural Consultant (Peter Chillingworth) –

11. “In his letter, Mr Marshall indicates the property has been offered for rent since December 2013, some 16 months. He states there has been little interest. He mentions that since October there have been four enquiries, none of which proceeded. He makes the point in his letter and to me when we spoke that he has

made clear to prospective occupiers that there was considerable flexibility over the rental terms and conditions.

12. Advertising has been mainly via websites and he has used 21 sites. I found the property is still advertised on Rightmove under commercial property and is easily found. The letter mentions a site board that was placed initially and then removed. I understand the reasons for removal, and do not consider this will have had a significant effect, bearing in mind the rural location and the wide electronic coverage.
13. The issue that has concerned me is the rent indicated on the publicity material. This is £10,000 p.a. for 1456 sq ft gross, or £6.87 p.sq.ft. Bearing in mind the rural location, limited services, the condition of the rather constrained space and likely work needed to the interior before use, to me this seems very high. It is difficult to find exact comparable being marketed at the moment; there are very few rural buildings on the market, most premises I considered are on industrial estates around south Cambridgeshire. Rents advertised for storage/office accommodation can be found at similar or below that for the Old Stables and these will have good access to other commercial centres, have full services and flexible work space. Notwithstanding that, some occupiers may find the rural location attractive for certain uses as indicated by those who have made enquires, although I consider this a comparatively limited market and would generally attract a lower rent than that advertised.
14. Turning to the parish council's comment, the first paragraphs are not for me to assess. However, the comment on marketing fails in my view to consider the evidence submitted, but perhaps were not aware at the time of the comments. They mention the limited circulation of papers used for advertising; I consider the use of websites is far more likely to bring in serious business enquiries than newspapers these days. I have already referred to the siting of a bill-board above.
15. I have considered whether the marketing of the Old Stables demonstrates the building is inappropriate for suitable employment use in accordance with Policy HG/8 of the Local Plan. In my view, the marketing has been carried out professionally and through the right medium for an appropriate time of 16 months, a period normally considered adequate to test the market. I consider the advertised rent is too high compared with other property in the area and this might have put some people off. However, the fact that the agent is prepared, under instruction from his client, to be very flexible when negotiating on the terms of a lease and the rent itself when dealing with serious enquiries does help to cancel out the high published rental figure. On balance, the marketing exercise indicates, in my opinion, that there is insufficient interest in this property to maintain a commercial use and therefore the test of unsuitability has been met."
16. **Local Highway Authority** – No significant adverse effect upon the public highway should result from this proposal, should it gain benefit of planning permission.

17. **Representations**

None received

Planning Comments

18. The main issues in this application are:
 - Principle of conversion and housing need

- Whether the building is capable of conversion
- Impact on surrounding area and neighbours
- Access

Principle of conversion

19. Paragraph 14 of the NPPF explains that the presumption in favour of sustainable development means granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the NPPF indicate that development should be resisted.
20. The key policies to consider in this instance are adopted Policy HG/8 of the LDF 2007, draft Policy H/16 of the local plan and paragraph 55 of the NPPF 2012. National planning policy encourages local authorities to avoid isolated homes in the countryside except in exceptional circumstances, one of which is where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. Adopted Policy HG/8 and Draft Policy H/16 reflect this aim and are therefore consistent with the NPPF.
21. Under the aforementioned local policies the applicant must first demonstrate that there is no demand for the existing agricultural building for employment use with at least 12 months of marketing evidence at a realistic price. To address this requirement, the applicant has submitted evidence from 'Marshalls' (letter dated 27 October 2014), to confirm that there has been no significant interest in the property since it was marketed in December 2013. The method and extent of this marketing has, however, been called into question by the Parish Council and therefore the local planning authority has requested a second opinion from an independent rural consultant.
22. The consultant's report (dated 24 April 2015) argues that the marketing has been carried out through the right medium for an appropriate period of 16 months in total. The marketing agent has been under instruction from his client to adopt a flexible negotiating approach to both the rent and lease period. This, in the consultant's opinion, has helped to cancel out the high published rental figure compared to other properties in the area. He concludes that, on balance, the marketing exercise indicates that there is insufficient interest in the property to maintain a commercial use. On this basis, it would be very difficult for officers to defend a refusal of the application based on a lack of sufficient marketing.
23. A further consideration is the council's lack of a five-year housing land supply, which was identified in the two appeal decisions in Waterbeach in June 2014. The Council's housing supply policies in adopted and emerging plans are therefore out of date, and in such circumstances 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.
24. The principle of the proposal is therefore considered acceptable taking into account the submitted marketing evidence, the opinion of the council's rural consultant and the requirements of paragraphs 14 and 55 of the NPPF.

Whether the building is capable of conversion

25. Adopted Policy HG/8 states that any barn that is proposed for conversion must be structurally sound and capable of re-use without materially changing its existing character.
26. The proposal has been assessed by a professional engineer (GA Gawn Associates) on behalf of the applicant and a structural survey submitted in the application. This survey recommends that the:
- existing corrugated roof sheeting is replaced with more conventional roof coverings (e.g. tiles) and the existing roof structure can be retained;
 - internal/external insulation will need to be applied to the detached store;
 - ground bearing floor slabs be retained and insulation and damp protection added;
 - timber framed wall cladding can be retained with insulation applied between the studwork framing;
 - new internal spaces are divided using new timber framed walls and used to support roof structure over; and
 - windows and doors set into the perimeter walling.
27. On this basis, it is reasonable to conclude that the existing barn and store can be upgraded in a progressive manner to meet habitable standards of accommodation without the need for complete demolition and replacement. Consequently, despite the objections of the parish council, a recommendation of refusal on these grounds is untenable in light of the evidence submitted in the application. A suitable condition has been recommended to cover this point.

Impact on surrounding area and neighbours

28. The site is well screened from the surrounding area and neighbours by established planting to its boundaries, and the conversion of the building together with the new garage is considered to be in keeping with its surroundings. In addition, the development would be sufficiently divorced from surrounding neighbours to avoid any adverse impact upon residential amenity. Accordingly, the development accords with the aims and objectives of Policies DP/2, DP3 and criterion 2(f) of Policy HG/8.

Access

29. The site is served by an existing access and the local highway authority has confirmed that it has no objections to the proposed use of the existing access onto Chrishall Road.

Conclusion

30. Paragraph 14 of the NPPF explains that the presumption in favour of sustainable development means granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the NPPF indicate that development should be resisted.

31. On balance, the principle of the development is considered acceptable in this instance having regard to the submitted marketing evidence and the lack of demand for employment use. The building is capable of conversion and its impact on the surrounding area is considered to be minimal. The proposal is therefore considered to represent sustainable development and appropriate weight must therefore be given in favour of the application taking into account the requirements of paragraphs 14 and 55 of the NPPF.

Recommendation

32. Approval, subject to the following:

Conditions

- a) **The development hereby permitted shall be carried out in accordance with the following approved plans: 8090-P01, 8090-P05, 8090-P06, 8090-P07 and 8090-P08.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- b) **The external materials of the development, hereby permitted, shall be installed in accordance with the specifications set out in the application forms and approved plans.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- c) **No development shall commence until a schedule of proposed works detailing all those elements of the building involved in the conversion to be repaired, renewed, rebuilt or newly constructed, including below ground features and specifications of materials to be used, has been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved schedule and any materials considered necessary as work progresses shall also be approved.**
(Reason – To ensure the development extensively only involves the conversion of the building as approved, in accordance with Policy HG/8 of the adopted Local Development Framework 2007.)
- d) **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.)

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.

- Planning File Refs: S/1456/95/F & S/0436/12/LD

Report Author: Andrew Winter – Senior Planning Officer
Telephone: (01954) 713082

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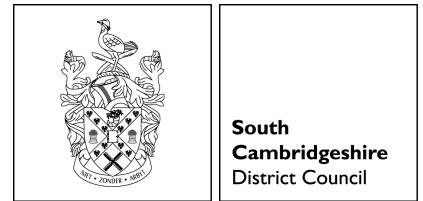
**South
Cambridgeshire
District Council**

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Agenda Item 16



Report To: Planning Committee

3 June 2015

Lead Officer: Legal and Democratic Services Manager

Public Speaking Protocol – Review of arrangements at Planning Committee meetings

Purpose

1. To conduct a review of the public speaking protocol and, specifically, to consider paragraphs 8 and 9.

Recommendations

2. It is recommended that the Planning Committee endorses the draft protocol attached at Appendix A, reflected the changes highlighted in paragraphs 8 and 9 of this report, and Appendix B (changes included).

Reasons for Recommendations

3. The protocol needs to be reviewed at regular intervals in order to remain effective, relevant and understandable.

Background

4. At its meeting on 24 May 2007, Council resolved that public speaking at Planning Committee be introduced, and that the Planning Committee be authorised to review and amend the scheme at its discretion, Part 4 of the Constitution being amended accordingly.
5. Planning Committee last reviewed the protocol in May 2014 but did not make any changes to the Protocol agreed 12 months earlier.

Considerations

6. Public speaking at Planning Committee meetings, which includes contributions from local Members not on the Committee and members of parish councils, has been well received generally, and has allowed applicants, their agents, and objectors to take a greater part in the planning application process.
7. During the past few years, public speaking has operated well, but unforeseen circumstances have arisen from time to time, which have been dealt with under the Committee Chairman's general discretionary powers.
8. Recent experience has shown how difficult it is to estimate what time individual applications will be considered at meetings. Factors such as withdrawal of earlier items from the agenda, the number of public speakers, and unforeseen circumstances can all play a part. Therefore, it is proposed that formal advice should be that all public speakers should be in the Council Chamber at the beginning of the meeting.

9. At the meeting in May, a Parish Council was represented by an agent, Although the current protocol requires Parish Councils to be represented either by elected or co-opted Councillors, it is the case that applicants and objectors sometimes appoint agents. There have been a few instances where local Members have been represented by other Members. There is no legal reason why Parish Councils should not be represented by agents. Officers propose therefore that Parish Councils should be allowed to appoint agents, and that those agents should include their Clerks.

Options

10. To leave the public speaking protocol as it is, namely as agreed in 2013 and reaffirmed last year.
11. To endorse and adopt the protocol, as amended and set out in Appendix A to this report.
12. To amend the protocol in some other way, perhaps omitting the proposals set out in either paragraph 8 or 9, and perhaps reflecting other issues.

Implications

13. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Equality and Diversity

14. The protocol is available electronically and in hard copy. Provision has been made for the document to be provided in alternative formats. Democratic Services Officers can advise verbally about the protocol's main requirements.

Consultation responses (including from the Youth Council)

15. External consultation was not deemed appropriate.

Effect on Strategic Aims

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

Background Papers

None

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



Public Speaking at meetings of the Planning Committee

Approved ~~May 2013~~
~~Reaffirmed May 2014~~

What is the Planning Committee?

The Council's Planning Committee consists of ~~13~~ [number] District Councillors and is responsible for the determination of the larger, more complex or sensitive planning applications submitted to the Council. It also deals with other matters such as some public rights of way, the protection of important hedgerows, tree preservation and the administration and enforcement of building regulation regimes for existing or proposed buildings. A complete list of matters decided by the Planning Committee can be found by looking at the Council's Constitution (insert link).

When and where do Planning Committee meetings take place?

The Planning Committee meets in the Council Chamber at South Cambs Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA at ~~10.00am~~[time] on a Wednesday, which is usually the first Wednesday each month. Further details, including contacts, directions, and variations to dates are available on the Council's website (www.scambs.gov.uk and follow the links from 'Your Council') or by phoning Democratic Services on 03450 450 500.

Can anyone attend Planning Committee meetings?

Meetings of the Planning Committee are open to the public, so anyone is able to attend. A range of people with differing interests in specific applications observe these meetings, whether they are applicants or an applicant's agent, objectors, neighbours or other residents, local District Councillors or members of Parish Councils. Despite being a public meeting, in some very occasional cases the law does allow the committee to consider some matters in private. For example, an application may contain information of a personal or commercially sensitive nature that the Council would not be able to publicise. In every case, however, the public interest in excluding the press and public from the meeting room must outweigh the public interest in having the information disclosed.

Can anyone speak at Planning Committee meetings?

The Planning Committee welcomes public speaking and participation from outside of the Committee's membership. Other than Members of the Planning Committee and the Council's officers, there are four main categories of other people able to speak at meetings of the Committee: -

- (1) 1 x Objector or objector's agent
- (2) 1 x Supporter (usually the applicant or planning agent)
- (3) 1 x Parish Council representative (~~but not the Clerk~~)(elected or co-opted Councillor, agent or Parish Clerk)
- (4) Local District Councillor(s) or another cllr appointed by them.

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

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

It is impossible to say at what time each application on the agenda will be discussed. Public speakers should therefore be prepared to address the cttee at any time after the beginning of the meeting.

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

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

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

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

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

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

Committee members will have read the written reports prepared for them, so speakers should try to avoid repeating points that are already explained in that material.

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

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

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democratic.services@scambs.gov.uk

Updated: ~~8 May 2013~~ June 2015



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Approved

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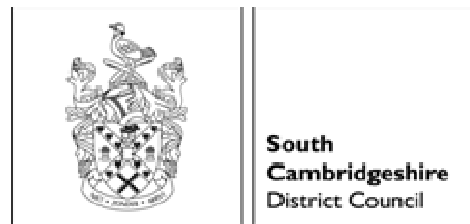
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democratic.services@scambs.gov.uk

Updated: June 2015

Agenda Item 17



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

3 June 2015

Enforcement Report

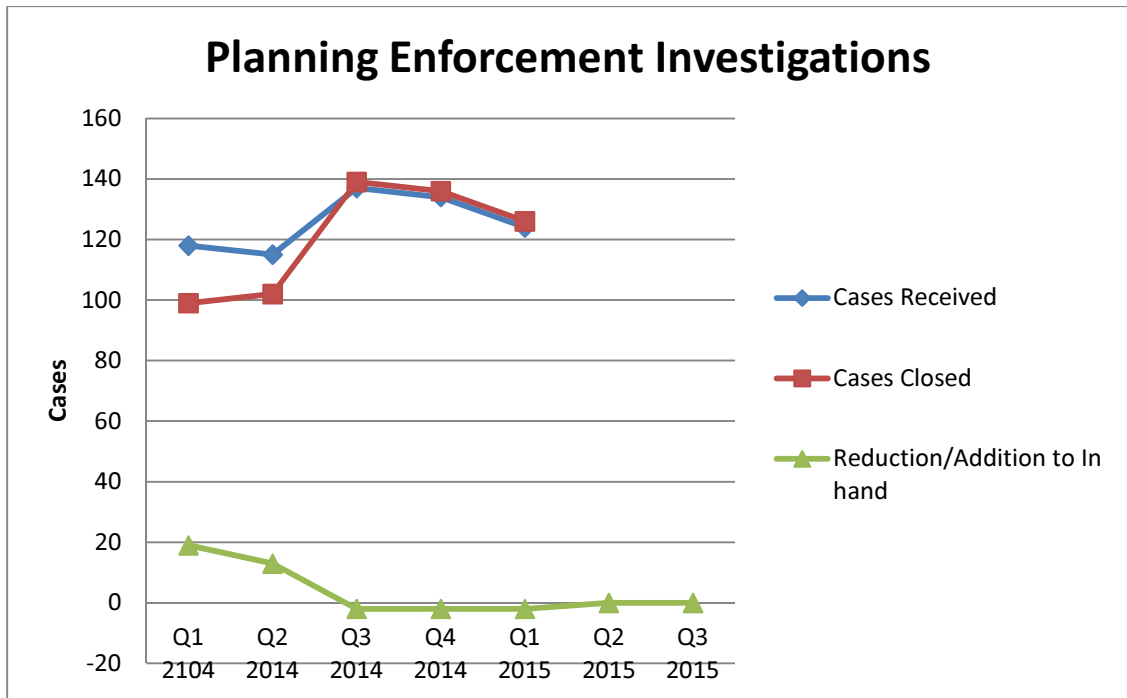
Purpose

1. To inform Members about planning enforcement cases, as at 22nd May 2015. Summaries of recent enforcement notices are also reported, for information.

Enforcement Cases Received and Closed

2.

Period	Cases Received	Cases Closed
1 st Qtr. 2015	124	126
April 2015	44	57
May 2015	-	-
June 2015	-	-
2015 YTD	168	183
2014	504	476



Enforcement Cases on hand:

3. Target 150
4. Actual 81

Notices Served

Type of Notice	Period	Year to date
	April 2015	2015
Enforcement	1	5
Stop Notice	0	0
Temporary Stop Notice	0	1
Breach of Condition	0	7
S215 – Amenity Notice	1	1
Planning Contravention Notice	0	1
Injunctions	0	1
High Hedge Remedial Notice	0	0

Notices issued since the last Committee Report

Ref. no.	Village	Address	Notice issued
PLAENF 1501	Great Chisel	2 North Hall Farm	Enforcement Notice
PLAENF 1598	Melbourn	73 High Street	Amenity 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
Appeal decision issued 20th May 2015 under reference number APP/W0530/A/14/2223632. Appeal allowed subject to conditions. Application for award of costs refused.

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. Appeal submitted - 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

Notices part complied, remaining items under review

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 168 cases investigated which when compared to the same period in 2014 is a 7.69% 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

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

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Agenda Item 18



South
Cambridgeshire
District Council

REPORT TO: Planning Committee

3 June 2015

LEAD OFFICER: Planning and new Communities Director

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 22 May 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/1759/14/FL	Mr D Harrington Rear of Lea Court Coles Road Milton Dwelling	Dismissed	21/04/14
	S/1626/14/FL	Mr J Pearson Adj 22 Church End Gamlingay, Dwelling	Dismissed	28/04/15
	S/1078/14/FL	Mr C Blundell 135 High Street Harston Extension and one dwelling	Allowed	19/05/15
	S/0638/14	Mr T Wall 1-5 Pine Lane Smithy Fen Cottenham	Allowed	20/05/15
	S/2841/14/FL	Mr A Aslam 1 Icen Way Orchard Park Utility Room extended into garage with 2 rooflights	Allowed	20/05/15

Appeals received

3.	Ref. no.	Details	Decision	Received
	S/0462/14/FL	Ms D Collingridge Land Morden Grange Farm Odsey. Fertilizer storage tank	Refused	27/04/15
	S/3019/14/FL	Mr A Moran Tiptofts House station	Refused	27/04/15

	Road Harston		
S/2276/14/PB	Mr J Tilley 45 North Road Great Abington 2 Agricultural Buildings to form 3 houses	Refused	01/05/15
S/3004/14/FL	Dr J Priddle 59 High Street Barrington Instalation and replacement of new windows	Refused	04/05/15
S/0095/15/FL	Mr & Mrs Jakes 19 Burrough Field Impington Extension	Refused	12/05/15
S/0115/15/FL	Mr P Jeffery 18 Hillside Sawston Extension and Dormer	Refused	14/05/15
S/0232/15/FL	Mr D Starr 53 Station Road Harston	Refused	15/05/15

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 20/10/15 Offered

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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