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30 November 2021

To: Chair – Councillor Pippa Heylings
Vice-Chair – Councillor Henry Batchelor
All Members of the Planning Committee - Councillors Dr. Martin Cahn,
Peter Fane, Geoff Harvey, Dr. Tumi Hawkins, Judith Rippeth,
Deborah Roberts, Heather Williams, Dr. Richard Williams and
Eileen Wilson

Quorum: 3

Substitutes Councillors Nick Wright, Sue Ellington, Grenville Chamberlain,
if needed: Mark Howell, Dr. Shrobona Bhattacharya, Graham Cone,
Dr. Claire Daunton, Anna Bradnam, Brian Milnes and Jose Hales

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber - South Cambs Hall** on **Wednesday, 8 December 2021** at **10.00 a.m.. A weblink to enable members of the press and public to listen to the proceedings will be published on the relevant page of the Council's website , normally, at least 24 hours before the meeting.**

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
Liz Watts
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

1. **Chair's announcements**
2. **Apologies**
To receive apologies for absence from committee members.

3. **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.

4. **Minutes of Previous Meeting**

To authorise the Chairman to sign the Minutes of the meeting held on 10 November 2021 as a correct record.

1 - 14

5. **20/01564/FUL - Land To The South East Of Burton End, West Wickham (Parish of West Wrattling)**

Mixed use of agricultural and solar farm.

15 - 40

6. **21/03607/FUL - Land At Babraham Reasearch Campus, High Street, Babraham**

Erection of new building for Office/Research and Development use and associated infrastructure and works.

41 - 80

7. **21/03628/FUL - 36 Apthorpe Street, Fulborn**

Erection of a three bedroom, one and a half storey, timber framed barn-style dwelling on land to rear of St Martins Cottage.

81 - 96

8. **20/05251/OUT - Land North West of Primrose Walk, Little Gransden**

Outline planning application for the erection of a single self-build dwelling with all matters reserved.

97 - 114

9. **20/04706/FUL - 60 Impington Lane, Impington**

Demolition of existing garage and erection of a three bedroom, single storey dwelling to rear with detached carport/store.

115 - 128

10. **21/03443/CL2PD - 9 Station Road, Oakington And Westwick**

Certificate of lawfulness under Section 192 for the construction of a home office in the rear garden of the property together with additional hard paving.

129 - 134

11. **Enforcement Report**

135 - 142

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 Item 4

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 10 November 2021 at 10.30 a.m.

PRESENT: Councillor Henry Batchelor – Chair
Councillor Peter Fane – Vice-Chair

Councillors: Dr. Martin Cahn
Dr. Tumi Hawkins
Heather Williams
Dr. Claire Daunton
Geoff Harvey
Judith Rippeth
Dr. Richard Williams

Officers in attendance for all or part of the meeting:

Christopher Carter (Delivery Manager - Strategic Sites), Aaron Clarke (Democratic Services Officer- acting Technical Support Officer), Mary Collins (Senior Planning Officer), Laurence Damary-Homan (Democratic Services Officer), Mike Huntington (Principal Planning Officer), Rory McKenna (Monitoring Officer- present for part of the meeting), Kate Poyser (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer- present for part of the meeting), Jane Rodens (Principal Planner), Michael Sexton (Principle Planner) and Guy Wilson (Principal Planning Officer - Strategic Sites)

1. Chair's announcements

The Chair made several brief housekeeping announcements. The Chair, alongside Members, also thanked two Officers who were leaving the Planning Committee for their service. Ian Senior, who was not leaving the Council but was relieved of his duties regarding Planning, and Chris Carter, who was leaving the Council, were thanked for their service to the Committee and for all the support they offered during their respective tenures.

The Chair noted that the Monitoring Officer was present in place of the Senior Planning Lawyer to oversee the meeting in the Senior Planning Lawyer's absence.

2. Apologies

Councillors Pippa Heylings (Chair), Deborah Roberts and Eileen Wilson sent Apologies for Absence. Councillor Dr. Claire Daunton substituted for Councillor Eileen Wilson, with Councillor Henry Batchelor assuming the role of Chair and Councillor Peter Fane assuming the role of Vice-Chair (approved by affirmation).

3. Declarations of Interest

Councillor Dr. Martin Cahn declared a non-pecuniary interest on Items 13 and 14 (21/01146/FUL and 21/01147/LBC – Barrington [Barns Adjacent To 20 West Green]) as he knew the family of the applicants, but declared that he would be approaching the matters afresh.

Councillor Dr. Claire Daunton declared a non-pecuniary interest on Item 5 as it was a

development in her ward (Fen Ditton and Fulbourn) and stated that she had been present at discussions on the development at Parish Council meetings, but declared that she would be approaching the matter afresh. Councillors Dr. Claire Daunton and Henry Batchelor declared a non-pecuniary interest on this Item, as Cambridgeshire County Council was the applicant and they were both Members of the County Council, but were not precluded from being part of the decision regarding the application.

Councillors Heather Williams (the Mordens), Judith Rippeth (Milton & Waterbeach) and Geoff Harvey (Balsham) declared non-pecuniary interests for Item 15 (Enforcement Reports) as there were reports relating to Enforcement in their respective wards.

4. **Minutes of Previous Meeting**

The Committee authorised the Chair to sign, as correct record, the Minutes of the meeting held on 29 September 2021 subject to the following amendment:

Minute 4 – Minutes of a Previous Meeting

That the spelling of “Corrine Garvey” was corrected to the accurate spelling, “Corinne Garvey”.

The Committee authorised the Chair to sign, as correct record, the Minutes of the meeting held on 13 November 2021 subject to the following amendment:

Minute 6 – S/3290/19/RM – Fulbourn (Land East of Teversham Road)

In paragraph one, it was to be noted that the Committee was addressed by Councillors Dr. Claire Daunton and John Williams as Local Members. The paragraph subsequently stated:

“...Local Members Councillor Dr. Claire Daunton and Councillor John Williams addressed the meeting, and a written statement from local Member Councillor Graham Cone was presented to the Committee. Representatives from the Lead Local Flood Authority were also present.”

5. **Cambridgeshire County Council - Footpath Diversion (Fen Ditton Footpath 9)**

The report was presented by James Stringer, Cambridgeshire County Council’s Asset Information Definitive Map Officer.

Members noted the considerations for equestrian usage of the Footpath, and when the question of if the local Horse Society had been part of the Planning process arose, they were informed that the Horse Society had indeed been consulted. Members noted that the combined path layout of the application was very good and stated that they were happy that serious consideration had been given to the equestrian use of the footpath.

By affirmation, the Planning Committee **approved** the making and confirmation of a Public Path Stopping Up Order, alongside the other recommendations laid out in the report from the Asset Information Definitive Map Officer at Cambridgeshire County Council.

**The Senior Planning Lawyer
arrived at the meeting and
replaced the Monitoring
Officer.**

6. 21/01881/REM - Cottenham (Land North And East Of Ramphill Farm, Rampton Road)

The Principal Planner (Michael Sexton) presented the report and informed the Committee that there had been a written representation submitted by a resident in opposition to the application but stated that this representation did not raise any new issues that were not covered in the report. Local resident Mike Mason addressed the Committee in opposition to the application. James Griffiths, the agent of the application, spoke in support of the application and answered questions brought forward by Members. Concerns over heating and electric car charging points were presented by the Committee, but the Chair and Delivery Manager informed Members that these concerns were not relevant to the Reserve Matters application. Members noted that the Parish Council had raised concerns that there were a number of roads that would potentially not be adopted by the Highways Authority and enquired what the proportions of unadopted roads on the site would be. The agent stated that the proportion was unknown at the time but informed the Committee that the developers would do what they could to ensure as many of the roads as possible, notwithstanding private drives, would be adopted by the Highways Authority and noted that any funding from residents for the upkeep of the unadopted roads would be ringfenced and protected. The Senior Planning Lawyer highlighted the provision in the Section 106 Agreement which outlined the responsibility of residents to maintain the LEAP and other onsite public open space if the management company ceased to exist. Whilst the provision did not extend to the maintenance of roads, the Senior Planning Lawyer stated that residents would be incentivised to ensure the management company did not fold and added that, in his experience, that the question of unadopted roads is not a material consideration for the refusal of a reserve matters application. The advice from the Senior Planning Lawyer was endorsed by the Delivery Manager.

Councillor Neil Gough addressed the Committee as a local Member with the support of the Parish Council on his comments. Councillor Gough declared two non-pecuniary interests. The first was that he was the Director of the company that sold the land to the developers (Councillor Gough noted that the sale was completed prior to the his assumption of the Directorship), and the second was that the Councillor was a member of the Old West River Internal Drainage Board. The local Member stated that issues had largely been addressed to the satisfaction of the Parish Council and local Members. The Committee asked the local Member if he felt that a suitable drainage solution could be possible and if it would provide further assurance to concerned parties if a condition on drainage would come back to the Committee. The local Member could not declare if relevant parties would feel that a drainage condition could be effectively discharged, but did state that local parties would want to be involved in any discharge of such a condition. The Principal Planner informed the Committee that the site had not been recognised as a flood risk zone, that the Lead Local Flood Authority was consulted by the applicant and that drainage consultees were satisfied with the conditions put in place. Therefore, the Principal Planner advised that the concerns over drainage were not grounds for refusal.

Overall consensus amongst Committee Members was that there had been an improvement to the application, which was welcomed, and that the majority of remaining concerns over the application were not relevant to the Reserve Matters stage. Members expressed concerns over the lack of formal storage space in some of the designs in the report but the Principal Planner informed Councillors that, whilst dedicated storage space was not shown in some of the plans, there was ample storage space that ensured the

application was compliant with storage regulations. The Committee revisited concerns over unadopted roads and drainage, with drainage being the main point of contention. To allay concerns over drainage, the Committee introduced an Action Point for Officers at the Discharge of Conditions stage that requested that the Parish Council were officially consulted over the discharge of the drainage condition and, if there were concerns from the Parish, that it would be brought back to the Committee.

By affirmation, the Planning Committee **approved** the application, subject to the conditions laid out in the report from the Joint Director of Planning and Economic Development.

7. 21/02585/S73 - Longstanton/Northstowe (Northstowe Phase 2A, Land South Of Longstanton Road)

The report was presented by the Principal Planning Officer (Kate Poyser) with no updates. Anthony Child, the agent of the applicant, addressed the meeting and clarified that this application had been brought to the Committee to improve the environment for the occupants through greater access to open spaces and improvements to ground floor apartments. The Committee was also addressed by Councillor Paul Littlemore on behalf of and with the permission of Northstowe Town Council.

During the debate of the Item, Members felt that, whilst it was not entirely relevant to the application, that public transport concerns were an important point of discussion. The Committee asked if the development would have a bus service when completed, noting that projected decreases in car ownership and the age restricted accommodation on the site could leave many residents in need of effective public transport links, and if the planned urban busway would be complete by the time that the development in question was completed. Cambridgeshire County Council's Principal Transport Officer (Tam Parry) fielded questions on transport and informed the Committee that the urban busway would not be completed until the development in question, and other developments, were completed. The Principal Transport Officer stated that there were ongoing efforts to coordinate the completion of the busway and the affected developments but advised Members that accurate predictions of completion dates would likely be unavailable until 2024. The Committee was informed that there would be an interim bus service provided and were reminded that transport concerns were not relevant to the matter at hand. Concerns were raised over the removal of a parcel of green space in the proposal and the consequent effect on drainage. The Committee was informed by the Principal Planning Officer that, whilst a small amount of green space had been lost, there was no actual change proposed to the greenway or the strategic drainage scheme. The Principal Planning Officer stated that the car park surface was permeable, the swale had only been relocated and not otherwise affected by the changes to the green space and that the central swale would be piped to ensure that water could freely flow into the main swale on the periphery of the site.

The Committee noted that there had been significant improvements to the development proposal, in alignment with the agent's comments, and that there were no grounds for refusal. However, Members did hold some reservations about the development, including concerns over the heights of some buildings and the difficulties of assessing the "beauty" aspect of the National Planning Policy Framework. Councillor Dr. Richard Williams stated that he did not like the application, citing concerns over public transport, building heights and design and density, but noted that there were no reasons for refusal.

By eight votes to none, with one abstention (Councillor Dr. Richard Williams), and subject

to the conditions set out in the report from the Joint Director of Planning and Economic Development, the Planning Committee **approved**:

- (a) The design amendment to layout, appearance, scale, access and landscaping of the age-restricted accommodation as part of the approved reserved matters scheme approved under reference S/3499/19/RM on land south of Longstanton Road, Northstowe Phase 2A.
- (b) The discharge of conditions relating to the above site.
- (c) Full planning permission for the temporary change of use of two dwellings to show homes on the above site.

8. 20/03598/OUT - Longstanton/Northstowe (Land West Of Station Road, Longstanton)

The Principal Planning Officer (Strategic Sites) presented the report and informed the Committee that there were amendments the Summary Heads of Terms included in the report (*attached to this Minutes document below this Item*) and that he would provide clarity on how the figures were derived. The applicant's agent, Peter McKeown, addressed the meeting. The agent was asked by Members to provide examples of changes resulting from consultations with the Town and Parish Councils. The agent highlighted changes to the drainage scheme, access to the guided busway and vehicular access to the Station Road entrance to the development that were a result of consultation with local parties. In response to another question, the agent informed the Committee that the four-storey building on the site was introduced, primarily for design reasons but also to provide accommodation, in response to consultations with the Cambridgeshire Quality Panel and South Cambridgeshire District Council Planning. The Committee was also informed by the agent that the parameter plans and illustrative master plan had been changed significantly after the consultations with the Quality Panel.

There was significant debate over the four-storey landmark building, with Members stating that a landmark building does not necessarily need to be a large building in the corner of a development and they expressed a general desire for developers to consider other ways of introducing landmark buildings to developments. Concerns were raised over the design of the landmark building, but the Committee was reminded by the Chair and the Delivery Manager that design was not part of the Outline Planning application and would be dealt with at the Reserved Matters stage. Members also expressed concerns over the height of the building and questioned if it would be in keeping with the character of the surrounding area. The Principal Planning Officer informed the Committee that there would be no buildings of similar height in the immediate vicinity, but noted that four-storey buildings would likely be introduced in later Phases of the Northstowe Development and the Delivery Manager noted that the development was in close proximity to the enterprise zone, a dense area of development, and therefore the building in question would likely be in keeping with the character of the area when further developments were completed. The Senior Planning Lawyer advised the Committee that, if the application was approved, the parameter plans would make it difficult to reject a Reserved Matters application on the basis of the height of the four-storey building.

Concerns were raised over junction traffic flow modelling, with desires to prioritise pedestrians over cars noted, and the fact that some traffic was modelled as overcapacity. The Delivery Manager noted that pedestrians were not being discouraged from using crossing points and the vehicular traffic light cycle was based off the assumption that there would not necessarily be pedestrians waiting to cross at every cycle and, by not having to

wait for pedestrian crossings every time the lights changed, the proposed cycle would reduce congestion somewhat. The Delivery Manager also stated that, whilst modelling was still overcapacity at the AM peak, changes to the scheme had resulted in improvements and had reduced the Degree of Saturation.

Comments were offered on archaeological, drainage and biodiversity issues. Condition 10 was highlighted by the Principal Planning Officer to alleviate concerns over archaeology and any potential finds onsite. In order to mitigate potentially significant drainage issues down the line, a request was made for the provision of a statement detailing how the development would ensure that it meets the drainage capacity of the site. The potential off-siting of the scheme(s) to meet the 10% biodiversity net gain requirements was scrutinised and it was questioned if the developers could respond to potential future change to policy requirements on biodiversity net gains. The Delivery Manager stated that developers were only obliged to meet the legislative requirements in place at the time of the application and could only be encouraged to go beyond this, and also informed the Committee that in, the first instance, biodiversity net gain options would be sought on-site and off-site options would only be explored if there were no suitable on-site measures available. The Delivery Manager acknowledged the desire for off-site measures to be as close to the site as possible but noted that it could not be dealt with at the Outline Planning application stage.

The Senior Planning Lawyer requested that the Committee confirmed that they were happy with the details of the Tariff Base and that it could be dealt with by the Joint Director of Planning and Economic Development, and requested that they endorse that the indexation of any Section 106 agreement payments due to run from the date of resolution. The Delivery Manager clarified these requests and the Committee agreed to them.

By affirmation, the Planning Committee **granted delegated authority** to officers to grant outline planning permission, subject to:

- (a) The planning conditions set out in the report from the Joint Director of Planning and Economic Development, with final wording of any amendments to these to be agreed with the Chair and Vice Chair of the Planning Committee prior to the issuing of planning permission; and
- (b) The prior completion of a Section 106 Agreement.

Amended Summary Heads of Terms:

S106 Summary Heads of Terms

Topic	Total Request	Request Detail
Transport Projects	£256,000	Lump sum.
Secondary Education	£331,382	Calculated by dwelling size and tenure (£0-£21,612)
Primary Education	£466,059	Calculated by dwelling size and tenure (£0-24,855)
Early Years	£177,842	Calculated by dwelling size and tenure (£0-£5,220)
Libraries	£39,857.50	£372.50 per dwelling
Strategic Waste	£20,330	£190 per dwelling
Indoor sport	£94,747	Lump sum
Outdoor Sport	£112,453.27	Calculated by dwelling size
Indoor Community Facilities	£108,273.70	£1011.90 per dwelling
Burial land	£22,260	£210 per dwelling
Community Development Strategy	£45,000	Lump sum
Community Endowment	£10,000	Lump sum
Small Grants Scheme	£1,337.50	£12.50 per dwelling
S106 monitoring	£1,000	Lump sum
Bins	£10,610	£85 per flat, £350 per 1,100l bin for flats
Maintenance of open space		Based on quotes for maintenance of the open space for a period of 10 years to be obtained in the event open space is adopted by Town/District Council.
Affordable Housing	40%	70% social rent, 30% intermediate

9. 21/03350/REM - Longstanton/Northstowe (Northstowe Phase 1, Sports Pavilion, Station Road)

The report was presented by the Principal Planning Officer (Mike Huntington) who informed the Committee that South Cambridgeshire District Council was the applicant and that there were no updates to the report. A written statement from a member of the public (Gaurang Daruwala) was circulated amongst Members, and Martin Lindus addressed the Committee as an agent of the applicant. When questioned on the subject, the agent clarified that the lighting to the exterior of the building was implemented through low level bollards in the car park and that there was no upward pointing lighting proposed for the side of the building. The agent informed the Committee that the lighting scheme was designed to provide visibility for visitors whilst not creating excessive light pollution that would impact both residents and local wildlife. The agent was also questioned on the potential for the site and car park to be a catalyst for anti-social behaviour. The agent noted that the layout of the car park was not conducive to joyriding, stating that it would be segmented and broken up by bays and features, and also informed the Committee that there were no proposals in the scheme to provide CCTV or other monitoring systems but expressed a willingness to discuss potential mitigation measures with the applicant. Councillor Paul Littlemore of Northstowe Town Council also addressed the Committee and, in response to a question, clarified comments on the Impact Assessment, stating that the comments were put forward to provide clarity to the Town Council on the Construction Management Plan and whether relevant conditions would be discharged through conditions laid out in the Outline Planning application or the Reserve Matters application in question.

In the debate, Members noted concerns expressed by the Parish Council over boundary treatments in the car park. The Principal Planning Officer informed the Committee that there was nothing on boundary treatments in the report, but stated that a condition on boundary treatment could be added to Materials Planning condition. Councillor Richard Williams, seconded by Councillor Heather Williams, proposed an amendment of the Materials Planning condition.

By affirmation, the Committee **approved** the addition of the wording "The submission shall also include detail of any boundary treatment to the car park, as well as details of permeable surfacing to the car park associated with condition 7 (Surface Water Drainage)" to condition 2 (Materials).

The concerns expressed by Councillor Littlemore over the Construction Management Plan were addressed by the Committee. The Delivery Manager noted that the report stated that, if considered appropriate by the Committee, a condition on a Construction Management Plan could be added. Councillor Dr. Tumi Hawkins, seconded by Councillor Heather Williams, proposed the addition of a Construction Management Plan.

By affirmation, the Committee **approved** the addition of condition 9 (Construction Management Plan) which stated:

"No development shall take place until a Construction and Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details" with the following Reason:

"To ensure that the potential environmental and nuisance impact of the construction of the development on existing and future residents is minimised, in accordance with South Cambridgeshire Local Plan policy HQ/1".

The concerns over security and anti-social behaviour were explored by the Committee. The Delivery Manager noted that the addition of CCTV was a difficult issue to address and that the Reserved Matters application was not the appropriate stage to remedy Member's

concerns on the subject. The Senior Planning Lawyer informed the Committee that there was nothing in the Section 106 Agreement that dealt with security or CCTV. It was noted by the Delivery Manager that the applicant (South Cambridgeshire District Council) would be the Local Authority responsible for taking any action to manage anti-social behaviour issues and the Delivery Manager acknowledged that local Police had not been consulted on the application. Councillor Heather Williams proposed that an informative on the responsibility for managing security and CCTV issues be added.

By affirmation, the Committee **approved** the addition of an informative which stated: "The applicant should consider the introduction of security measures such as CCTV to help effectively manage the use of the pavilion and the car park".

Mr. Daruwala was given the opportunity to verbally express his concerns over the application. Further debate explored the concern raised by Mr. Daruwala over cooking noise and smells, and the Principal Planning Officer informed the Committee that the Environmental Health Officer made no comment on the application as there were no environmental health issues. Members noted that Mr. Daruwala's concerns had been addressed before his verbal representation after discussions of his written submission were undertaken. The Committee noted that the addition of the conditions and informatives made the application satisfactory.

By affirmation, the Planning Committee **approved** the Reserved Matters submission, subject to both the conditions added by the Committee and those originally laid out in the report from the Joint Director of Planning and Economic Development.

10. S/2442/19/FL - Willingham (The Piggery, Haden Way)

Michael Sexton, the Principal Planner, presented the report and informed the Committee that there were written submissions provided by members of the public, but these did not raise any new issues that were not covered in the report. The Committee was addressed by the agent for the applicant, Nathaniel Green. The agent offered clarity over concerns presented by the Committee and noted that the conditions of the application ensured that the site would remain a single pitch site, and that any violation of this would be a matter for enforcement, and that the inclusion of both a static and touring caravan, as well as the day room, was standard practice in the establishment of a single-pitch gypsy site.

When asked if the piggery buildings could be converted into accommodation, the Principal Planner informed the Committee that the application was to demolish the buildings and that alternative uses of the buildings was not the subject of the application. The Principal Planner, in response to a question, stated that there were no policy objections to the change to the use of the land. The Committee agreed that the permitted development rights needed to be revoked if the application was approved but some Members expressed concerns that the piggery buildings would not be demolished, whilst others stated that demolition might not be completely necessary if the site could be successfully utilised without demolition. The Delivery Manager informed Members that once the site became a gypsy pitch the permitted development rights would be lost and noted that the application included a demolition so, if approved, it would be fair to assume the buildings would be demolished but stated that a condition on demolition could be included if the Committee felt it necessary. A motion to include a condition on demolition was proposed by Councillor Dr. Martin Cahn, seconded by Councillor Dr. Tumi Hawkins. The motion was

denied by a vote of seven votes to two.

Members noted the concerns of the public towards the application but felt that the conditions laid out in the report were strong and Members were confident that enforcement could deal with any issues that could arise on the site. The Committee agreed that there was a need for such sites in the District and that the site was suitable for the proposal.

By affirmation, the Planning Committee **approved** the application, subject to the conditions laid out in the report from the Joint Director of Planning and Economic Development.

**Councillor Dr. Claire
Daunton left the meeting
and did not vote on any
subsequent Items. In
accordance with Standing
Orders, the Committee
agreed by affirmation to
continue the meeting
beyond four hours.**

11. 20/02161/FUL - Coton (Land At And To The Rear Of 24 High Street)

The report was presented by the Senior Planning Officer. A member of the public, Cathy Shaw, spoke in opposition to the application and, when questioned, informed the Committee that flooding in the area was affecting a number of properties, many of which had installed pumps to their properties to remove water runoff due to the recurring flooding. The Committee was also addressed by the agent of the applicant, Kath Slater, who answered questions from Members. When questioned if the chalk/ clay boundary had been assessed, the agent informed the Committee that geotechnical analysis would take place as part of the satisfaction of the condition regarding the drainage plan. The agent informed Members that a drainage assessment had not been done as the site was in flood zone 1 and was deemed to have a low risk of flooding, and also stated that the applicant would accept a rewording of the drainage condition. Councillor Carolyn Postgate, acting on behalf of and with the authorisation of Coton Parish Council, also made a verbal representation. The Councillor clarified that the Parish Council felt that the application was in contravention of policies HQ/1, H/16 and NH/8, and also answered questions on traffic, stating that vehicles often exceed the speed limit on the highway adjoining the pre-existing access to the site and that the increased use of the site access could pose a danger to residents.

In the debate, Members questioned if policy H/16 applied to the application and, if so, how compliance was being achieved. The Delivery Manager informed the Committee that policy H/16 did apply and Officers felt that the application complied with the policy, but stated that it was ultimately up to Members to decide if they felt satisfied that the application was compliant with the policy. The Senior Planning Officer noted that policy H/16 had been taken into account and also stated that Officers felt that policy HQ/1 had also been satisfied and that the development would not be detrimental to the character of the area. In response to a question on policy NH/8, the Delivery Manager noted that the site was separated from the green belt by an area of land and that the development was

low density which would further mitigate impact on the green belt. Members were satisfied that the application would not impact the listed building in close proximity to the development, but consensus on the impact on the green belt was not found. Further concerns were expressed over parking and highways. The Senior Planning Officer informed the Committee that, whilst on-street parking would be lost, ample parking would be provided on the site. The Committee indicated their surprise at the lack of objection to the application from the Highways Authority, but the Senior Planning Lawyer informed Members that the lack of objection from the Highways Authority meant that highways concerns would not be a valid reason for refusal. Members noted that the drainage scheme was not relevant to the application in front of them and accepted that it would be discussed at a later date but still conveyed reservations over drainage and expressed disappointment over the lack of assessment of flooding and drainage.

Upon proposal by Councillor Heather Williams, seconded by Councillor Dr. Richard Williams, the Planning Committee **approved** via affirmation, minus the vote of Councillor Claire Daunton, the change of wording in condition 6, replacing “by the Local Planning Authority prior to the first occupation of the buildings hereby permitted” with “by the Local Planning Authority prior to the commencement of development hereby permitted”.

The Delivery Manager clarified that, if Members were to refuse the application, the reasons for refusal would be the lack of compliance with policies HQ/1 and H/16. Members felt that policy NH/8 would also be a reason for refusal.

By four votes to two (Councillors Henry Batchelor, Peter Fane, Judith Rippeth and Geoff Harvey voted for whilst Councillors Heather Williams and Dr. Richard Williams voted against), with two abstentions (Councillors Dr. Tumi Hawkins and Dr. Martin Cahn) and minus the vote of Councillor Dr. Claire Daunton, the Planning Committee **approved** the application, subject to the updated conditions set out in the report from the Joint Director of Planning and Economic Development.

12. 21/03068/FUL - Orwell (Former Garage Site, Meadowcroft Road)

The Principal Planner, Michael Sexton, presented the report with no update. It was noted by the Principal Planner that the local Member, Councillor Aidan Van de Weyer, had distributed an email expressing support for the application and that there had been written representations received from members of the public but that these did not highlight any new issues that were not covered in the report. A local resident, Peter Kruger, addressed the Committee in opposition to the development. Members acknowledged the speaker's concerns over foul water drainage, sought clarity over the nature of the concern and enquired as to whether the issue had been reported to Anglia Water. The speaker stated that there had been significant flooding at the entrance to the site which logically would have been caused by faults in the pipework between the entrance to the site and the pumping station and brook the other side of the site. The Committee was informed that storm water was not reaching the brook and foul water was not reaching the pumping station, instead they were combining and causing flooding at the entrance to the site. The speaker stated that Anglia Water had been notified of the issue by multiple residents.

In the debate, the Committee continued to address the concerns over foul water and questioned if the issues in the sewers were grounds for refusal. The Principal Planner stated that if the issues were confirmed, it would be a maintenance issue for Anglia Water and would not provide the grounds for any technical objection against the application. In responding to further questions on the topic, the Principal Planner noted that Anglia Water had not been consulted on the application but stated that the Council's Sustainable

Drainage Engineer supported the application subject to the conditions laid out in the report. Members also noted the concerns over parking but the Principal Planner quelled concerns on this issue when he informed the Committee that the site would have dedicated, self-contained parking spaces that would not encroach on existing parking space. The demand for affordable housing in the District was noted by the Committee, and Members felt that the application met a need and was a good use of derelict land. It was stated that the majority of concerns were met by the conditions laid out in the report, but the issue of foul water drainage was significant. To remedy this, Councillor Dr. Tumi Hawkins, seconded by Councillor Heather Williams, proposed an informative on the subject of foul water drainage.

Upon proposal, the Planning Committee **approved** via affirmation the addition of an informative stating:

“The applicant is advised to engage with Anglian Water in respect of the existing and proposed foul water drainage arrangements, pursuant to the requirements of condition 7 of this consent which requires the submission and approval of a scheme for the disposal of surface water and foul water drainage and maintenance for the development.”

By affirmation, minus the vote of Councillor Claire Daunton, the Planning Committee **approved** the application, subject to the conditions laid out in the report from the Joint Director of Planning and Economic Development.

Councillor Dr. Richard Williams left the meeting and did not vote on subsequent Items.

13. 21/01146/FUL - Barrington (Barns Adjacent To 20 West Green)

The report was presented by the Principal Planner, Jane Rodens, with no updates. The applicant, Michael Lauterpacht, addressed the Committee. When questioned, the applicant informed Members that the proposed building would reflect the history of the site by incorporating a barn-style aesthetic, utilising timber cladding and slate roofing and constructing the building with a similar footprint to that of the old buildings.

Members commended the application for its significant attempts to enhance the area and preserve the aesthetic of the site. The proposed reuse of timber from the old buildings was praised, and the Committee felt that the application was an excellent use of the land as the existing buildings could not be retained.

By affirmation, minus the votes of Councillor Dr. Claire Daunton and Councillor Dr. Richard Williams, the Planning Committee **approved** the application, subject to the conditions set out in the report from the Joint Director of Planning and Economic Development.

14. 21/01147/LBC - Barrington (Barns Adjacent To 20 West Green)

As the previous Item was a different application on the same development, the Committee felt satisfied that the report presentation and public representation from the previous Item was sufficient to inform their decision. The Delivery Manager clarified that the Committee was to decide if there was justification to demolish the curtilage listed building.

By affirmation, minus the votes of Councillor Dr. Claire Daunton and Councillor Dr. Richard Williams, the Planning Committee **approved** the application, subject to the conditions set out in the report from the Joint Director of Planning and Economic Development.

15. Enforcement Report

There were no updates from the Principal Enforcement Officer on the contents of the enforcement report and the Delivery Manager presented the report. The Committee was informed by the Delivery Manager that the appeal on the application in Linton (Land To North And South Of Bartlow Road) had been approved on 8 November 2021 and, consequently, the site had an approved drainage scheme.

Councillor Heather Williams questioned the report on Whitehall Farmhouse as it was identical to the report presented at the last meeting. The Councillor questioned if the inclusion of this report was an error and asked if the Principal Enforcement Officer had assumed responsibility for the review of the application. The Delivery Manager informed the Member that the reports inclusion was an error, and that the Principal Enforcement Officer had assumed responsibility for the application.

The Member for Balsham, Councillor Geoff Harvey, enquired if there had been any progress towards the organisation of a joint visit to the Cottage Nursery, Cardinals Green, Horseheath site as it was part of his Ward. The Delivery Manager was unable to answer the question at the meeting but stated that he would seek an answer from the Principal Enforcement Officer and provide the information to the Member.

The Committee **noted** the report on enforcement action.

16. Appeals against Planning Decisions and Enforcement Action

The Delivery Manager presented the Appeals report and explained the new wording on application 21/01411/HFUL (29 Coppice Avenue, Great Shelford), stating that the decision had been turned away as the appeal submission was submitted after the deadline.

Councillor Heather Williams stated that she was pleased to hear that the application on Mill Lane, Sawston had been brought to a hearing and enquired as to when a decision would be presented to the Committee. The Councillor also noted that there was no table detailing those appeals that were awaiting decision and stated that the inclusion of such a table in future reports would be useful. The Delivery Manager informed the Committee that the outcome of the Sawston application would likely come forward in the upcoming weeks, and also stated that Items awaiting decisions are included in the appeals report once a decision has been reached but noted the Member's request to include information of appeals awaiting decisions in future reports.

The Committee **noted** the report.

The Meeting ended at 5.36 p.m.

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Agenda Item 5



8 December 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

20/01564/FUL – Balsham Ward/ West Wrattling Parish (Land to the South East Of Burton End, West Wickham)

Proposal: Mixed use of agricultural and solar farm

Applicant:

Key material considerations:

- Principle of Development - Renewable Energy
- Heritage Assets
- Natural Assets
- Agricultural Land
- Character and Appearance of the Countryside
- Landscape Character
- Neighbour Amenity
- Highway safety
- Flood Risk

Date of Member site visit: N/A

Is it a Departure Application?: No

Decision due by: 10 December 2021

Application brought to Committee because: Local Interest

Presenting officer: Karen Pell-Coggins

Executive

Summary

1. This full planning application proposes the mixed use of a solar farm and agricultural grazing land on a site outside of the West Wrattling and West Wickham development frameworks and in the countryside. The site is situated on grade 2 agricultural land and in the South Suffolk and North Essex Clayland National Character Area in landscape terms. The topography of the area is gently undulating.
2. The site measures 1.7 hectares in area. The solar farm would provide 1 megawatt of energy to power approximately 650 local homes. It would comprise solar panels in rows orientated east to west up to a height of 2.5 metres. Ancillary substation and inverter buildings would have a height of up to 3.5 metres. Landscaping in the form of hedgerows would surround the site.
3. The development would provide renewable energy for a number of local homes which would make an important contribution towards climate change and attracts significant weight. It would also provide an agricultural grazing use and enhance biodiversity which can be given moderate weight.
4. However, the development is considered to result in the loss of the best and most versatile agricultural land which can be given significant weight and adversely affect the character and appearance of the countryside and distinct open and rural landscape character of the area which would also attract significant weight.
5. The adverse impacts of the development are, on balance, considered to outweigh the benefits of the development. Members are therefore recommended to refuse the application.

Relevant Planning History

6. None

Planning Policies

7. **National Guidance**

National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance
National Design Guide 2019

8. **South Cambridgeshire Local Plan 2018**

S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks

CC/2 Renewable and Low Carbon Energy Generation
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/5 Sites of Biodiversity or Geological Importance
NH/7 Ancient Woodlands and Veteran Trees
NH/14 Heritage Assets
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

9. **Supplementary Planning Documents (SPD's)**

Greater Cambridge Sustainable Design and Construction - Adopted January 2020
Cambridgeshire Flood and Water - Adopted November 2016
District Design Guide - Adopted March 2010
Landscape in New Developments - Adopted March 2010
Biodiversity - Adopted July 2009
Trees and Development Sites - Adopted January 2009

Consultation

10. **West Wrattling and West Wickham Parish Council** – Supports the application described in the Planning Statement dated 24 March 2021 with the following conditions: -
- i) The existing sight lines at the crossroads of Common Lane, The Common and Skippers Lane must not be compromised. We believe that moving the new hedgerow a modest amount into the site would ensure this.
 - ii) We welcome that in the Planning Statement (paragraph 3.50) the applicant “has actively sought an Insurance indemnity will be put in place to restore the site once the temporary period of the planning consent has expired”. We wish to see the presence of the decommissioning reinstatement bond as a precondition to work commencing on the site.
 - iii) We consider that the use of Large Good Vehicles (LGV) during construction would be harmful to the smaller villages. We wish to see the use of large vans wherever possible instead of Large Good Vehicles as described in the Planning Statement (paragraph 3.15).
 - iv) The LPA consider whether it would be appropriate for the local communities to “gain some form of community benefit” from the operation of this solar farm as recommended in paragraph 66 of the UK Solar Strategy Part 2. We note the precedent of Wadlow Wind farm Community Fund operating in West Wrattling and neighbouring parishes.

Previous comments

Further to our responses in July 2020, West Wickham Parish Council and West Wratting parish Council do not support this application.

As noted in our original response, it remains contrary to South Cambridgeshire adopted Local Plan Policy CC/2 Renewable and Low Carbon Energy Generation.

Contrary to section CC/2 1.a. this application will lead to the loss of high quality agricultural land. We note that the applicant wishes to classify the land as 'mixed use of agricultural and solar farm,' justified by the offer of grazing sheep on the site once construction is complete. Grazing of livestock is not characteristic of this area, which is dominated by arable farming. The land would no longer be available as Grade 2 arable land, self evidently it would be less versatile, thus would represent a loss of the 'best and most versatile' agricultural land.

Correspondence between the applicant and planning officer appears to have been selectively copied, without attribution, from the 2015 article solar farms on agricultural land- light at the end of the tunnel? By Stephen Tromans QC, Philippa Jackson and Jon Darby. The Parish Council also notes the article references Planning update Statement UIN HCWS488, by the Secretary of State for Communities and Local Government, but this was omitted from this correspondence. The minister states, "we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence". The Parish Council's do not believe this application has reached this high evidential standard. We respectfully draw the planning officers attention to the factors described in this statement that should be considered for this application. We emphatically agree with the minister:

"Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. Protecting the global environment is not an excuse to trash the local environment"- Mr Eric Pickles, March 2015.

The e-mail to the planning officer on 25 November 2020 states "In regard to the site subject of this application, the land has not been farmed for over 30 years". This is demonstrably false. Aerial imagery from the Get Mapping Millennium Map taken between 1999 and 2001 clearly shows the land was cultivated 20 years ago.

Contrary to section CC/2 1.b. this application will lead to adverse impacts on the landscape.

We disagree with the assessment of the landscape as 'ordinary'. The author has cited the 'intrusive commercial warehouses' repeatedly (Sections 7.4, 10.10, 11.4, 13 and 15.3) in the assessment as principal detractors, offsetting the attractive features of the landscape and lowering the sensitivity to the

development. Using the presence and appearance of these warehouses to diminish the landscape character is to fundamentally misunderstand the history of these structures and the importance of the former WW2 airfield to the Parishes.

The two buildings that feature prominently in the vicinity of the site are examples of B1 and T2 aircraft hangers from RAF Wrattling Common, originally named RAF West Wickham. They have been sensitively modernised for commercial use and still resemble their original design. RAF Wrattling Common is an important part of the modern history and character of the Parishes. The silhouette of a Lancaster Bomber, that flew humanitarian sorties from the airfield features prominently on the West Wickham and Weston Colville village signs. The ensign and roll of honour are displayed in St Marys Church, West Wickham, and there are annual well-attended memorial services at the memorial at Weston Wood farm, which was installed by the community in 1989. These buildings do not diminish the landscape in the eyes of the community, they provide an important visual link to the history of the area.

We believe that the LVIA description for the classification for this area “development is primarily functional including housing estates, business parks, or urban fringe land uses” is not appropriate for this site. The Parish Council’s believe this landscape is characteristic of the area and of ‘Good Quality’.

The site screening proposed is for hedgerows maintained at 2m in height. The elevation plans show the solar arrays are approximately 2.5m in height and the substation 2.9m in height. They will still be clearly visible from all directions and an obvious industrial presence in the landscape.

We support the SCDC appointed landscape architect’s conclusion from 14 July 2020 that this site “is not capable of accommodating the development”. Even with the proposed mitigation this application will have an adverse impact on the landscape.

Contrary to section 1.c. no provision has been submitted for decommissioning the site.

As discussed in House of Commons Briefing Paper 07434, we believe that it is essential that a decommissioning or reinstatement bond is agreed with the Local Planning Authority. This will guarantee funding to restore the land back to its present state at the end of its operational life. We do not believe an undertaking between the developer and landowner, who could be one and the same, is sufficient to guarantee the site is cleared in the vent of financial failure.

Contrary to section 1.d. the developers have not engaged effectively with the local community.

The developer agent had a single meeting with the representatives from West Wickham and West Wrattling Parish Councils in August 2019. None of the

concerns raised then have been addressed in this application. No attempt has been made to engage with the wider community. The Department for Energy and Climate Change UK Solar Strategy foreword states “Local communities must be willing partners to solar expansion: not just consulted, but respected.” Part 2 of the Strategy also says that developments should, “provide good opportunities for local communities to influence decision that affect them and gain some form of community benefit” noting, “there can also be problems where local communities see no benefit but consider that they bear amenity issues”. The applicant has not stated how local parishes derive any economic, environmental or societal benefit from this development whatsoever.

Both Parish Council’s have significant concern over road safety at the crossroads of Common Lane, The Common and Skippers Lane.

In July 2020, we raised concerns that any screening of the site would impair sight lines south east along Skippers Lane. The revised proposal confirms this.

This junction has been the site of several serious road traffic collisions including 2 fatal accidents in 2013. This resulted in significant public expenditure to improve the safety of this junction by offsetting the crossroads. It should be noted that the speed of traffic travelling along Skippers Lane and The Common has not been reduced.

By overlaying the proposed planting plan with recent aerial imagery the problem can be clearly seen. Using a 2.4m setback (as per CD123 Geometric design of at-grade priority and signal-controlled junctions, section 3.8) we estimate the sight line is approximately 125m. Table 2.10 of CD109 Highway Link Design recommends a desirable minimum stopping sight distance (SSD) of 215m for a design speed of 100kph, which would be appropriate for a long straight section of national speed limit highway. The ‘one step below’ point of 160m is not achieved. To make 125m meet the ‘desirable’ SSD the design speed would have to be reduced to 70kph i.e a 40mph speed limit. Alternatively, the screening could be moved south west into the site by approximately 5 metres.

11. **Landscape Design Officer** – Objects to the application, as amended.

Comments that the applicant has submitted a planting plan in support of the application. Development would include the provision of a mixed native hedgerow around the perimeter of the site other than access requirements.

Again, my concerns have not been addressed. Hedging around the site would need to be approx. 2m high to screen solar panels to reduce any adverse landscape character effects.

The landscape mitigation works would themselves appear inconsistent, incongruous with the local landscape characteristics which is broadly large open agricultural fields, woodland blocks, with isolated commercial warehouses, farmsteads or houses.

Harm to the local landscape character would be significantly adverse, unacceptable and contrary to policies Policy S/2: Objectives of the Local Plan and NH/2 Protecting and Enhancing Landscape Character. These policies seek to ensure that all new development respects, retains or enhances the local landscape character and would not have adverse effects upon the landscape and views.

Previous comments

Objects to the application.

As part of the application, the applicant has included a Landscape and Visual Appraisal which I have considered within my consultation response.

I would disagree with the applicant's assessment that both landscape impacts and visual impacts would be considered minor and local based on the following criteria:

The site is approx.. 900m from the existing settlement edge of West Wickham. It is surrounded by large open agricultural fields with woodland blocks. Agricultural fields are generally open and exposed which enables long distant views. This is in contrast to the small scaled fields or paddocks bordered by hedgerows which are generally found around settlement edges.

The applicant has proposed landscape mitigation measures comprising a boundary hedgerow with a temporary brushwood screening to reduce adverse impacts. However, these works would appear inconsistent, isolated and incongruous with the local landscape characteristics.

The local landscape primarily comprises large agricultural fields, woodland blocks with isolated commercial warehouses, farmsteads or houses. Development of solar panels does not reflect similar developments within or adjacent to the site particularly within the rural countryside.

The proposals constitute a noticeable change to the feature or key characteristics and attributes of the landscape area, resulting in a conspicuous loss or alteration to existing landscape features and forming a new feature in the landscape.

PROW There are 2no. PROW's which would be affected by the development. 253/19 Bridleway located to the south of the site. This connects Skippers Lane with Burton End and approx.. 425m from the site. Views are high due to lack of boundary vegetation.

253/10 Footpath located to the west and south west of the site which connects West Wickham with the countryside beyond. Views are limited due to mature hedgerow planting

The development would form a noticeable change to the views, forming a conspicuous new feature in the view that partially contrasts with other features

in the view. The site is located at 120m AOD a relatively high point within this area. Due to its open nature and flat topography wide views are available and development would be a noticeable change in view.

Even with landscape mitigation measures the harm would be significantly adverse, unacceptable and contrary to policies Policy S/2: Objectives of the Local Plan and NH/2 Protecting and Enhancing Landscape Character. These policies seek to ensure that all new development respects, retains or enhances the local landscape character and would not have adverse effects upon the landscape and views

Original comments

The site lies in an area which has no national or local designations and as such does not fall within the scope of valued landscapes under Paragraph 170 of the National Planning Policy Framework. The site is located outside the Conservation Area, the existing village development framework and does not form part of the Greenbelt.

There are no Public Rights of Way running through or immediately adjacent to the site boundaries. There are no TPO's within or adjacent to the site which could be affected by the development.

At National Level the site is situated within the National Landscape Character Area (NCA) 86: South Suffolk and North Essex Clayland. At local level the site is situated within The South-East Claylands as assessed by SCDC within District Design Guide SPD March 2010. This is an undulating area reaching 100 – 120 meters in height on the hilltops. A scattering of farmsteads and small settlements interspersed with farm woodlands, contribute to landscape character. The field sizes are mostly large, but are united by the gently rolling landform and woodland. Smaller fields, landscape and woodlands closer to edges of settlements give a more intimate scale. An historic irregular field pattern remains; Earthbanks are a distinctive feature along with some roadsides, reflecting ancient hedge and bank field boundaries; a few still retain their hedges. Long open views extend to wooded skylines, and sometimes village rooftops and church towers. The area has a surprisingly remote, rural character.

Landscape and visual effects

Existing vegetation – No details have been included within the application outlining the existing vegetation and how it will be protected and retained or enhanced. The site is an irregular shaped small scale field, approx.. 120AOD @ 1.8 hectares. It is rough grassland, low lying with ditches upon the northern and western boundaries. The site is bordered by Skippers Lane upon the northern boundary with Burton End upon the western boundary. The site is surrounded by large scale agricultural fields with some block woodlands and typical of the rural local landscape character. Views both wide and local are high however, visual amenity views are negligible. The

Proposal - The features that will be introduced include the installation of a solar farm and associated infrastructure including access. No details have been included outlining landscape mitigation works. The site is not capable of accommodating the development. Development would result in material harm to the surrounding countryside's landscape character and views from both the wider and local area. The development does not respect, retain or enhance the local landscape character and would have adverse effects upon the landscape and views. The proposal would be contrary to Policy S/2: Objectives of the Local Plan and Policy NH/2: Protecting and Enhancing Landscape Character.

12. **Trees and Landscapes Officer** – Has no objections, as amended.

Previous comments

Has no objections but the following observations: -

Hedgerows on or adjacent to site: None

Tree and hedgerow information: I would have thought a boundary hedgerow would have been installed to screen all this equipment. Hedgerows down the road look like they are thorn with bramble. A hornbeam and beech hedgerow would screen the works throughout the year and be low maintenance once established. The bramble will come naturally.

13. **Ecology Officer** – Has no objections, as amended, subject to conditions.

Comments that the applicant has submitted a response to my previous comments. It provides a reasonable explanation as to why great crested newts can be scoped out and is acceptable.

Suggests conditions in relation to all ecological measures and/or works to be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and a Landscape and Ecological Management Plan (LEMP).

14. **Sustainability Officer** – Has no objections.

Comments that I have now looked over all the drawings submitted in relation to the installation of a solar farm consisting of 4,580 solar panels and associated infrastructure. Other than some basic drawings, the applicant has provided very little information relating to the scheme.

The applicant must be aware that Local Plan Policy CC/2 states that: Planning permission for proposals to generate energy from renewable and low carbon sources, with the exception of proposals for wind turbines, will be permitted provided that the development does not have any adverse impacts on the surrounding natural and heritage assets and the development can be connected efficiently to existing national energy infrastructure.

It also asks that developers make plans for the decommissioning of equipment once it reaches the end of its operational life, ensuring restoration of the site, and that developers have engaged with the local community.

Paragraph 4.15 of Chapter 4 of the South Cambridgeshire Local Plan states that... “technologies need to be located on-site or close to the energy users.”

The applicant will need to provide more information relating to how they intend to achieve compliance with the requirements of CC/2 as outlined above.

15. **Environmental Health Officer** – Has no comments.
16. **Contaminated Land Officer** – Has no comments.
17. **Local Highways Authority** – Has no objections in principle, as amended, subject to conditions.

Comments that the following design and management information is still required- detail the same access for maintenance narrowed down to 5m x for a minimum length of 5m and the access to be constructed with adequate drainage measures to prevent surface water run off onto the adjacent public highway. A standalone document must be submitted in the form of a method statement.

Requires conditions in relation to the proposed access routes for the individual elements of the solar panels and a traffic management plan, the proposed servicing arrangements for the solar panels once they have been installed, the vehicular access from the existing carriageway edge shall be laid out and constructed in accordance with a detailed engineering scheme to include the provision of a metalled/sealed surface for a minimum length of 10m from the existing carriageway edge, and a scheme to show the access to be constructed with adequate drainage measures to prevent surface water run off onto the adjacent public highway. Also requests an informative with regards to works to the public highway.

18. **County Transport Team** – Comments that the applicant has not submitted any transport information to accompany this application. However, given the nature of the proposal we consider the majority of traffic associated with this development will be during the construction phase.

In this case, we request a note is submitted by the applicant outlining how much traffic the development is anticipated to generate after full build out and during the construction phase and where they anticipate such traffic will come from.

19. **Lead Local Flood Authority** – Has no objections, as amended, subject to conditions.

Comments that the revised Surface Water Drainage report (Amazi Consulting Ltd, Ref: AMA832 Rev A dated: 26 April 2021) demonstrates that surface

water from the proposed solar farm can be managed through the use of filter drains being installed throughout the solar farm every other PV row. This is to capture and assist in infiltrating the surface water back into the ground. Surface water from the ancillary structures will be connected into the filter drains for infiltration. The proposed maintenance track will be constructed with gravel to allow surface water to pass into the ground below.

Requires conditions in relation to a detailed surface water drainage scheme for the site based on the agreed report, details for the long term maintenance arrangements for the surface water drainage system, and measures indicating how additional surface water run-off from the site will be avoided during the construction works. Also requests an informative with regards to ordinary watercourse consent and pollution control.

20. **Environment Agency** – Has no objections, as amended, subject to conditions.

Comments that the proposed development site is located upon a principal aquifer and within a source protection zone (SPZ3 or total catchment zone) designated for the protection of public water supply. It is highly vulnerable to pollution as contaminants entering groundwater at the site may contaminate the aquifer and the protected water supply. The site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters.

Requires conditions in relation to a contamination remediation strategy, verification report following completion of any remediation, contamination not previously identified, and a surface water drainage strategy. Also requests informatives with regards to pollution prevention.

21. **Anglian Water** – Has no comments.
22. **Cambridgeshire County Council Historic Environment Team** – Has no objections or requirements for an archaeological investigation condition.
23. **Natural England** – Has no comments.

Representations from members of the public

24. Four letters of representation have been received from the occupiers of No. 15 Burton End, West Wickham and Nos. 33, 59 and 61 The Common, West Wrattling. The following concerns have been raised: -
- i) Visual impact- industrial in nature, attractive rural character, visible from long distances across open countryside, high point in landscape, hedge lower than buildings, change character of WW2 airfield.
 - ii) Highway safety- increase in traffic, dangerous road junction would be obscured, distraction to road users, possible reflection from solar panels, impact upon cyclists and pedestrians.

- iii) Not an appropriate scale of scheme for use, other renewable energy projects in the parish.
- iv) National grid connection.
- v) Not currently arable land and a valuable area for wildlife.
- vi) Not notified of application and can see the site.

Site and Surroundings

- 25. The site is located 800 metres to the north east of the village of West Wickham and 2km to the south east of the village of West Wrating, outside of any development framework and in the countryside. It is situated to the south east of the junction of Burton End, The Common, Skippers Lane, and Common Road. The site measures 1.8 hectares in area and currently comprises an area of grassland and scrubland. The topography of the site falls to the south. The site is classified as grade 2 (good quality) agricultural land and is within the It lies within flood zone 1 (low risk).
- 26. The site is surrounded by open arable land. There is a public right of way from Burton End to Skippers Lane to the south. The nearest buildings are former WW2 hangers 150 metres to the south and 350 metres to the south east. The topography of the surrounding land is gently undulating. It falls to the south before rising again towards West Wickham. It rises to the east. It falls to the north and west towards West Wrating. Rands Wood is a County Wildlife Site and Ancient Woodland that lies 750 metres to the west. The nearest residential properties are on The Common, 450 metres to the west.

Proposal

- 27. The proposal seeks a mixed use for the site through the installation of a solar farm and agricultural grazing land. The solar farm would produce 1 megawatt of renewable energy to power approximately local 650 homes. It is proposed for a temporary period of 26 years. The development would comprise 4580 solar panels in 22 rows orientated in an east to west direction across the site and angled 20 degrees to face south. The rows would be situated 5 metres apart and measure 2.5 metres in height. They would be dark grey/dark blue/black in colour. Access to the site would be from Burton End in a central position on the western boundary. A DNO substation and client switchroom would be situated either side of the access and an inverter would be situated in the centre of the site. The DNO substation would measure 3.529 metres in height, the client switchroom would measure 2.9 metres in height, and the inverter would measure 2.356 metres in height. The agricultural land would be grazed by sheep. Landscaping would comprise native species hedgerows along the boundaries of the site and a mix of grass (80%) and wildflowers (20%) within the site.

Planning Assessment

28. The key issues to consider in the determination of this application are the principle of renewable energy development and the impacts of the development upon heritage assets, natural assets, agricultural land, the character and appearance of the area, landscape character, neighbour amenity, highway safety, and flood risk.

Principle of Development – Renewable Energy

29. The Climate Change Act 2008 sets out UK's committed targets for reducing greenhouse gas emissions and increasing energy generation from renewable sources. These are: -
- i) an 80% reduction in greenhouse gas emissions by 2050 (from 1990 levels);
 - ii) a 26% reduction in carbon dioxide emissions by 2020 (from 1990 levels);
- and
- iii) sourcing 15% of its energy from renewable sources by 2020 (in 2010 3.3% of UK energy came from renewable sources).
30. The 2008 was amended in June 2019 to set a target of net zero greenhouse gas emissions by 2050.
31. The recent UN Climate Change Conference of the Parties (COP26) was to generate action to secure global net zero carbon by 2050 and limit global warming to 1.5 degrees in order to tackle climate change.
32. The countries were asked to come forward with ambitious 2030 emissions reductions through the following measures: -
- i) accelerate the phase-out of coal;
 - ii) curtail deforestation
 - iii) speed up the switch to electric vehicles
 - iv) encourage investment in renewables.
33. Paragraph 152 of the National Planning Policy Framework states that the planning system should support the transition to a low carbon future in a changing climate and support renewable and low carbon energy and associated infrastructure.
34. Paragraph 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
 - b) approve the application if its impacts are (or can be made) acceptable.
- Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

35. The National Planning Practice Guidance (NPPG) sets out the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms.
36. It states that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.
37. Particular factors a local planning authority will need to consider include:
- i) encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
 - ii) where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015.
 - iii) that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.
 - iv) the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;
 - v) the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun.
 - vi) the need for, and impact of, security measures such as lights and fencing.
 - vii) great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
 - viii) the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
 - ix) the energy generating potential, which can vary for a number of reasons including, latitude and aspect.
38. The Written Ministerial Statement dated 25 March 2015 states the following: -
- The National Planning Policy Framework includes strong protections for the natural and historic environment and is quite clear that local councils when considering development proposals should take into account the economic and other benefits of the best and most versatile agricultural land. Yet, some local communities have genuine concerns that when it comes to solar farms

insufficient weight has been given to these protections and the benefits of high quality agricultural land. As the solar strategy noted, public acceptability for solar energy is being eroded by the public response to large-scale solar farms which have sometimes been sited insensitively.

Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. Protecting the global environment is not an excuse to trash the local environment. When we published our new planning guidance in support of the Framework, we set out the particular factors relating to large scale ground mounted solar photovoltaic farms that a local council will need to consider. These include making effective use of previously developed land and, where a proposal involves agricultural land, being quite clear this is necessary, and that poorer quality land is to be used in preference to land of a higher quality.

We are encouraged by the impact the guidance is having but do appreciate the continuing concerns, not least those raised in this House, about the unjustified use of high quality agricultural land. In light of these concerns we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence. Of course, planning is a quasi-judicial process, and every application needs to be considered on its individual merits, with due process, in light of the relevant material considerations.

39. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
40. Policy CC/2 of the Local Plan states that planning permission for proposals to generate energy from renewable and low carbon sources, with the exception of proposals for wind turbines, will be permitted provided that:
 - a. The development, and any associated infrastructure, either individually or cumulatively with other developments, does not have unacceptable adverse impacts on heritage assets (including their settings), natural assets, high quality agricultural land, the landscape, or the amenity of nearby residents (visual impact, noise, shadow flicker, odour, fumes, traffic);
 - b. The development can be connected efficiently to existing national energy infrastructure, or by direct connection to an associated development or community project, or the energy generated would be used for on-site needs only;
 - c. Provision is made for decommissioning once the operation has ceased, including the removal of the facilities and the restoration of the site; and
 - d. Developers have engaged effectively with the local community and local authority.
41. The site is located outside the development framework and in the countryside.

42. The solar farm would produce 1 megawatt of energy that would power approximately 650 local homes. The need for renewable energy is not required to be demonstrated and the development is supported in policy terms in the countryside providing the scheme would comply with the criteria in Policy CC/2 above and any other material considerations.

Grid Connection

43. The solar farm would be located approximately 320 metres to the south west of the electricity substation and National Grid connection point.

Decommissioning

44. The solar farm would be temporary for a 25 year period. The site would then be decommissioned unless planning permission is granted for the use beyond this period. Conditions are recommended to be attached to any consent to ensure that the use is for a temporary period of 25 years and that once the development has ceased, it is decommissioned, the facilities removed, and the land reinstated to its former sole agricultural use.

Community Engagement

45. The developers have met with West Wrating and West Wickham Parish Council's prior to the submission of the application.

Heritage Assets

46. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission [for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
47. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
48. The site is located approximately 800 metres from the nearest listed buildings at Nos. 27 and 29 and The Vicarage, Burton End in West Wickham and 900 metres from Brook Farmhouse, 57 The Common in West Wrating.
49. The site is located approximately 1.7km from the West Wickham conservation area and 2.8km from the West Wrating conservation area.
50. The development is not considered to harm the significance of the above designated heritage assets given the distance from the site and that the settings to these assets are limited to the rural and open countryside immediately surrounding the buildings.

51. The site is located existing with close proximity to two former WW2 hangers and on land that was formerly an airfield. However, the West Wickham draft neighbourhood plan has not identified the former airfield and hanger buildings as non-designated heritage assets. Whilst the development would have an impact which is regrettable, the development is not considered to harm this historic feature.
52. The development is not considered to harm any features of archaeological interest.

Natural Assets

53. The site comprises a fallow area of arable field with ruderal herbaceous plants and scattered self-seeded shrubs/immature trees. There is a scattered row of native shrubs along the western boundary. A dry ditch aligns the northern and western boundaries. The surrounding landscape is dominated by arable fields.
54. An Ecological Report has been submitted with the application. A number breeding birds and a barn owl dropping was found on site. There were no trees on the site suitable for bats roosts. The site has a low potential for foraging bats. There was no evidence of badgers on the site. A brown hare was observed on the site. The site had negligible potential for reptiles. There were no ponds within 500 metres of the site although the site has a habitat appropriate for great crested newts. The ditches were dry and not suitable for water voles.
55. Given the low ecological value of the site, no further surveys or mitigation are considered necessary and the development would consequently not adversely affect protected species. However, precautionary measures such as sensitive external lighting, removal of vegetation outside the bird breeding season, and spaces of at least 4 metres between the panels are recommended and should be followed.
56. Rands Wood is a County Wildlife Site and Ancient Woodland situated approximately 750 metres to the west of the site.
57. The development is not considered to adversely affect the biodiversity features and interest of these sites.
58. The development would not result in the loss of any trees or landscaping that are important to the visual amenity of the area.
59. The development would provide new landscaping in the form of native hedgerows and grass and wildflower planting which would result in a net gain in biodiversity at the site.

Agricultural Land

60. The site is classified as grade 2 (good quality) agricultural land. However, it has not been used for arable purposes for approximately 20 years.
61. Policy NH/3 of the Local Plan states that planning permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless:
 - 1a. Land is allocated for development in the Local Plan;
 - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
 2. Uses not involving substantial built development but which take agricultural land will be regarded as permanent unless restricted specifically by condition.
 3. When considering proposals for the change of use or diversification of farmland, particular consideration shall be given to the potential for impact upon Priority Species and Habitats.
62. The NPPG encourages the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value and where a proposal involves greenfield land, whether the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
63. The Written Ministerial Statement 2015 that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence.
64. The development would provide 1 megawatt of energy that would power 650 local homes. It is not disputed that there is a significant need for renewable energy to contribute towards climate change.
65. The applicant's agent has advised that the substation 320 metres from the site has been identified with available capacity and a connection has been secured subject to planning permission.
66. A site search has been carried out within 6 km radius around the substation. This distance was selected due to the need limit the costs of longer grid connections and third party land negotiations.
67. No available brownfield sites have been identified within the search area that are available to the applicant due to land ownership issues.
68. The district brownfield land register has been consulted. The three largest sites at Cambourne, Waterbeach barracks and Oakington Barracks have been deemed unsuitable due to development allocations, proximity of a solar farm, and unknown ownership. The other larger sites have been ruled out as a result of development allocations. The other sites are too small.

69. The rural areas in the region have large swathes of high quality agricultural land.
70. The DEFRA Agricultural Land Classification map shows that the district of South Cambridgeshire has a mix of grade 2 (very good) and grade 3 (good to moderate) quality agricultural land. There is a very small amount of grade 4 (poor agricultural land).
71. No information has been submitted on the location or capacity of grid connections in the district and limited information has been submitted on the potential sites considered within 6km of the selected grid connection.
72. Within 6km of the grid connection point to the east of the A11 and west of the village of West Wrating and Balsham, there is an area of grade 3 (good to moderate) agricultural land. This is considered suitable for such development which is evidenced by permission being granted for a solar farm at Great Wilbraham and a wind farm at West Wrating. However, no evidence has been submitted to show that this area has been explored. In addition, there is very limited evidence to show that existing brownfield sites in the area have been explored.
73. Whilst some information has been provided in relation to potential sites, it is considered that further information needs to be provided to demonstrate that there is compelling evidence that justifies the development on the best and most versatile agricultural land.
74. It is noted that the land is not currently used for arable purposes and the development would introduce a mixed agricultural use and solar farm. However, the land is still good quality agricultural land that appears to have the potential to be used for arable purposes. A period of 25 years with a use for grazing only would represent a significant period of time.
75. Although a number of appeal decisions have been referenced in relation to the above issue advising that that there is not a need for a sequential assessment, these were dated prior to the Written Ministerial Statement dated March 2015. An appeal decision following the Written Ministerial Statement from the Secretary of State reference APP/P2365/W/15/3011997 for land at Tawdside Farm, 32 Deans Lane, Lathom, Ormskirk, Lancashire, L40 4BL dated January 2016 states the following: -

“In accordance with the NPPF and PPG, the 1st question to ask is whether or not the use of agricultural land is necessary. This exercise should demonstrate that no suitable brownfield land or non-agricultural land is available within a reasonable search area. There is no national or local guidance when defining a study area and each case should be considered on its own merits taking into account both planning and operational constraints. The PPG at paragraph ID 5-003 confirms that whilst local authorities should design their policies to maximise renewable and low carbon energy, there is no quota which the Local Plan has to deliver. Therefore, there is no need to site renewable energy development in a particular local authority in order to meet a local green

energy quota. Subsequently, there is no reason why a search area cannot extend beyond the borough boundaries.

In any event, the appellant has not provided details of a search for alternative sites. Whilst the company would appear to have dismissed the Borough's urban areas, there is no consideration of brownfield sites within the Green Belt or industrial areas both within the Borough and a reasonable distance outside of it. Consequently, the appellant has not demonstrated the use of agricultural land is necessary."

76. The above decision demonstrates that although a sequential assessment is not required, a considerable amount of evidence needs to be submitted to demonstrate that alternative sites on lower grade land have been considered. This is also not limited to land within the district. Notwithstanding the above and in any case, each application needs to be determined upon its own merits.
77. It is not disputed that there is a significant need for renewable energy to contribute towards climate change. However, the small scale of the development and the contribution towards renewable energy together with the limited information submitted in relation to more appropriate sites are not considered to outweigh the loss of the best and most versatile agricultural land.

Character and Appearance of the Countryside and Landscape Character

78. The site is located in the open countryside in a prominent position at the crossroads of Burton End, The Common, Common Road and Skippers Lane. It has a distinct rural character.
79. The site is situated in the South Suffolk and North Essex Clayland National Character Area as identified by Natural England. The main characteristics of this area include: -
 - i) An undulating chalky boulder clay plateau is dissected by numerous river valleys, giving a topography of gentle slopes in the lower, wider valleys and steeper slopes in the narrower upper parts.
 - ii) Fragments of chalk give many of the soils a calcareous character, which also influences the character of the semi-natural vegetation cover.
 - iii) Lowland wood pasture and ancient woodlands support the dormouse and a rich diversity of flowering plants on the clay plateau. Large, often ancient hedgerows link woods and copses, forming wooded skylines.
 - iv) The agricultural landscape is predominantly arable with a wooded appearance. There is some pasture on the valley floors. Field patterns are irregular despite rationalisation, with much ancient countryside surviving. Field margins support corn bunting, cornflower and brown hare.
 - v) Roman sites, medieval monasteries and castles and ancient woodlands contribute to a rich archaeology. Impressive churches, large barns, substantial country house estates and Second World War airfields dot the landscape, forming historical resources.

- vi) There is a dispersed settlement pattern of scattered farmsteads, parishes and small settlements around 'tyes' (commons) or strip greens and isolated hamlets. The NCA features a concentration of isolated moated farmsteads and numerous well-preserved medieval towns and large villages.
 - vii) A strong network of public rights of way provides access to the area's archetypal lowland English countryside.
80. The site is situated in the South East Clayland Landscape Character Area as set out in the District Design Guide. It is described as follows: -
- 'This is an undulating area reaching 100 – 120 meters in height on the hilltops. A scattering of farmsteads and small settlements interspersed with farm woodlands, contribute to landscape character. The field sizes are mostly large, but are united by the gently rolling landform and woodland. Smaller fields, landscape and woodlands closer to edges of settlements give a more intimate scale. An historic irregular field pattern remains; Earthbanks are a distinctive feature along with some roadsides, reflecting ancient hedge and bank field boundaries; a few still retain their hedges. Long open views extend to wooded skylines, and sometimes village rooftops and church towers. The area has a surprisingly remote, rural character.'
- The main features of this area are: -
- i) An undulating boulder clay landform, dissected by small stream valleys.
 - ii) Predominantly arable farmland with a wooded appearance.
 - iii) Trees and woodlands appear to join together to create a wooded skyline, with some bare ridgelines
81. The solar farm would comprise rows of solar panels measuring 2.5 metres in height and ancillary buildings that measure up to approximately 3.5 metres in height.
82. The introduction of solar arrays with a uniform and industrial design and dark modern materials would contrast with the overall informal, gently undulating, open, and green rural character and appearance of the site.
83. Whilst the landscaping scheme would partially mitigate the impact of the development upon its surroundings, the development would be highly visible above the hedgerows when viewed from the surrounding roads and public right of way. This would be particularly apparent when travelling north on the road from West Wickham due to the fall in land levels. Notwithstanding the above, the landscaping is not considered appropriate to the character of the area.
84. The existing WW2 hangers are not considered to detract from the overall rural character and appearance of the area and provide historic features that reflect the former use of the land as an airfield.
85. The solar farm is consequently considered to result in a visually incongruous and intrusive urban form of development that would be completely out of character with the surrounding open countryside and rural landscape and

adversely affect the distinct character and appearance of the countryside and landscape character.

Neighbour Amenity

- 86. The site is situated approximately 450 from the nearest residential properties.
- 87. The development is not considered to adversely affect the amenities of neighbours.

Summary

- 88. The proposal would preserve heritage assets, enhance natural assets, and safeguard the amenities of neighbours. It would therefore comply with Policies NH/14, NH/4, NH/5, NH/7 and HQ/1 of the Local Plan in relation to these considerations.
- 89. However, it is considered to adversely affect the landscape and rural character and appearance of the countryside and result in the loss of the best and most versatile agricultural land. It would therefore be contrary to Policies S/7 CC/2, NH/2, NH/3 and HQ/1 of the Local Plan in relation to these considerations.

Other Matters

Highway Safety

- 90. The site would be accessed off Burton End. This is a mainly straight road that leads from West Wickham to surrounding villages. It has a speed limit of 60 miles per hour. The junction of Burton End with The Common, Skippers Lane and Common Road is situated 130 metres to the north.
- 91. The construction period of the solar farm would be approximately 6 weeks. The traffic movements during construction are set out below: -
 - i) 6- 10 small vans per day
 - ii) 2 flatbed trucks for welfare and compound (week 1)
 - iii) 3 articulated lorries for structure (week 3)
 - iv) 3 articulated lorries for panels and 1 articulated lorry for buildings (week 5)
- 92. The construction of the development would result in a maximum of 14 movements in week 5. The route of construction traffic would be via the A11 turning off at the Balsham Road junction towards the site. There is likely to be a similar amount of traffic during decommissioning. During, operation, traffic movements would be limited to a van providing occasional maintenance of the solar farm.
- 93. The design of the access, as amended, would measure at least 5 metres in width for a distance of 20 metres from the road. It would then reduce to 3 metres in width between the substations and inverter buildings. Visibility splays measuring 2.4 metres x 215 metres would be provided on both sides of the access. This is acceptable.

94. However, the Local Highways Authority has requested that this access is narrowed to at least 5 metres in width for a distance of 5 metres from the road when construction has been completed to restrict the use of the site by heavy vehicles. This is considered necessary in the interests of highway safety and is recommended to be a condition of any consent.
95. The landscaping is not considered to obstruct visibility from Burton End on to Skippers Lane as a splay measuring 2.4 metres x 215 metres can be provided.
96. Conditions are recommended to be attached to any consent in relation to precise details of the construction route for the delivery of the individual elements of the solar panels, a detailed traffic management plan for delivery of the individual elements of the solar panels, servicing arrangements for the solar panels, and the access to be constructed with adequate drainage measures. Also requests an informative with regards to works to the public highway.
97. The conditions would control the route and times of construction traffic, contractors unloading, loading, manoeuvring and parking during construction, and the control of debris on the public highway.
98. The development would not result in a significant amount of traffic that would adversely affect the capacity and functioning of the public highway and the design of the access is acceptable. The proposal is not considered to be detrimental to highway safety.
99. The proposal would therefore comply with Policies TI/2 and TI/3 of the Local Plan and paragraph 111 of the NPPF.

Flood Risk

100. The site is located within flood zone 1 (low risk).
101. A Surface Water Drainage report has been submitted with the application. There are existing watercourses along the northern and western boundaries of the site. The site falls north to south.
102. The site is not at significant risk of flooding from fluvial sources.
103. Surface water from pluvial sources will be managed on site through the introduction of filter drains between every other row of panels to capture and assist in infiltrating the surface water back into the ground. Surface water from the ancillary structures will be connected into the filter drains for infiltration. The proposed maintenance track will be constructed with gravel to allow surface water to pass into the ground below. These measures would ensure that there is no localised channelling of rainfall that would increase flood risk to the surrounding area.

104. Conditions are recommended to be attached to any consent to secure a detailed surface water drainage scheme, long term maintenance of the surface water drainage scheme, and a surface water measures during construction.
105. The proposal would therefore comply with Policies CC/7, CC/8 and CC/9 of the Local Plan.

Community Benefit

106. There are no development plan policies that require the provision of a community benefit. This a matter between the developer and the parishes.

Notification

107. A site notice has been displayed on the site and the nearest buildings to the development have been notified of the application. The residential properties in The Common and Burton End are situated a significant distance from the site and are not required to be notified of the application.

Planning balance and conclusion

108. The development would provide renewable energy for a number of local homes which would make an important contribution towards climate change and attracts significant weight. It would also provide an agricultural grazing use and enhance biodiversity which can be given moderate weight.
109. However, the development is considered to result in the loss of the best and most versatile agricultural land which can be given significant weight and adversely affect the character and appearance of the countryside and distinct open and rural landscape character of the area which would also attract significant weight.
110. The adverse impacts of the development are, on balance, considered to outweigh the benefits of the development.

Recommendation

111. Officers recommend that the Planning Committee refuse the application for the following reasons: -
 1. The introduction of solar farm comprising of arrays and buildings with a uniform and industrial design and dark modern materials would contrast with the overall informal, gently undulating, open, and green rural character and appearance of the site. The development would be highly visible above the hedgerows when viewed from the surrounding roads and public right of way. This would be particularly apparent when travelling north on the road from West Wickham due to the fall in land levels. The solar farm is consequently considered to result in a visually incongruous and intrusive urban form of development that would be

completely out of character with the surrounding open countryside and rural landscape and adversely affect the distinct character and appearance of the countryside and landscape character. The proposal is therefore contrary to Policies S/7, CC/2, NH/2 and HQ/1 of the South Cambridgeshire Local Plan 2028 that require developments to respect and retain or enhance the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located and preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape.

2. The introduction of a solar farm on grade 2 agricultural land would result in the loss of the best and most versatile agricultural land. Insufficient information has been submitted to demonstrate that the use of high quality agricultural land is necessary rather than poorer quality agricultural land. The proposal is therefore contrary to Policy CC/2 and NH/3 of the South Cambridgeshire Local Plan 2028 that resist developments which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.

Refused Plans:

2019.37.100 Location Plan
19/37/100A Block Plan
19/37/102 Inverter Details
19/37/103 Client Substation
19/37/104 DNO Substation
1233-01 Planting Plan

Background Papers

Planning application reference 20/01564/FUL

Report Author:

Karen Pell-Coggins – Senior Planning Officer
Telephone: 07704 018456

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Agenda Item 6



Report to:

South Cambridgeshire District
Council Planning Committee

08 December 2021

Lead Officer:

Joint Director of Planning and Economic Development

21/03607/FUL – Land At Babraham Research Campus, High Street, Babraham, Cambridge

Proposal: Erection of new building for Office/Research and Development use and associated infrastructure and works

Applicant: Babraham Research Campus Ltd

Key material considerations:

- Principle of Development
- Countryside Impact
- Green Belt Openness and Purposes
- Character and Appearance of the Area
- Landscape
- Biodiversity
- Trees
- Highway Safety, Parking and Transport Network
- Flood Risk and Drainage
- Heritage Impact
- Residential Amenity & Noise
- Renewables / Climate Change
- Contaminated Land
- Other Matters
- Very Special Circumstances

Date of Member site visit: None

Is it a Departure Application: Yes (advertised 11 August 2021)

Decision due by: 15 December 2021 (extension of time agreed)

Application brought to Committee because: If approved, the application would represent a significant departure from the approved policies of the Council being a major development in the Green Belt

Officer Recommendation: Approval, subject to conditions

Presenting Officer: Michael Sexton, Principal Planner

Executive Summary

1. This application seeks full planning permission for the erection of new building for Office/Research and Development use and associated infrastructure and works.
2. The site is located within the countryside and Green Belt, to the south-east of Cambridge and to the north-west side of the village of Babraham.
3. The site forms part of Babraham Research Campus, one of the UK's leading locations to support early-stage bioscience enterprise. The Campus is a globally important research cluster in its own right, as well as being part of the wider Cambridgeshire Life Sciences Cluster and the Oxford, Cambridge, London 'Golden Triangle' of research, development and innovation.
4. The Campus provides companies laboratory and office space, with the underpinning operational support, networking and collaboration opportunities, together with access to outstanding scientific facilities in an ideal geographical location at the core of the Cambridge cluster. There are currently over 60 companies, with 1,500 employees, and 300 academic researchers.
5. The office/research and development building would constitute in inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition to the harm by reason of inappropriateness, the proposed building is also considered to result in harm by virtue of a loss of openness of the Green Belt.
6. The applicant's agent has advanced a range of very special circumstances seeking to outweigh the harm to the Green Belt. These comprise the need for additional research and development floorspace, economic benefits, biodiversity benefits, environmental sustainability benefits and social and health benefits.
7. Officers consider that the very special circumstances presented are clear as to the unique characteristics of the Campus and to represent a compelling argument in support of the development and to clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness.
8. For the reasons set out in this report, the application is recommended for approval, subject to conditions.
9. Should the application be approved following members conclusion that the development would be inappropriate development in the Green Belt, the application will need to be referred to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009.

Relevant planning history

10. S/0872/18/NM – Non material amendment of planning permission S/2917/17/RM for Proposed R&D2 development comprising two research and development buildings together with associated works following outline planning permission S/1676/14/OL to make amendments to cladding to high level plant room to a fully louvred elevation – Approved.
11. S/2917/17/RM – Proposed R&D2 development comprising two research and development buildings together with associated works following outline planning permission S/1676/14/OL – Approved.
12. S/1500/17/RM – Application for approval of reserved matters for Construction of infrastructure access road following outline planning permission S/1676/14/OL – Approved.
13. S/0422/15/RM – Building 900 - Reserved Matters Application (appearance landscaping layout and scale) pursuant to outline planning permission reference S/2016/11/OL – Approved.
14. S/1676/14/OL – Outline application for development of up to 10000 square metres of research and development floorspace along with access and associated infrastructure – Approved.
15. S/2688/13/RM – Submission of reserved matters for approval of the site layout scale and appearance of research and development building (building 920) and associated external storage building and smoking shelter together with details required by conditions 9 (tree protection) 10 (ecological enhancement) 11 (renewable energy) 15 (external lighting) 18 (contractors' access arrangements) and 19 (archaeology) of outline planning permission reference S/2016/11 – Approved.
16. S/0616/13/RM – Submission of reserved matters for approval of the site layout, scale, appearance and landscaping of research and development building (building 930), and associated cycle stores, bin store and chiller compound – Approved.
17. S/0600/12/RM – Submission of reserved matters for approval of the site layout, scale, appearance and landscaping of research and development building (building 910), external stores and bin/cycle store – Approved.
18. S/2016/11 – Outline application for four research and development buildings and associated infrastructure, including details of the main access road, lighting, standby generator building and flood compensation works – Approved.
19. S/1321/09/RM – Approval of Appearance, Landscaping, Layout and Scale of Outline Planning Permission S/1402/06/F for the Erection of 2 Research Buildings with Link – Approved.

20. S/1402/06/F – Renewal of Outline Planning Permission Ref: S/0003/03/F and Variation of Conditions 1 (to Enable Extension of Time Period in Which to Implement Proposal) and 5 (to Account for Proposed Revisions to Highways Works) – Approved.
21. S/0003/03/F – Variation of Conditions 1 and 3 of Planning Consent Ref: S/0195/99/0 (Renewal) – Approved.
22. S/0195/99/O – Research Laboratories Facilities and Infrastructure – Approved.

Planning policies

National Guidance

23. National Planning Policy Framework 2021
National Planning Practice Guidance
National Design Guide 2019

South Cambridgeshire Local Plan 2018

24. S/1 – Vision
S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/4 – Cambridge Green Belt
S/5 – Provision of New Jobs and Homes
S/6 – The Development Strategy to 2031
S/7 – Development Frameworks
CC/1 – Mitigation and Adaptation to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments
CC/4 – Water Efficiency
CC/6 – Construction Methods
CC/7 – Water Quality
CC/8 – Sustainable Drainage Systems
CC/9 – Managing Flood Risk
HQ/1 – Design Principles
HQ/2 – Public Art and New Development
NH/2 – Protecting and Enhancing Landscape Character
NH/4 – Biodiversity
NH/8 – Mitigating the Impact of Development in and adjoining the Green Belt
NH/14 – Heritage Assets
E/9 – Promotion of Clusters
E/16 – Expansion of Existing Businesses in the Countryside
SC/2 – Health impact Assessment
SC/9 – Lighting Proposals
SC/10 – Noise Pollution
SC/11 – Contaminated Land
SC/12 – Air Quality
TI/2 – Planning for Sustainable Travel

TI/3 – Parking Provision
TI/8 – Infrastructure and New Developments
TI/10 – Broadband

South Cambridgeshire Supplementary Planning Documents (SPD):

- 25. Sustainable Design and Construction SPD – Adopted January 2020
- Cambridgeshire Flood and Water SPD – Adopted November 2016
- Health Impact Assessment SPD – Adopted March 2011
- District Design Guide SPD – Adopted March 2010
- Landscape in New Developments SPD – Adopted March 2010
- Biodiversity SPD – Adopted July 2009
- Listed Buildings: Works to or affecting the setting of SPD – Adopted July 2009
- Public Art SPD – Adopted January 2009
- Trees & Development Sites SPD – Adopted January 2009

Consultation

- 26. **Babraham Parish Council** – None received.

- 27. **Air Quality Officer** – No objection.

Recommend a condition securing provision of 10 Electric Vehicle Charging Points as set out in the submitted Transport Assessment.

- 28. **Anglian Water** – No objection.

- 29. **Cambridge Airport** – No objection.

- 30. **Conservation Officer** – No objection.

The development would not adversely affect the setting and significance of nearby listed buildings.

- 31. **Designing out Crime Officer** – No objection.

- 32. **Development Officer (Health)** – No objection.

- 33. **Ecology Officer** – No objection.

Note the concluded net gain of 32.5% habitat units and a gain of 0.62 hedgerow units.

Recommend conditions for ecological compliance, a Construction Ecological Management Plan (CEcMP), a Landscape and Ecological Management Plan (LEMP) and a lighting design strategy for biodiversity.

- 34. **Environment Agency** – No objection.

35. **Environmental Health** – No objection.
36. **Health and Safety Executive** – No comments to offer.
37. **Highways England** – No objection.
38. **Historic Environment Team (Archaeology)** – No objection.

Recommend a condition securing a written scheme of investigation.

39. **Landscape Officer** – No objection.

Recommend conditions for details of compound areas, cycle shelter sedum roof and specification of the PV system (anti-reflective coating and shallow angle of the panels to mitigate the adverse effect of glare).

40. **Lead Local Flood Authority** – No objection.

Note that the Local Planning Authority drainage officer has recommended three conditions with respect to flood risk and surface water drainage in their letter on 30 August 2021. As LLFA, we have no recommendations for any additional conditions on top of these and note that additional information provided to address our previous objection will largely address the points concerning surface water drainage.

41. **Local Highways Authority** – No objection.

42. **Natural England** – No comments to offer.

43. **Sustainability Officer** – No objection.

Recommends a condition to secure the renewable/low carbon energy technologies as set out in the submitted Sustainability Statement and that the development should achieve a minimum of BREEAM 'Very Good'.

44. **Transport Assessment Team** – No objection.

Recommend that the proposed building being incorporated into the existing Campus-wide Travel Plan.

45. **Trees Officer – No objection.**

Recommend a condition to secure the submitted Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement.

46. **Urban Design Officer** – Support.

Recommend conditions for all materials, details of windows and doors, surrounds, heads and cills, elevation elements and architectural details and proposed cycle and storage stores.

Representations from members of the public

47. None received.

The site and its surroundings

48. The site is located within the countryside and Green Belt, to the south-east of Cambridge and to the north-west side of the village of Babraham.
49. The research and development buildings within the Campus are located on the north-west and south-east side of Babraham Hall, a 19th century Grade II Listed Building and the Grade I Listed Church of St Peter, situated within a 450-acre parkland setting. The River Granta runs to the south-west of the Hall and Church. The southern part of the Campus grounds lay within Babraham Conservation Area.
50. Vehicular access to the Campus is obtained via a roundabout off the A1307 at the northern edge of the grounds. Vehicular access is not authorised from any other point within or surrounding the Campus, although pedestrian and cycle access is permitted from Babraham village.
51. The site falls from east to west, sloping down towards the River Granta. The A1307 forms the eastern boundary of the Campus where a detached residential dwelling (Cambridge Lodge) lies on the east side of the site. of the Campus falls within flood zone 1 (low risk) while the areas directly adjacent the River Granta on the western boundaries fall within flood zones 2 and 3 (medium and high risk).
52. The application site extends to approximately 2.5 hectares and is located on the north-western side of the existing built-up part of Babraham Research Campus. The site lies immediately to the south of plot R&D2, a recent development of two research and development buildings (B940 and B950) and is also known as plot R&D2b. The proposed research and development building is proposed to be known as building B960.
53. The site currently comprises an area of grassland. It is surrounded to the north-west, north, east and south-east by existing buildings within the Campus. To the south, south-west and west lies the River Granta. The proposed building and associated areas of hardstanding are located entirely within Flood Zone 1 (low risk)

The proposal

54. This application seeks full planning permission for the erection of new building for Office/Research and Development use and associated infrastructure and works.

Babraham Research Campus (Overview)

55. The following paragraphs provide an overview of Babraham Research Campus, drawing on the planning history and key details provided in documents that have been submitted in support of the application, including the Design and Access Statement and Planning and Consultation Statement.
56. Babraham Research Campus has been established since 1998, alongside the Babraham Institute, which had formed in 1994 out of the research institutes that had occupied Babraham Hall since 1948.
57. In 2003 a Masterplan was developed which laid down the principles for the future development of the site as a research and development campus. The Masterplan addressed key issues including landscape enhancements, site access improvements from the creation of a new access and roundabout off the A1307, improvements to the setting of the Hall, the identification of important sight lines and vistas, a palette of building materials and a zoning plan which lays down areas for future development. The 2003 Masterplan was followed by a Supplementary Masterplan in 2006 which focused on the central area of the site.
58. Babraham Research Campus is one of the UK's leading locations to support early-stage bioscience enterprise and is distinct in its co-location of bioscience companies with the world leading discovery research of the Babraham Institute, a world-renowned research organisation that receives strategic funding from the Biotechnology and Biological Sciences Research Council (BBSRC).
59. The Institute is a charity supported by strategic funding by the BBSRC, and other bodies including the Medical Research Council and the Wellcome Trust. The Campus is managed and developed by Babraham Research Campus Ltd (BRD Ltd), which the Institute is a majority shareholder of, alongside the BBSRC.
60. The Campus provides companies laboratory and office space, with the underpinning operational support, networking and collaboration opportunities, together with access to outstanding scientific facilities in an ideal geographical location at the core of the Cambridge cluster. There are currently over 60 companies, with 1,500 employees, and 300 academic researchers.
61. The Campus is a globally important research cluster in its own right, as well as being part of the wider Cambridgeshire Life Sciences Cluster and the Oxford, Cambridge, London 'Golden Triangle' of research, development and innovation.
62. As a distinct co-location of academic research and commercial bioscience enterprise, the Campus has been highly successful in attracting companies to the site and is driving investment in the Cluster. Evidence shows that the Campus already plays a pivotal role in the Cambridge life science ecosystem and this is helping to create new products, therapeutics, jobs and growth, and facilitating more reliable company scale-up thereby maximising the impact of UK bioscience.

63. Babraham Research Campus has been hugely successful. Employment surveys indicate that the Campus has seen rapid growth over the last five years, increasing on average by more than 36% per year. In addition, a considerable amount of interest has been recorded by BRC Ltd by both existing tenants wanting more space and others wanting to relocate to the Campus.
64. Expansion of the campus will help maintain and extend the highly attractive diversity of companies on the Campus. In addition, it will build on the demonstrated past success in supporting the formation and development of life science-based, high technology companies to deliver innovation and economic growth and prosperity.

Planning Assessment

65. The key issues to consider in the determination of this application are the principle of development, countryside impact, green belt openness and purposes, character and appearance of the area, landscape, biodiversity, trees, highway safety, parking and transport network, flood risk and drainage, heritage impact, residential amenity and noise, renewables / climate change, contaminated land, other matters and very special circumstances.

Principle of Development

66. The site is located outside of the development framework boundary of Babraham, in the Green Belt and open countryside.
67. Policy S/4 of the Local Plan sets out that that a Green Belt will be maintained around Cambridge that will define the extent of the urban area. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework (NPPF).
68. Chapter 13 of the NPPF deals with protecting Green Belt land.
69. Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. 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 openness and their permanence.
70. Paragraph 138 of the NPPF sets out that the Green Belt serves five purposes:
 - a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
71. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

72. Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
73. Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, setting out seven exceptions, including buildings for agriculture and forestry, replacement buildings and the redevelopment of previously developed land.
74. Paragraph 150 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include mineral extraction, the re-use of buildings and changes of use of land.
75. The application site extends to approximately 2.5 hectares and is located on the north-western side of the existing built-up part of Babraham Research Campus. Although located within the Campus, the site comprises an area of grassland and cannot be considered brownfield land.
76. The application seeks full planning permission for the erection of an office/research and development building.
77. Paragraphs 145 and 146 of the NPPF clearly define development that should not be regarded as inappropriate within the Green Belt. The proposed building would not align with any of these exceptions and would therefore constitute inappropriate development.
78. The NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF is also clear that, when considering any application, planning authorities should ensure that substantial weight is given to any harm to the Green Belt. The onus is on the applicant to demonstrate why permission should be granted, and the NPPF sets out that that 'very special circumstances' will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other material considerations.
79. It is therefore necessary to consider whether the development of the office/research and development building results in any further harm, in addition to that caused by inappropriateness.

Countryside Impact

80. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other

uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.

81. No Neighbourhood plans are in force that would be applicable to this application.
82. In terms of other Local Plan policies which would support the development of an office/research and development building outside of a development framework boundary there are two key policies of relevance, Policies E/9 and E/16.
83. Policy E/9 of the Local Plan deals with the promotion of clusters, setting out that development proposals in suitable locations will be permitted which support the development of employment clusters, drawing on the specialisms of the Cambridge area including the sectors of biotechnology and biomedical, high-technology manufacturing and research and development.
84. The supporting text in paragraph 8.47 of the Local Plan details that Policy E/9 seeks to ensure major sites continue to deliver land and buildings suitable for the future development of the high-tech clusters.
85. The proposed development would accord with the aims and objectives of Policy E/9 of the Local Plan.
86. Policy E/16 of the Local Plan deals with the expansion of existing businesses in the countryside, specifically those that are not designated as established employment areas under Policy E/15 of the Local Plan (such designated sites include Granta Park, Wellcome Trust Genome Campus and Cambridge Research Park).
87. Policy E/16 states that subject to Green Belt policy, and outside the areas listed in Policy E/15, the expansion of established existing firms which are outside development frameworks will be permitted where:
 - a) The proposal is justified by a business case, demonstrating that the business is viable, and has been operating successfully for a minimum of 2 years.
 - b) There is a named user for the development, who shall be the first occupant. A planning condition will be attached to any permission to this effect.
 - c) The proposal is of a scale appropriate in this location, adjacent to existing premises and appropriate to the existing development.
 - d) There is no unacceptable adverse impact on the countryside with regard to scale, character and appearance of new buildings and/or changes of use of land.
 - e) Existing buildings are reused where possible.
 - f) The proposed development would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated.
88. As set out above, Babraham Research Campus has been operating successfully for many years, more than the requirements of criteria (a).

89. In terms of criteria (b) and a named user for the development the proposed development would be an expansion of the existing Babraham Research Campus and would comprise a multi tenanted office and laboratory building. Therefore, the first named occupier could be an existing tenant or a new tenant wanting to relocate to the Campus. Given the nature of how the site operates it would not be appropriate to impose a condition that restricts the first user to a specific tenant in this instance.
90. However, to ensure the development accords with the requirements of Policy E/16(b), officers consider it appropriate to impose a condition which states that the development shall be carried out on behalf of Babraham Research Campus Ltd, and first occupied by R&D businesses with access to the Campus. Such a condition would address criterion (b) while responding to the operation of the Campus.
91. Criteria (c) and (d) seek that development is of an appropriate scale and does not result in an unacceptable adverse impact on the countryside. In summary, officers are satisfied that the proposed development would comply with these requirements; these points are considered in detail later in this report.
92. Criteria (e) requires that existing buildings are reused wherever possible. As detailed in the Planning and Consultation Statement, there are no buildings on the existing Campus that are either unused, surplus to requirements or appropriate for conversion to accommodate the scale of growth needed and within the timescale of the need.
93. Criteria (f) seeks that the development would not have a significant adverse impact on traffic generation. In summary, officers are satisfied that the proposed development would comply with this requirement noting that the application is supported by a Transport Assessment; this issue is considered in detail later in this report.
94. Subject to full consideration of Green Belt policy, the proposed development would accord with Policy E/16 of the Local Plan.
95. Overall, subject to Green Belt policy, the proposed development would accord with Policy S/7 of the Local Plan given the support that is given to the proposal through Policies E/9 and E/16.

Green Belt Openness and Purposes

Openness

96. The Government attaches great importance to Green Belts. 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 openness and their permanence (NPPF, paragraph 137).

97. There is however no specific definition of “openness” in the NPPF. National Planning Practice Guidance (NPPG) states that openness can have both spatial and visual aspects.
98. When considering the impact on the openness of the Green Belt, this is not affected by natural screening (i.e., trees and hedgerows) as these are not permanent features; openness means the absence of buildings or development. When openness is reduced, harm takes place regardless of whether it is visible or witnessed. Measures in mitigation can never completely remove the harm since a development that is wholly invisible to the eye remains, by definition, adverse to openness.
99. The application is supported by a Landscape and Visual Appraisal and Green Belt Study (Bidwells, July 2021). In respect of Green Belt effects, the LVA sets out that there would be no adverse effects on the overall qualities of the Green Belt, which would retain its rural character and sense of openness, the proposal is well screened by existing vegetation and sited within a cluster of existing buildings, acknowledging the loss of a visual gap. The LVA and appraisal of impacts on the Cambridge Green Belt conclude that there would be few adverse effects overall, and that the proposal is well integrated within the contextual landscape.
100. The Planning and Consultation Statement concludes that, in addition to the visual impacts identified within the supporting LVA, there will also be a localised reduction in the openness of the Green Belt, although this will be very limited in scale and will not lead to any settlement coalescence. This should be treated as an additional adverse impact of development, to be weighed in the balance of matters in the determination of the planning application.
101. Notwithstanding the limited landscape and visual effects of the development identified by the LVA, alongside its conclusions that there would be no adverse effects on the overall qualities of the Green Belt, it is evident that the proposed development would introduce a significant amount of built form onto a site currently absent of buildings or development, albeit there are existing buildings in the immediate vicinity.
102. It is acknowledged that the proposed building is sited near to two existing buildings and in a sense infills between them / forms a cluster of three buildings. Nonetheless, a loss of openness arises.
103. Therefore, by virtue of the introduction of a built form of development on undeveloped land, the proposed office/research and development building would inevitably reduce openness which the NPPF describes as an essential characteristic of the Green Belt.

Purposes

104. As defined by paragraph 138 of the NPPF, the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built-up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the

countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

105. The site is located within an area of the Campus recently developed with two state of the art research and development buildings on the area of the campus known as R&D2. The resulting R&D2 development comprises two research and development buildings (B940 and B950) together with site infrastructure including the main access road, footpaths, lighting and landscaping. The proposed building (known as R&D2B or B960) is located to the south of the R&D2 development between B940, B950 and the River Granta, creating a focused cluster of buildings in this area of the Campus.
106. Given the siting of the proposed building and its existing surroundings, little direct conflict with the provisions of paragraph 138 of the NPPF is identified.

Conclusion

107. The development of a new office/research and development building would result in a loss of openness to the Green Belt but would not in this instance result in significant conflict with the five purposes of the Green Belt as defined by paragraph 138 of the NPPF.
108. The development would therefore be contrary Policy S/4 of the Local Plan and related NPPF guidance.

Character and Appearance of the Area

109. The area of the Campus selected for the proposed new development, known as R&D2B or B960, is located to the south of the R&D2 development, between buildings B940 and B950 and the River Granta.
110. The development consists of a single building comprising two storeys of lettable accommodation with plant above, discreetly located within a curved roof profile. The general scale and appearance of the building would be similar to the existing buildings adjacent to the site and compatible with the general scale of buildings within the wider campus. The total floorspace of the proposed building is approximately 3,840sqm, excluding the central core and roof level plant areas, and is comparable to the adjacent buildings.
111. The design of the proposed building is positively influenced from adjacent buildings B940 and B950 in its use of materials, colours, mass, form and detailing. However, the building successfully delivers its own identity through its own architectural detailing that distinguishes it from the two adjacent buildings while achieving visual continuity between the buildings in the immediate area.
112. Being located to the south of the exiting R&D2 development, ground levels are naturally lower and therefore the proposed building will sit beneath the adjacent buildings, reducing its impact on the visual amenity of the area. The building will be set back from the main site access road and would not appear as a

prominent or dominant addition to the site, but as a natural addition to the immediate area, the result of which is three buildings forming a u-court arrangement centred around a large open and attractive green space. Furthermore, its siting relative to the existing road is such that the building would not detract from B930 to the north east of the site, a building that has been designed as a signpost building within the Campus.

113. Internally the building consists of two wings of lettable accommodation to each of the two floors, arranged either side of a central entrance and communal core area. The space can be reconfigured depending on the needs of tenants who wish to occupy the building.
114. Ancillary structures including stores, a standby generator and cycle store are proposed around the periphery of the main building and would clearly read as ancillary and non-obtrusive structures within the development.
115. Vehicular access would be achieved from the end of an existing spur road off the main Campus access road, running between B910 and B920 down to B900. An extension to the existing road will lead to the new car park comprising a curved parking area to the front of the building, responding to existing arrangements, and a linear parking arrangement to the side and rear. This choice of access is partly a design response and desire to avoid a new access road through the centre of the R&D2 development as such a route would significantly compromise the landscape setting and pedestrian friendly aspects of this area of the Campus.
116. The parking associated to the proposed building is relatively well laid out and incorporates a reasonable amount of landscaping to help break up the hardstanding and screen the parked cars within the development. The proposed belt of planting between the two curvilinear parking areas to the front of the building and in between the parking spaces across the site will help to screen the car park when looking from outside of the site.
117. A dedicated delivery area is provided to the building with adjacent external stores in a discreet, screened location to the rear of the building and will be accessed from a dedicated service road which is separated from the car parks and cycle and pedestrian routes to the building.
118. Although considered in more detail below, a landscape strategy has been developed to incorporate the new building into the Campus and positively respond to the existing central open space between buildings B940 and B950.
119. Officers acknowledge the design benefits of the location of the site, namely the site contours allowing the building to be set down in the landscape to reduce its visual impact, supplementing existing landscaping with additional planting to provide further screening, the grounding of buildings B940, B950 and proposed B960 to facilitate a functional and working relationship and proximity of existing infrastructure and access roads, footpaths and cycleways.

120. Officers note that the proposed development will follow the principles established in the 2003 Masterplan and later supplementary Masterplans for the Campus.
121. The application has been subject to formal consultation with the Council's Urban Design Officer who is supportive of the proposed development and recommends conditions to secure details of materials, details of windows and doors, surrounds, heads and cills, elevation elements and architectural details and proposed cycle and storage stores.
122. Officers consider it reasonable and necessary to impose conditions requiring details of all materials for the construction of the external surfaces of the building along with details of cycle and storage stores to ensure an appropriate high-quality finish. However, conditions requiring details of windows and doors, surrounds, heads and cills and elevation elements are not considered necessary given the level of detail provided within the application and plans to be approved.
123. Officers acknowledge that the Landscape and Visual Appraisal identifies a small degree of adverse effect on views from bridleway 12/12 and footpath 12/5 close to the site from these viewpoints, by virtue of the introduction of a new building and increased urban character. However, the design of the proposed building together with associated landscaping, is considered to respond positively to its surroundings and incorporate the development appropriately within the context of the site; therefore the degree of harm is considered very minor.
124. Overall, the proposed development would be well contained within the existing built form of the R&D2 development, retaining a compact visual effect, and would largely preserve the wooded skyline. Officers consider the design approach to relate well to the surrounding buildings and that the new building will make a positive contribution to the visual amenity and character and appearance of the Campus.
125. The proposal would therefore comply with Policies HQ/1 and NH/8 of the Local Plan.

Landscape

126. The application is supported by a Landscape and Visual Appraisal and Green Belt Study (Bidwells, July 2021) a Landscape Strategy (the landscape partnership, July 2021) and several landscape and tree plans.
127. The Landscape Strategy sets out that the landscape design for proposed development responds, in terms of character, to the implemented landscape of the R&D2 development whilst providing mitigation for visual effects of the proposed building of views from public viewpoint receptors mainly to the south-west (as noted in the LVA), but also a distant view from a public viewpoint receptor to the north and providing ecological enhancements.

128. The proposed development incorporates structural planting through native tree and shrub planting, which provides physical and visual separation between the proposed building and Building B900 to the east and provides an ecological linkage between the two buildings and towards the River Granta. Proposed native tree and shrub planting extends to the west to provide an attractive setting for the building, while a native hedge wraps around the western side of the building linking the structural planting to the south of the building with the parkland landscape to the north.
129. Features trees are positioned in key locations while closer to the building ornamental shrub and herbaceous planting is incorporated. Large parkland trees set in calcareous grassland are proposed to the north of the building to reduce the massing of the building, to help integrate the building with the landscape, and to provide mitigation for the visual effects of the proposed building.
130. Existing pedestrian links connecting the buildings B940 and B950 will be enhanced with the addition of surfaced paths linking the proposed building with existing while a mown grass footpath link is proposed along the northern edge of the River Granta to link with the existing pedestrian links associated with R&D2 and the new pedestrian links associated with the proposed building. A footpath link is also be provided to access the picnic tables situated to the west of Building B900.
131. The application has been subject to formal consultation with the Council's Landscape Officer who is supportive of the proposed development and recommends conditions to secure details of details of compound areas, cycle shelter sedum roof and specification of the PV system (anti-reflective coating and shallow angle of the panels to mitigate the adverse effect of glare).
132. Officers consider it reasonable and necessary to impose a condition requiring full details of hard and soft landscaping (which will include details of the sedum roof), to ensure the development is satisfactorily assimilated into the area, alongside a landscape compliance condition. However, conditions requiring details the PV system and compound areas are not considered reasonable or necessary as such details will be captured/secured through other conditions.
133. Overall, the landscape approach for the proposed development would make a positive contribution to the existing campus, enhancing the immediate area around the existing and proposed buildings while incorporating the new building within its setting.
134. The proposal would therefore comply with Policies HQ/1, NH/2, NH/4 and NH/8 of the Local Plan.

Biodiversity

135. The application is supported by an Ecological Impact Assessment (the landscape partnership, October 2021) and a Calculation of Biodiversity Net Gain using Defra Metric 2.0 (the landscape partnership, October 2021)

136. The Assessment sets out that the proposed development would not result in a significant adverse impact on European Protected Species (Bats, Great Crested Newts and Otters) or Priority Species (Water Voles), identifying a range of mitigation and avoidance measures as part of the development.
137. The Assessment also identifies opportunities for ecological and habitat enhancement measures along with small-scale species enhancement through south-facing planting areas seeking to incorporate and enhance habitat for invertebrates including dead-wood piles and permanent hibernation features.
138. The biodiversity net gain calculations set out that the existing site value was calculated at 3.57 habitat units, no hedgerow units and no river units. Based on the landscape proposals presented, the proposed value of the development is 4.73 habitat units, 0.62 hedgerow units and no river units, representing a gain of 1.16 habitat units and 0.62 hedgerow units. The assessment undertaken demonstrates that there is a biodiversity net gain within the development of 32% (1.16 habitat units).
139. The application has been subject to formal consultation with the Council's Ecology Officer who raises no objection to the proposed development, recommending four conditions be included as part of any consent.
140. The first condition would secure that all ecological measures and/or works are carried out in accordance with the details contained in the submitted Ecological Impact Assessment.
141. The second condition would require the submission of a Construction Ecological Management Plan (CEcMP) prior to the commencement of development (including ground works and vegetation clearance), to protect existing habitats and protected species on site and to enhance the site for biodiversity. The CEcMP would require the submission of details including a risk assessment of potentially damaging construction activities, practical measures to avoid or reduce impacts during construction, the location and timings of sensitive works to avoid harm to biodiversity features and the use of protective fences, exclusion barriers and warning signs if applicable.
142. The third condition would require the submission of a Landscape and Ecological Management Plan (LEMP) prior to the commencement of development. The LEMP would require the submission of details including a description and evaluation of features to be managed, aims and objectives for management (including how a minimum of 10% in biodiversity net gain will be achieved) and ongoing monitoring and remedial measures.
143. The final condition would require a lighting design strategy for biodiversity to be submitted prior to occupation of the development in order to clearly demonstrate that any areas to be lit will not disturb or prevent the species (i.e., bats) using their territory or having access to their breeding sites and resting places.
144. Officers are satisfied that, subject to the imposition of conditions securing the submitted Ecological Impact Assessment and requiring a CEcMP, LEMP and

lighting design strategy, the development would be acceptable in terms of its impact on biodiversity and provide for an overall net gain.

145. Subject to conditions, the proposal would comply with Policy NH/4 of the Local Plan.

Trees

146. The application is supported by a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement (the landscape partnership, July 2021).
147. The Assessment details that the site is not subject to any Tree Preservation Orders. The application site comprises some recently planted trees forming a small group along its eastern flank and mature trees adjacent to the River Granta to the south and west beyond which is a narrow tree belt of native species.
148. All existing trees and hedgerows on site are proposed to be retained and as such the Assessment concludes that none of the trees are affected by the proposed development although should be protected during the construction process. Proposed tree planting as part of a site wide landscape scheme will introduce new trees to the site, complimenting the landscape planting achieved during earlier phases of the development of the Campus.
149. The application has been subject to formal consultation with the Council's Trees Officer who raises no objection to the proposal, recommending that the submitted Assessment be listed as an approved document.
150. Officers consider it reasonable and necessary to include a condition as part of any consent requiring works to be carried out in accordance with the submitted Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement.
151. Subject to condition, the proposal would comply with Policy NH/4 of the Local Plan.

Highway Safety, Parking and Transport Network

152. The site would utilise the existing access to the Campus from the A1307 and proposes no alterations to this arrangement. From this point the development would be accessed via existing and proposed roads within the Campus itself.
153. The proposed access road within the Campus is from the end of an existing spur road that runs between Building B910 and Building B920 down to Building B900. This route is preferred to providing a new access road through the centre of the R&D2 plot as such a route would compromise the landscape setting and pedestrian friendly aspects of the scheme. An extension of this existing road will lead to the new car parking area and to the goods in area.

154. The application has been subject to formal consultation with the Local Highways Authority who raise no objection to the proposed development.
155. The proposal is considered acceptable in highway safety terms.
156. Policy TI/3 of the Local Plan sets out in Figure 11 the Council's indicative car parking provision and minimum cycle parking provision by use class and gross floor area.
157. The total floorspace of the proposed building will be approximately 3,840sqm, excluding the central core and roof level plant areas, and would therefore require 1 space per 30sqm for both car and cycle parking spaces, equating to a provision of 128 of each type.
158. The Planning and Consultation Statement sets out that the level of parking provision proposed, being 98 car parking spaces and 48 cycle parking spaces, has been derived from an analysis undertaken for the preparation of the Transport Assessment submitted in support of the application, existing staff surveys on travel modes and Campus Travel Plan initiatives. The statement also notes that additional car parking is available in adjacent car parks within the Campus.
159. Although the car and cycle parking provided falls below the standards set out in Policy TI/3 of the Local Plan, officers accept that the provision is based on information from the operation of the Campus, drawing on existing staff travel modes and the existing Travel Plan for the Campus. Officers therefore do not consider the parking provision to be unacceptable but do consider it appropriate to impose a condition requiring an updated Campus Wide Travel Plan that recognises the proposed development as part of its plan.
160. The proposal is considered acceptable in parking terms and not to conflict with the aims and objectives of Policy TI/3 of the Local Plan in this instance given the circumstances of the Campus and information provided.
161. In terms of the impact on the transport network, the application is supported by a Transport Assessment and update note. The details set out an anticipated 24-hour weekday trip generation of approximately 75 person trips (each way) arising from the proposed development split across pedestrians, cycle, car/motorbike (including car share), public transport and campus shuttle bus.
162. The application has been subject to formal consultation with Cambridgeshire County Council's Transport Assessment Team who raise no objection to the proposal, setting out that the development will need to be incorporated into the existing Campus-wide Travel Plan, which is due to be updated in 2022.
163. Subject to the Travel Plan condition, the proposed development is not considered to result in harm to the existing transport network.
164. Overall, the proposal would comply with Policies TI/2 and TI/3 of the Local Plan and paragraph 112 of the NPPF.

Flood Risk and Drainage

165. The application site boundary site falls within flood zones 1 (low risk), 2 (medium risk) and 3 (high risk), with the proposed development located entirely within flood zone 1. The areas of the site which fall within flood zones 2 and 3 are on the south-western edge of the site adjacent to the River Granta.
166. The application is supported by an amended Flood Risk Assessment and Drainage Strategy Report (Scott White and Hookins LL, July 2021).
167. The Assessment sets out that the proposed development lies within Flood Risk Zone 1 as indicated on the Environment Agency flood map and on that basis the site is considered to be at a low risk of flooding. The flood mitigation measures will be incorporated to reduce flood risks to the proposed development and reduce flood risk downstream of the site to an acceptable level.
168. Site specific testing indicated that the soil has a very low infiltration capacity and therefore a combination of permeable pavement for hardstanding areas and collection of roof rainwater linked to an existing surface water connection is proposed. Restriction of the flow to greenfield run off will be provided with flows attenuated by provision of an extension of an existing cellular tank to achieve the 1 in 100 year storm return period including 40% for climate change. The development also proposes to increase the existing hydrobrake flow to the river outfall from the existing attenuation tank to take account of the greenfield run off rate from the proposed site.
169. The foul drainage to the new building will be connected by gravity to an existing foul drainage manhole adjacent to Building 730 and pumped to the onsite sewerage treatment works.
170. The application has been subject to formal consultation with Anglian Water, the Environment Agency, the Lead Local Flood Authority and the Council's Sustainable Drainage Engineer who raise no objection to the proposal and details submitted, as amended, subject to conditions.
171. In consultation with the relevant technical consultees, officers consider it reasonable and necessary to impose conditions requiring a surface water drainage scheme for the site, details of surface water management and maintenance, finished floor levels and foul water drainage.
172. Officers are satisfied that, subject to the imposition of conditions noted above, the development would be acceptable in terms of flood risk and foul and surface water drainage arrangements.
173. The proposal would therefore comply with Policies CC/7, CC/8 and CC/9 of the Local Plan.

Heritage Impact

174. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses”.
175. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special attention to the desirability of preserving or enhancing the character or appearance of that area”.
176. Chapter 16 of the NPPF focuses on conserving and enhancing the historic environment.
177. In considering the potential impacts of development, paragraph 199 of the NPPF states that great weight should be given to the asset’s conservation with paragraph 200 of the NPPF detailing that any harm to, or loss of, significance should require clear and convincing justification.
178. Policy NH/14 of the Local Plan sets out support for development proposals when they sustain and enhance the significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the NPPF. Policy HQ/1 of the Local Plan also requires development to conserve or enhance important historic assets and their settings.
179. The application is supported by a Heritage Statement (Bidwells, July 2021).
180. The Statement identifies three heritage assets that may be affected by the proposed development, namely Babraham Conservation Area, Parish Church of St Peter (Grade I Listed) and Babraham Hall (Grade II Listed).
181. The Statement details that the site is located approximately 340 metres, 345 metres and 360 metres from the respective heritage assets and sets out that given the existing intervening built forms within the Campus restricting the inter-visual relationship between the site and the identified heritage assets, a neutral impact arises on their settings.
182. The application has been subject to formal consultation with the Council’s Conservation Officer who raises no objection to the proposal detailing that the proposal would not adversely affect the setting and significance of nearby listed buildings and would preserve the character or appearance of the conservation area.
183. In terms of archaeological potential, the application has been subject to formal consultation with Cambridgeshire County Council’s Historic Environment Team who raise no objection to the proposal, subject to a condition requiring a programme of archaeological work to be secured in accordance with a written scheme of investigation.

184. The comments note that Babraham Research Campus had been subject to an archaeological evaluation in Spring 2014 and, owing to the continuation of archaeological evidence across the area, advise that an archaeology condition be placed on any planning consent granted for the proposed development.
185. Officers are satisfied that, subject to the imposition of a condition requiring a programme of archaeological as part of any consent, the development would be acceptable in terms of its impact on archaeology.
186. Overall, the proposal is considered acceptable in heritage terms and to comply with Policy NH/14 of the Local Plan and national guidance.

Residential Amenity & Noise

187. The proposed building is located approximately 290 metres from the nearest residential property, namely Cambridge Lodge to the north east of the site.
188. The application is supported by a Plant Noise Assessment (applied acoustic design, July 2021) to establish the existing background sound levels in the vicinity of nearby noise sensitive premises and to set appropriate limits for noise egress from the proposed building services plant.
189. Given separation between the proposed built form of development and existing residential properties, officers are satisfied that the office/research and development building would not result in an unduly overbearing mass, significant loss of light, severe loss of privacy or unacceptable increase in the level of noise and disturbance to occupiers of the nearby properties.
190. The application has been subject to formal consultation with the Council's Environmental Health Officer who raises no objection to the proposal, noting the submission and content of the noise assessment and lighting report.
191. The proposal would therefore comply with Policy HQ/1(n) of the Local Plan.

Renewables / Climate Change

192. The application is supported by a Sustainability Statement (Sharman Grimwade Ltd, July 2021).
193. The Statement sets out that the proposed building will achieve 30.3% carbon reduction from onsite renewable or low energy systems using Part L 2013 carbon factors and by using SAP 10 carbon factors, the building will achieve a 41.1% CO2 reduction.
194. The Statement, alongside the Planning and Consultation Statement, highlights that the development has been designed and will be built to incorporate sustainable design into the development, targeting a BREEAM 'Excellent' Rating. This will be achieved through a range of measures including thermal

properties, air tightness, the use of high efficiency long life LED lighting, solar shading and no reliance on fossil fuels.

195. The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposed development, noting the sustainability credentials of the proposal and recommends that the development achieves a minimum BREEAM certification of 'Very Good' to ensure the development secures the high standards of sustainability required. The comments acknowledge the additional information provided in respect of thermal comfort and water efficiency, which address initial areas of clarification. A condition to secure the renewable/low carbon energy technologies set out in the Sustainability Statement has been recommended.
196. Officers consider it reasonable and necessary to impose a condition to secure the details of the Sustainability Statement alongside a condition requiring a BRE issued Design State Certificate to demonstrate that BREEAM 'Very Good' as a minimum will be met.
197. Officers are satisfied that, subject to the imposition of conditions noted above, the development would achieve high standards of sustainability, exceeding the minimum requirements set out in Local Plan policy.
198. Subject to conditions, the proposal would comply with Policies CC/1, CC/3 and CC/4 of the Local Plan.

Contaminated Land

199. The application is supported by a Desk Study and Ground Investigation Report (Geo-Environmental, July 2021), which identified limited risks in its Conceptual Site Model associated with the site and the proposed development.
200. The application has been subject to formal consultation with the Council's Contaminated Land Officer who raises no objection to the proposal.
201. The end use of the development is commercial and as such is less sensitive to the presence of contamination compared to residential. Given the limited risks identified in the Conceptual Site Model and no elevated contaminant concentrations were found in the subsequent sampling/analysis of window samples, no immediately evident environmental concerns that would require a condition to manage.
202. The proposal would therefore comply with Policy SC/11 of the Local Plan.

Other Matters

Air Quality

203. The application has been subject to formal consultation with the Council's Air Quality Officer who is supportive of the proposed development and

recommends a condition to secure the provision of 10 Electric Vehicle Charging Points as set out in the submitted Transport Assessment.

204. Officers consider such a condition to be reasonable and necessary as part of any consent to ensure compliance with Policies SC/12 and TI/2 of the Local Plan.

Health Impact

205. The application is supported by a Health Impact Assessment which concludes that the proposed development will have a positive impact on the local community.
206. The application has been subject to formal consultation with the Council's Development Officer (Health Specialist) who raises no objection to the proposed development.
207. The proposal would comply with Policy SC/2 of the Local Plan.

Noise

208. The application has been subject to formal consultation with the Council's Environmental Health Officer who raises no objection to the proposal.
209. Although there is some distance to the nearest residential property, officers consider it reasonable and necessary to impose an hours of works condition.

Pre-Commencement Conditions

210. Pre-commencement conditions have been agreed in advance of determination in writing with the agent.

Public Art

211. Policy HQ/2 of the Local Plan sets out that the Council will encourage the provision or commissioning of public art that is integrated into the design of development as a means of enhancing the quality of development proposals, in particular from developments where the floor area to be built is 1,000sqm or more.
212. The Campus operates a site wide public art strategy and therefore no specific art proposals form part of the proposed development. Given the wider public art strategy no objection is raised in this regard.
213. The proposal would not conflict with the aims and objectives of Policy HQ/2 of the Local Plan.

Very Special Circumstances

214. In addition to the harm by reason of inappropriateness, the proposed office/research and development building is also considered to result in harm by virtue of a loss of openness of the Green Belt. It is therefore necessary to consider the justification put forward by the applicant's agent in support of the proposal and the extent to which these amount to 'very special circumstances'. This justification is set out in summary below, taken from table 6.1 of the Planning and Consultation Statement.

215. Need for additional R&D floorspace (significant weight):

- BRC Ltd is in regular conversations with businesses seeking space on the Campus which, without the ability to expand the Campus, it currently has to turn away. There is therefore an urgent need to expand the Babraham Research Campus.
- The Campus is of national significance in terms of its contribution to the UK Life Sciences sector and to the economy. It is in a location with high productivity and already a world leading facility.
- The proposed development would provide the opportunity to build on the contribution already made by UK bio-data sectors in delivering world-changing health solutions. It would support Government objectives to grow UK's Life Science capabilities and avoid the risk of the UK falling behind given the globally competitive nature of the sectors.
- This should be afforded significant weight in accordance with paragraph 80 of the NPPF.

216. Economic Benefits (significant weight):

- The Economic Assessment in support of this application anticipates that the proposed research and development floorspace will support 174 on site jobs, of which 114 are permanent net direct jobs and 34 are indirect jobs and construction jobs. This is a valuable contribution to the local job market through direct employment but indirect opportunities from, companies servicing the Campus will also be generated.
- Given the specialist nature of companies that are attracted the Campus, there are strong synergies with existing academic and educational institutions located in the area. The creation of new jobs in this sector will therefore help to support the very important relationship between academia and industry, providing opportunities for the transfer of knowledge, skills and personnel.
- The Economic Assessment also concludes that the proposed development would have a net effect of at least £5.74m in Gross Value Added (GVA) in the Greater Cambridge area.

- This should be afforded significant weight in accordance with paragraph 80 of the NPPF.

217. Biodiversity Benefits (significant weight):

- The proposals will secure a number of ecological enhancements which would improve the quality of the site for native flora and fauna and result in a significant Biodiversity Net Gain at the site of 20.85%. The new habitats proposed include creation of habitat piles and insect bricks within the landscape design, the use of species with a known value to wildlife and creation of species rich grassland areas through topsoil stripping and the creation of chalk exposure scrapes.
- Paragraph 96 of the NPPF states that access to a network of high quality open spaces is important for the health and wellbeing of communities.
- Furthermore, the NPPF makes clear at paragraph 175d that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity. The significant biodiversity net gain should be afforded significant weight.

218. Environmental Sustainability Benefits (moderate weight):

- The proposed building would deliver a high level of energy efficiency and is targeting a BREEAM 'Excellent' Rating which will be achieved through design and sustainable construction processes.
- The Sustainability Statement in support of this application confirms that the building will achieve 30.3% CO2 reduction from onsite renewable or low energy systems using Part L 2013 carbon factors. Using SAP 10 carbon factors, the building will achieve a 41.1% CO2 reduction. These both significantly exceed the planning requirement of a minimum of 10% reduction under Policy CC/3 of the Local Plan.
- The Campus Travel Plan to allow for Sustainable Travel options will also be extended to include for Building B960.
- The above measures will deliver a number of sustainability enhancements which would secure environmental benefits and promote the health and wellbeing of users of the Campus.
- Paragraph 126 of the NPPF confirms that good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities.

219. Social and Health Benefits (moderate weight):

- Creation of an exemplary working science community within an attractive environment. Lending critical mass to the Campus would create more opportunities for interactions and collaboration to support innovation.
- The supporting Health Impact Assessment confirms a number of prominent health benefits secured as a result of the proposals.
- Paragraph 130 (a) of the NPPF confirms that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and, under criteria (b), create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Officer Assessment of the 'Very Special Circumstances'

Need for additional R&D floorspace

220. At a national level, chapter 6 of the NPPF deals with building a strong, competitive economy.
221. Paragraph 81 of the NPPF details that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt; significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
222. Paragraph 83 of the NPPF goes on to detail that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries
223. Policy S/2 of the Local Plan that sets out the six key objectives of the Local Plan, including to support economic growth by supporting South Cambridgeshire's position as a world leader in research and technology based industries, research, and education; and supporting the rural economy.
224. As noted above, Policy E/9 of the Local Plan seeks to support development proposals which support the development of employment clusters including those in the biotechnology and biomedical and research and development sectors.
225. The Planning and Consultation Statement, alongside other supporting documents, clearly set out the extremely successful operation of Babraham Research Campus and how it is of national significance in terms of its contribution to the UK Life Sciences sector and to the economy.

226. The application is also supported by an Economic Assessment (Bidwells, July 2021).
227. The Assessment summarises the Campus continues to be the centre of research and development in the biotech sector for both Greater Cambridge and the UK. Its success means that it is seen as a key location to start-up and scale-up a life science business in the UK but the rapid success has stalled due to a lack of additional floorspace and that there are no realistic alternative locations for start-ups in the biotech sector in Greater Cambridge, or indeed the UK.
228. The Assessment details that the development is anticipated to support approximately 174 jobs and £6.71m in GVA which would have a net additional effect on the Greater Cambridge economy of 148 jobs and £5.74m in GVA. While significant, these figures are simply based on the employment benefits and do not take into account other economic benefits from construction or the increase in business rates.
229. The proposal would be consistent with national and local plan policies that seek to encourage and support the development of clusters, including within the biotechnology and biomedical sector.
230. Officers consider that significant weight should be given to the provision of additional R&D floorspace within the Campus.

Economic Benefits

231. Similarly, the economic benefits of the proposed development are set out within the Planning and Consultation Statement and Economic Assessment.
232. The development would provide a further 114 permanent net direct jobs on the Campus, an important contribution to the local job market and the specialist employment sector that operates on the Campus.
233. Officers concur with the view that the creation of new jobs in this sector will help to support the important relationship between academia and industry, providing opportunities for the transfer of knowledge, skills and personnel. Officers also acknowledge that the Economic Assessment concludes that the development would have a net effect of at least £5.74m in the Greater Cambridge Area.
234. The proposal would be consistent with national and local plan policies that seek to encourage and support the development of clusters and provide a strong, competitive economy.
235. Officers consider that significant weight should be given to the economic benefits associated with the proposed development.

Biodiversity Benefits

236. Chapter 15 of the NPPF deals with conserving and enhancing the natural environment.
237. Paragraph 174 of the NPPF states that planning policies and decision should contribute to and enhance the natural environment by protecting and enhancing valued landscapes (criterion a) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (criterion d).
238. Paragraph 180(d) of the NPPF states that when determining planning applications, local planning authorities should apply the following principles ... development whose primary objective is to conserve or enhance biodiversity should be supported while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
239. Officer also note that, in respect of Green Belt (NPPF chapter 13), paragraph 145 of the NPPF states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
240. Policy NH/4 of the Local Plan states that development proposals where the primary objective is to conserve or enhance biodiversity will be permitted. New development must aim to maintain, enhance, restore or add to biodiversity. Opportunities should be taken to achieve positive gain through the form and design of development.
241. Officers also acknowledge the Environment Act 2021 and the Council's Doubling Nature Strategy.
242. The information submitted in support of the application demonstrates that the proposed development would result in a biodiversity net gain of 32%, which can be secured by condition.
243. The proposal would be consistent with national and local plan policies that seek to encourage and support enhancements and net gains in biodiversity, including areas designated as Green Belt.
244. Officers consider that significant weight should be given to the biodiversity benefits arising from the proposed development within the Campus.

Environmental Sustainability Benefits

245. The application has demonstrated that the proposed development would deliver a high level of energy efficiency and is targeting BREEAM 'Excellent' Rating,

noting that a specific condition is recommended as part of any consent in this respect.

246. Officers also acknowledge the 30% carbon reduction from onsite renewable or low energy systems and the potential to achieve a 41% reduction using SAPP 10 carbon factors. Further sustainability benefits are secured through the Campus Travel Plan, again noting that a condition is recommended as part of any consent in this regard.
247. The proposal would be consistent with national and local plan policies that seek to contribute to the achievement of sustainable development.
248. Officers consider that moderate weight should be given to the environmental sustainability benefits of the proposed development

Social and Health Benefits

249. Officers acknowledge the operation of the Campus and the importance for opportunities for interaction and collaboration to support innovation within this economic sector.
250. The proposal would be consistent with national and local plan policies that seek to achieve well-designed places and to ensure that development function well and add to the quality of the area, not just for the short term but over the lifetime of the development.
251. Officers consider that moderate weight should be given to the social and health benefits of the proposed development

Planning balance and conclusion

252. The proposed development would constitute inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
253. The NPPF is clear that, when considering any application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
254. In addition to the harm by reason of inappropriateness, the office/research and development building is also considered to result in harm by virtue of the loss of openness of the Green Belt.
255. Substantial weight is given to the harm caused to the Green Belt by reason of inappropriateness. Significant weight is also given to the harm caused to the loss of openness to the Green Belt, although this is weighed in the context of development within the existing Campus.

256. The determination of whether very special circumstances exist is a matter of planning judgement, based on a consideration of all relevant matters. However, very special circumstances cannot exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations, as set out in paragraph 144 of the NPPF.
257. Officers attach significant weight to the contribution that the development would make to the need for the provision of additional R&D floorspace within the Campus, to the economic benefits associated with the proposed development and to the biodiversity benefits arising from the proposed development within the Campus.
258. Officers attach moderate weight to the environmental sustainability benefits of the proposed development and to the social and health benefits of the proposed development.
259. In conclusion, officers consider that the very special circumstances presented are clear as to the unique characteristics of the Campus and to represent a compelling argument in support of the development and to clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness.
260. For the reasons set out in this report, the application is recommended for approval.
261. Should the application be approved following members conclusion that the development would be inappropriate development in the Green Belt, the application will need to be referred to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009.

Recommendation

262. Officers recommend that the Planning Committee approves the application subject to conditions.

Conditions

- a) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- b) The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Plans to be listed:

ZZ DR A 9003 (Proposed Site Location Plan)
ZZ DR A 9001 P (Proposed Site Layout)

B960-NOR-B3-00-DR-A-0051 P01 (GA Plan – Level 00)
B960-NOR-B3-01-DR-A-0052 P01 (GA Plan – Level 01)
B960-NOR-B3-02-DR-A-0053 P01 (GA Plan – Level 02)
B960-NOR-B3-RF-DR-A-0054 P01 (GA Plan – Roof)

B960-NOR-S1-ZZ-DR-A-1003 P01 (Existing and Proposed Site Sections)
B960-NOR-S1-ZZ-DR-A-1004 P01 (Proposed Site Elevations)
B960-NOR-B3-ZZ-DR-A-1050 P01 (GA Proposed Elevations)

B960-NOR-B3-ZZ-DR-A-2050 P01 (GA Sections Sheet 1)
B960-NOR-B3-ZZ-DR-A-2051 P01 (GA Sections Sheet 2)
B960-NOR-B3-ZZ-DR-A-2052 P01 (GA Sections Sheet 3)

ZZ DR A 9010 (External Stores Plans and Elevations)
ZZ DR A 9015 P3 (Proposed Cycle Shelter)
ZZ DR A 9017 (New Enclosure Standby Generator Compound Area)
ZZ DR A 9019 (New Enclosure Transformer Compound Area)

101I (Landscape Proposals Overview)
401 (Tree Planting Plan)

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- c) No ground works shall commence and the building shall not be occupied until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy Report prepared by Scott White and Hookins (ref: 203576, Rev 02, dated July 2021) and shall also include:

- i) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- ii) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;
- iii) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- iv) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- v) Full details of the proposed attenuation and flow control measures;

- vi) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- vii) Full details of the maintenance/adoption of the surface water drainage system;
- viii) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- ix) Formal agreement from a third party if discharging into their system is proposed, including confirmation (and evidence where appropriate) that sufficient capacity is available.

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the South Cambridgeshire Local Plan 2018

- d) No development shall take place (including ground works and vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
 - i) Risk assessment of potentially damaging construction activities.
 - ii) Identification of “biodiversity protection zones”.
 - iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - iv) The location and timings of sensitive works to avoid harm to biodiversity features.
 - v) The times during which construction when specialist ecologists need to be present on site to oversee works.
 - vi) Responsible persons and lines of communication.
 - vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - viii) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- e) No development shall take place (including demolition, ground works, vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- i) Description and evaluation of features to be managed.
 - ii) Ecological trends and constraints on site that might influence management.
 - iii) Aims and objectives of management, including how a minimum of 10% in biodiversity net gain will be achieved.
 - iv) Appropriate management options for achieving aims and objectives.
 - v) Prescriptions for management actions.
 - vi) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - vii) Details of the body or organisation responsible for implementation of the plan.
 - viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that before any development commences an appropriate landscape and ecological management plan has been agreed in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- f) No development shall commence until the applicant has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:
- i) The statement of significance and research objectives;
 - ii) The programme, methodology and timetable of fieldwork and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - iii) Implementation of fieldwork;
 - iv) A post-excavation assessment report (to be submitted within six months of the completion of fieldwork);
 - v) Proposals for the display of archaeological evidence found at Babraham Research Campus within appropriate location(s) within the campus or local museum;

- vi) A post-excavation analysis report, preparation of the physical and digital archaeological archives ready for deposition at accredited stores approved by the Local Planning Authority, completion of an archive report, and submission of publication report to be completed within two years of the completion of fieldwork.

Reason: To ensure that this listed building is properly recorded both before and during works in accordance with policy NH/14 of the South Cambridgeshire Local Plan 2018.

- g) Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'Very Good' as a minimum will be met. Where the certificate shows a shortfall in credits for BREEAM 'Very Good', a statement shall be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CC/3 and CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- h) Prior to their first use in the development hereby permitted, details of all materials for the construction of the external surfaces of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved materials.

Reason: To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- i) Prior to their first use in the development hereby permitted, details of proposed cycle and storage stores at scale of not less than 1:20 should be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved materials.

Reason: To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- j) Prior to their first use in the development hereby permitted, full details of hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play

equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

- ii) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme; 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 as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.
- iii) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.
- iv) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- k) Prior to the first occupation of the building, hereby permitted, details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/7 and CC/9 of the South Cambridgeshire Local Plan 2018

- l) Prior to the first occupation of the building, hereby permitted, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018.

- m) Prior to the first occupation of the building, hereby permitted, a “lighting design strategy for biodiversity” features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- i) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect existing habitats and protected species on site and to enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018

- n) Prior to occupation of the development, an updated Campus Wide Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This updated Campus Wide Travel Plan should also include annual monitoring of staff travel for five years, and preparation and submission to Cambridgeshire County Council of reviews of the staff travel surveys for five years. Such reviews to be undertaken by a Travel Plan expert.

Reason: To reduce car dependency and to promote alternative modes of travel in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018.

- o) The approved renewable/low carbon energy technologies as set out in the Sustainability Statement (Sharman Grimwade Ltd., July 2021) shall be fully installed and operational prior to the occupation of the development.

Reason: In the interests of reducing carbon dioxide emissions in accordance with Policy CC/3 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- p) Within 6 months of occupation of the development hereby approved, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting

principles of sustainable construction and efficient use of buildings in accordance with policies CC/3 and CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- q) Finished ground floor levels shall be set no lower than 24.5m AOD, in accordance with Flood Risk Assessment and Drainage Strategy Report prepared by Scott White and Hookins (ref: 203576, Rev 02, dated July 2021)

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CC/9 of the South Cambridgeshire Local Plan 2018.

- r) All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (The Landscape Partnership, October 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To protect existing habitats and protected species on site and to enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018

- s) The development shall be carried out in accordance with the details contained in the Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement (the landscape partnership, July 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To protect existing trees and to enhance the site for biodiversity in accordance with the Policy NH/4 of the South Cambridgeshire Local Plan 2018.

- t) All hard and soft landscape works shall be carried out and maintained 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 as soon as is reasonably practicable, 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 HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- u) The provision of 10 Electric Vehicle Charging Points, as set out in section 2.5.5. of the Transport Assessment by Stantec dated July 2021, shall be fully installed and operational prior to the occupation of the development.

Reason: In the interests of reducing impacts of developments on local air quality

and encouraging sustainable forms of transport in accordance with Policies SC/12 and TI/2 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- v) No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- w) The development, hereby permitted, shall be carried out on behalf of Babraham Research Campus Ltd, and first occupied by R&D businesses with access to the Campus.

Reason: To ensure the expansion of the existing business in the countryside is in accordance with Policy E/16 of the South Cambridgeshire Local Plan 2018.

Background Papers

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: 21/03607/FUL, S/0872/18/NM, S/2917/17/RM, S/1500/17/RM, S/0422/15/RM, S/1676/14/OL, S/2688/13/RM, S/0616/13/RM, S/0600/12/RM, S/2016/11, S/1321/09/RM, S/1402/06/F, S/0003/03/F and S/0195/99/O

Report Author:

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Agenda Item 7



South
Cambridgeshire
District Council

Report to:

South Cambridgeshire District
Council Planning Committee

8th December 2021

Lead Officer:

Joint Director of Planning and Economic Development

21/03628/FUL – 36 Apthorpe Street, Fulbourn, CB21 5EY

Proposal: Erection of a three bedroom, one and a half storey, timber framed barn-style dwelling on land to rear of St Martins Cottage

Applicant: Mr & Mrs Keith Carter

Key material considerations:

- Principle of Development
- Character, Design and Heritage
- Residential Amenity
- Trees
- Ecology
- Drainage
- Contamination
- Highways
- Other Matters

Date of Member site visit: None

Is it a Departure Application: Yes

Decision due by: 17th December 2021

Application brought to Committee because: The proposal has been called in by Councillor Cone and referred to Planning Committee by the Committee Delegation Panel on the 26th October 2021

Presenting officer: Jane Rodens, Principal Planner

Executive Summary

1. This application seeks full planning permission for the Erection of a three bedroom, one and a half storey, timber framed barn-style dwelling on land to rear of St Martins Cottage.
2. To the south of the site is no.36 Apthorpe Street (Grade II Listed Building) and to the south west of the site is no.38 and no.40 Apthorpe Street (Grade II Listed Building). To the west of the site is no.42 Apthorpe Street. To the north and east of the site is open Countryside which is Green Belt.
3. Currently on the site is the residential amenity space of no.36 Apthorpe Street, there is mature boundary treatment around the site.
4. There is no principle support for the application, as the application is located outside of the development framework of Fulbourn and there is no policy support for a dwelling of this nature in the Countryside.
5. There has been minor less than substantial harm identified to the Grade II Lised Building, no.36 Apthorpe Street, there is no public benefit identified for this development in accordance with Paragraph 202 of the NPPF, therefore policies NH/14 and HQ/1 are not confirmed.
6. The application has therefore been recommended for refusal.

Relevant planning history

7. S/0826/83/F - Extension – Permitted
S/0759/88/F – Extension – Permitted
S/0760/88/LB – Alterations and Extensions – permitted
S/0378/11 - Replacement detached study and utility and log following demolition of existing garage and replacement gate and fence – Permitted
S/0379/11 - Replacement detached study and utility and log following demolition of existing garage and replacement gate and fence – Permitted

Planning policies

National Guidance

8. National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

South Cambridgeshire Local Plan 2018

9. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development

S/7 Development Frameworks
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt
NH/14 Heritage Assets
H/12 Residential Space Standards
SC/11 Contaminated Land
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/10 Broadband

South Cambridgeshire Supplementary Planning Documents (SPD)

10. District Design Guide SPD - Adopted March 2010
Health Impact Assessment SPD – Adopted March 2011
Greater Cambridge Sustainable Design and Construction SPD – Adopted January 2020
Sustainable Design and Construction – Adopted January 2020
Maintenance of Sustainable Drainage Systems – Adopted 2016
Listed Buildings SPD – Adopted July 2009
Development Affecting Conservation Areas SPD – Adopted January 2009
Fulbourn Village Design Guide – January 2020

Consultation

11. **Parish Council** – Fulbourn Parish Council supports this application finding no detriment or reason to refuse. Due to the contentious issue of the drawn line of village boundary it is requested this be determined by committee. The external design is sympathetic to location in an historic & characteristic part of the village (in the Apthorpe Street, Cow Lane & Pierce Lane Conservation Area). The design & siting of the dwelling respects the principles of the adopted Fulbourn Village Design Guide (Statutory Planning Document).
12. **South Cambridgeshire District Council Conservation Officer:**
“St Martin’s cottage is a detached Grade II listed farmhouse. Thatched and rendered it dates from the 17th century and has had 18th and 20th century additions. The cottage is set back from the road on rising land and is screened from the road by trees and hedges. The site of the house falls within Fulbourn conservation area and to the west of the site are No’s 38/40 which are Grade II listed but sited hard against the footpath.

This proposal had pre-application advice and the conservation officer considered that the land belonging to No 36 did not extend to the present plot but that there is a clear relationship between the cottage and the open

countryside which is an element of its wider setting. It was felt important that the connection and setting of the cottage could still be interpreted and appreciated and any new development would not sever this connection.

The scale and height of the new dwelling should respond positively to that of the existing cottage and appears subservient. The use of locally distinctive materials and built form would be important to the setting of the cottage and the character and appearance of the conservation area.

The conservation advice concluded that an agricultural form and character for the new dwelling would preserve and reinforce the transition from the domestic curtilage of the cottage and village to the surrounding open countryside.

This proposal is for a 1 ½ storey barn style house with its front elevation facing the open field to the east and the gable end facing the garden to the rear of No 36. The footprint of the building is sited further away from No 36 that was shown at pre-application stage.

The heritage statement has looked at the relationship with St Martin's cottage and its current large plot and has shown that in the 19th and early 20th century the curtilage was confined to the garden and it is not known if the northern field was in use by the cottage. Regardless of historical use the northern field does form part of the wider setting of the cottage.

Views of the new dwelling would be confined to the garden to St Martin's cottage and from within the driveway and therefore very limited views would be seen from Apthorpe Street. Given the building is to be weatherboard, and clay roof tiles the form and materiality would not be detrimental to the character and appearance of the conservation area.

The issue is the impact of the dwelling on the setting of St Martin's cottage. Whilst the cottage retains a large garden the previously open views would now be reduced by the introduction of a new large building. The dwelling is a tall 1 ½ storeys but the materiality and form are consistent with an agricultural building.

Having looked at the proposals I agree that with the applicant's heritage statement's analysis that this development would result in less than substantial harm to the setting of the heritage asset due to the loss of the previous connection to the open land to the north and to the height and mass of the new dwelling which is substantial.

The statement argues that one of the public benefits of this development would be the retention of the optimum viable use of St Martin's cottage if the land to the north were developed. I am not convinced that if the land were not developed that the cottage would become unviable and fall into disrepair in such a sought after area.

In terms of the visual benefits of the new driveway and access these are not fully detailed in the application and so it is difficult to assess whether this will have a positive impact on the street scene.

Taking the above into account I consider that this proposal will:

Preserve or enhance the character and appearance of the conservation area but result in minor less than substantial harm to the setting of St Martin's Cottage

The proposal does not comply with Local Plan policy NH/14

In terms of the NPPF para 202 would apply."

13. **South Cambridgeshire District Council Ecology Officer:** The application is acceptable subject to conditions.
14. **South Cambridgeshire District Council Contamination Officer:** There is no objection to the application subject to a condition for unexpected contamination to be referred to the Local Planning Authority.
15. **South Cambridgeshire District Council Environmental Health Officer:** There is no objection to the application subject to conditions for the hours of work and a Construction Environmental Management Plan.
16. **South Cambridgeshire District Council Drainage Officer:** There is no objection to the application subject to a prior to commencement condition for a suitable surface water and foul water drainage provision for the proposed development.
17. **Local Highways Authority:** The application is recommended for refusal due to the visibility splays.

Further information has been submitted in light of the above comments, the following revised comments were submitted to the application from the Cambridgeshire County Council Highways Officers:

"I can confirm that the required visibility splays of 2.4m x 43m as shown on Drawing number: 115120.02 Rev D are acceptable to the Local Highway Authority, therefore the Local Highway Authority's concerns are now overcome and would seek that the remaining conditions be included within any Decision Notice that is issued."

18. **South Cambridgeshire District Council Trees Officer:** No objections to the application subject to a condition for a detailed Arboricultural Method Statement and Tree Protection Strategy.
19. **Ward Cllr Cone:** As the local member for Fulbourn I support this application as have the Parish Council. I know there has been some concern about historic boundaries and if this proves to be an issue I believe the application should go to committee. The proposed access is already being used by other dwellings. I do not believe the proposed development constitutes over-development of the plot and the design I believe is in character with the village.

Representations from members of the public

20. Six letters of support have been received, which are summarised below, the full comments can be found on the Councils Website.
- There would be no harm to the Countryside or the Green Belt from this application.
 - The application is in the curtilage of a current dwelling.
 - The Development Framework of Fulbourn is not correct and should include this area of land, Policy S/7 and S/9 should be applicable to the application.
 - There are other applications in the area where developments outside of the development frameworks have been granted, this should be applied to this application, there are examples in the village where this has happened.
 - There should be a site visit by Planning Committee for this application.
 - The application is compliant with the Fulbourn Design Guide and Neighbourhood Plan.
 - There would be no impact on the neighbouring properties from the development.
 - The increase in the size of the access will improve the access and therefore improve it for the neighbours.
 - This is a well designed property.

The site and its surroundings

21. The site is located outside of the Development Framework of Fulbourn and inside the Conservation Area of Fulbourn.
22. To the south of the site is no.36 Apthorpe Street (Grade II Listed Building) and to the south west of the site is no.38 and no.40 Apthorpe Street (Grade II Listed Building). To the west of the site is no.42 Apthorpe Street. To the north and east of the site is open Countryside which is Green Belt.
23. Currently on the site is the residential amenity space of no.36 Apthorpe Street, there is mature boundary treatment around the site.

The proposal

24. The proposal is for the Erection of a three bedroom, one and a half storey, timber framed barn-style dwelling on land to rear of St Martins Cottage.
25. The materials are to be a clay tiled roof, timber cladding, black plinth.

Planning assessment

26. The key considerations in this application are the principle of development, character and design, heritage, residential amenity, trees, ecology, drainage, contamination, highways and other matters.

Principle of Development

27. This application is located in the Countryside as it is located outside of the development Framework of Fulbourn which is along the southern and western boundary of the proposal site. Therefore Policy S/7 of the adopted South Cambridgeshire District Council Local Plan 2018, is to be applied to the application.
28. This policy states that development will be permitted in the Countryside where it is considered to meet parts 2 of the Policy. This states that development will be permitted where it is an allocation in a Neighbourhood Plan, the development is for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
29. This application is for one dwelling, it is a market dwelling in the countryside. Therefore the following policies, for new dwellings would not be applicable to the application:
30. Policy H/11 (Rural Exception Site Affordable Housing) – developments are permitted in the countryside where it is for affordable dwellings. This application is for one market house and therefore not acceptable under this policy.
31. Policy H/14 (Replacement Dwellings in the Countryside) – this policy allows for the one-for-one replacement dwelling in the countryside. This application is for a new build and therefore not acceptable under this policy.
32. Policy H/15 (Countryside Dwellings of Exceptional Quality) – this policy allows for dwellings that are bespoke or considered under Paragraph 80 of the NPPF. This application has not been submitted on that basis and therefore not acceptable under this policy.
33. Policy H/16 (Development of Residential Gardens) – This policy allows for the development of dwellings in the residential garden where it is not in the countryside. This application is located in the area of the plans as being within the original ownership of St Martins Cottage. The location of the dwelling is in the countryside and therefore not acceptable, even though it may be considered that the application is located in the residential curtilage of this dwelling.
34. Policy H/17 (Reuse of Buildings in the Countryside for Residential Use) – this policy allows for the redevelopment of a building in the countryside where it meets the relevant criteria. This application is for a new dwelling, there is not acceptable under this policy.
35. Policy H/19 (Dwellings to support a rural based Enterprise) – This policy allows for the development of a new dwelling in the countryside where it is to support a rural based Enterprise. This application is for a market dwelling and therefore not acceptable under this policy.

36. Concerns have been raised by the Ward Member and other neighbouring properties about the location of the Development Framework Boundary. This application is located just outside of and adjacent to the boundary, but within the Conservation Area. It has been raised that the Development Framework Boundary should follow the Conservation Area boundary instead.
37. Development Frameworks were first included in the South Cambridgeshire Local Plan (adopted 1993). The Development Framework boundary has been in the same location since then and has not been altered in subsequent iterations of the Local Plan, adopted 2004 Local Plan and a series of documents adopted between 2007 and 2010. The development frameworks were drawn based on defining the built up area, as set out in the supporting text to the current adopted policy.
38. During the examination of the current adopted South Cambridgeshire District Council Local Plan 2018, comments were submitted asking for the development framework to be reviewed to include the area of this proposed dwelling. The review of the development framework was considered, if it should be amended or not. It was considered at the time that it did not form part of the built up area of the settlement and therefore the boundary should not be changed.
39. During the examination of the local plan the inspector asked a specific question in relation to the amendments sought in the area and including the location of this proposal site within the development boundary. The following was included in the Inspectors report for the Local Plan.

“We have reviewed the Council’s approach to determining the development framework boundaries which is summarised in paragraph 2.49 of the Plan. We consider it to be a robust methodology for defining the boundaries which assist in the implementation of policies designed to guard against the development of isolated dwellings or incremental growth in unsustainable locations. A number of representors sought changes to the development framework boundaries for individual settlements, most commonly to seek inclusion of additional land within the boundaries. With the exception of the site at Sawston/Pampisford (see below), we are satisfied that the Council applied its stated methodology in a consistent and reasonable manner and no changes to the development framework boundaries are necessary to ensure the soundness of the Plan.”

40. The location of the Development Framework has not included this site as it is not included within the built up area of the Development Framework and therefore is considered to be in the countryside. Therefore on that basis the principle of this development is not acceptable and the development of a new dwelling in the countryside cannot be supported and the application is not considered to be in conformity with Policy S/7 of the adopted South Cambridgeshire District Council Local Plan 2018.

Character, Design and Heritage

41. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local planning authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.
42. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
43. The Council's Conservation Officer has commented on the application and raises no objection to the proposal, as amended, subject to conditions.
44. The application is located in the rear garden of St Martin's cottage which is a detached Grade II listed farmhouse. The cottage is Thatched and rendered which dates from the 17th century and has had 18th and 20th century additions. The listed cottage is set back from the road on rising land and is screened from the road by trees and hedges. The site of the house falls within Fulbourn conservation area and to the west of the site are No's 38/40 which are Grade II listed but site hard against the footpath.
45. This proposal is for a 1 ½ storey barn style house with its front elevation facing the open field to the east and the gable end facing the garden to the rear of No 36. The footprint of the building is sited away from No.36 Apthorpe Street to the north of the site, where there is to be a new boundary treatment between the proposal dwelling and St Martin's Cottage.
46. The heritage statement has looked at the relationship with St Martin's cottage and its current large plot and has shown that in the 19th and early 20th century the curtilage was confined to the garden and it is not known if the northern field was in use by the cottage. Regardless of historical use the northern field does form part of the wider setting of the cottage.
47. Views of the new dwelling would be confined to the garden to St Martin's cottage and from within the driveway and therefore very limited views would be seen from Apthorpe Street. Given the building is to be weatherboard, and clay roof tiles the form and materiality would not be detrimental to the character and appearance of the conservation area.
48. The issue is the impact of the dwelling on the setting of St Martin's cottage. Whilst the cottage retains a large garden the previously open views would now be reduced by the introduction of a new large building. The dwelling is a tall 1 ½ storeys but the materiality and form are consistent with an agricultural building.
49. The scale and height of the new dwelling should respond positively to that of the existing cottage and appears subservient. The use of locally distinctive materials and built form would be important to the setting of the cottage and the character and appearance of the conservation area.

50. The conservation advice concluded that an agricultural form and character for the new dwelling would preserve and reinforce the transition from the domestic curtilage of the cottage and village to the surrounding open countryside.
51. It has been considered by the Conservation Officer that this development would result in less than substantial harm to the setting of the heritage asset due to the loss of the previous connection to the open land to the north and to the height and mass of the new dwelling which is substantial.
52. Through the Assessment of the application it has been concluded by the Conservation Officer that the development will result in minor less than substantial harm to the setting of St Martin Cottage, but it would preserve or enhance the character and appearance of the Conservation Area.
53. Paragraph 202 of the NPPF states that:
“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”
54. It has been stated in the statement submitted as part of this application that the development would provide a public benefit, which would be the retention of the optimum viable use of St Martin’s cottage if the land to the north were developed. It is not considered that this would be a public benefit through the development of the site and it is not considered that the argument put forward would be a public benefit and if the land were not developed that the cottage would become unviable and fall into disrepair in such a sought after area.
55. Also in terms of the visual benefits of the new driveway and access these are not fully detailed in the application and so it is difficult to assess whether this will have a positive impact on the street scene. Which is required by Policy NH/14 of the Local Plan, to ensure that the proposed developments create a new high quality environment with a strong sense of place.
56. This site is located in, but partially outside of the Apthorpe Street – Cow Lane – Pierce lane Character Area. It states that there is a diverse range of buildings with simplicity and traditional materials. There is visually successful contemporary upgrades and small infill. It is considered that this application, even though outside of this area, as the area is defined by the Development Framework Boundary, is acceptable. As it is not highly visible from the street scene it would not dominate the character of the area, it is traditional in regards of its materials and is somewhat simple in its nature.
57. The design of the dwelling is considered to be acceptable in this location as there would be no harm to the Conservation Area as it would not be dominating to the rear of the site. As there is no benefit to the local area through the construction of this new dwelling it is considered that this dwelling is not acceptable in accordance with Paragraph 202 of the NPPF and therefore not in accordance with Policy NH/14 of the Local Plan, therefore it is recommended for refusal on that basis.

Green Belt

58. This application is located on a site that is adjacent to the Green Belt which is to the east and north of the site. This dwelling is to face into the green belt as the primary elevation and the proposed windows are to be located on the eastern elevation, due to the length of the site the windows and the primary elevation would be close to this boundary. Also there will be a large window facing the northern boundary.
59. There are concerns that this development would have some harm on the Green belt, this is through the development of a dwelling closer to the boundary where there is not a development of this nature currently.
60. Policy NH/8 of the Local Plan states that development on the edge of a settlement should include an adequate level of landscaping to ensure that the impact on the Green Belt is mitigated. As part of this application there is a level of boundary treatment is being proposed. There is a concern that this would not be adequate for the level of glazing that is being proposed and the close proximity of the development on the boundary.
61. Therefore on that basis it is considered that the development has not been carefully mitigated in light of the Green Belt. It is recommended that a condition is to be applied to the application for more details, if this application is to be recommended for approval.

Residential Amenity

62. In regards of residential amenity both of the future residents of the site and the neighbouring residents of the site each of the plots are to be assessed below. This will be in regards of Policy HQ/1 of the Local Plan and the Council's District Design Guide.
63. Policy HQ/1 states in part n) that the proposal would not create overlooking to the neighbouring properties, nor would it create a dominating effect. It also requires the development not to have a harmful effect on the amenity of the future residents of the site. Paragraph 130 f) of the NPPF states that there should be a high standard of amenity for future and existing users.
64. It is considered that there would be no significant harm to the amenity of the neighbouring properties. This is due to the separation distances between the proposal and the neighbouring properties also the orientation of the windows on the proposed dwelling.
65. It is considered that there would be minimal overlooking between the proposal and no.36 Apthorpe Street as there would be a distance of 33m between the flank elevation and the rear elevation of the neighbouring property. There are also no windows on this elevation that will face the neighbouring property.

66. To the west of the elevation there is the rear garden of no.42 Apthorpe Street. There are to be windows that face the neighbouring property, these are for a landing, roof light for the master bedroom and roof light for bedroom 3. Due to the boundary treatments of mature trees and the distance of 21m it is considered that there would be no direct overlooking and overshadowing the neighbouring property.
67. In regards of the internal space it is considered that there would be no harm to the future residents of the site. The bedrooms and the internal space meets Policy H/12 of the Local Plan and the rear amenity space meets the requirements of the District Design Guide.
68. Due to the nature and the location of the proposal it is considered that there would be no harm to the amenity of the neighbouring properties or landuses. The application is therefore considered to be in conformity with Policy HQ/1(n) of the Local Plan 2018, the Council's District Design Guide and paragraph 130(f) of the NPPF.

Trees

69. The South Cambridgeshire District Council Tree Officer has commented on the application, they have no arboricultural or hedgerow objections to this application. The trees on or adjacent site have a level of protection through the conservation area.
70. A Tree Survey and Arboricultural Implications Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan (dated 06/10/2020) has been submitted. This has been considered sufficient for this stage of the application but a further detailed Tree Protection Plan will be required and will be therefore be secured through a condition as part of any consent.

Ecology

71. A Preliminary Ecological Appraisal Survey (Arbtech Consulting Ltd., October 2020) has been submitted as part of the application. This has been reviewed by the Ecology Officer and it is considered that this information is acceptable, with the appropriate mitigation measures, this application is acceptable.
72. The site lies within the Impact Risk Zones of three SSSI sites, the nearest of which is Fulbourne Fen which is under 1 km distant. However, the small size of the development indicates that there is unlikely to be any impact on these protected sites and no requirement to consult Natural England.
73. Conditions have been requested by the Ecology Officer for a Preliminary Ecology Appraisal Survey and a Biodiversity Enhancement Layout. These are to be applied to the application, if it is to be recommended for approval.

Drainage

74. The site is located in flood zone 1 (low risk), with small areas of the site being identified as being at risk from surface water flooding.
75. The Sustainable Drainage Officer has commented that there are no surface water flood risk issues, but does not consider the proposal to be in accordance with adopted policy as the proposal has not demonstrated a suitable surface water and foul water drainage provision for the proposed development, therefore recommending a condition relating to surface water and foul water drainage.
76. To ensure the development satisfies relevant adopted policy in terms of floor risk and drainage, officers consider it reasonable and necessary to impose a condition requiring details of surface water and foul water drainage.
77. Subject to the recommended condition the proposal would accord with Policies CC/7, CC/8 and CC/9 of the Local Plan.

Contamination

78. The Contamination Officer has reviewed the application and has requested, that a condition is applied to the application, so any found contamination is highlighted to the Local Planning Authority. the following documents that have been submitted:
79. Therefore it is considered that the application is in conformity with Policy SC/11 of the Local Plan.

Highways

80. The application site is to be located via an access track to the north west of St Martins Cottage, from Apthorpe Street. There are to be two parking spaces on the site.
81. The Local Highways Authority originally commented on the application as they had concerns over the visibility splays that are to be provided on the site, the application was originally recommended for refusal.
82. In light of the comments the Applicant provided further information to overcome these concerns. The information was reviewed by the Officers and they have recommended that the information is acceptable, subject to the following conditions, if the application is to be recommended for approval.
 - Pedestrian Visibility splays
 - Width of the access
 - Fall of the access
 - Traffic Management Plan
 - Overhang onto the public highway

83.

In regards of the parking on the site, there are to be two parking spaces on the site, these are considered to be acceptable and in conformity with Policy TI/3 of the adopted South Cambridgeshire District Council Local Plan 2018.

Other Matters

84. Policies CC/3 requires that a scheme for renewable energy is submitted, Policy CC/4 required that water efficiency measures are imposed, and Policy TI/10 requires that infrastructure be imposed to create access to broadband internet respectively; the application does not provide details of any of the above. It is therefore considered reasonable and necessary to impose conditions to require that the above policies are satisfied.
85. The South Cambridgeshire District Council Environmental Health Officer has commented on the application, there is no objection to the application subject to conditions for the hours of work and a Construction Environmental Management Plan, both of these conditions are to be applied to the application.
86. Given the sensitive heritage constraints around the site, officers consider it reasonable and necessary to remove permitted development rights for Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2. Without such restrictions, additions could be made to the dwelling and within the associated curtilage that could result in harm to the relevant heritage assets. If this application is to be recommended for approval.

Conclusion

87. This application is being recommended for refusal due to the lack of principle support of the proposal. The proposal is for one market dwelling that is outside of the development framework boundary of Fulbourn, there are no policies in the Local Plan that support the application.
88. The location of the development framework has been supported in the current Local Plan through its examination, and cannot be changed through this application and is defined by Policy S/7 of the Local Plan and therefore it not supported by Policy S/7 of the Local Plan.
89. Less than substantial harm has been identified by the Conservation Officer, this is to be out weighed by the public benefit to a scheme, Paragraph 202 of the NPPF. It is considered that the public benefit that has been put forward by the sporting information to the application does not overcome the harm that has been identified.
90. This application is recommended for refusal on the above concerns as the application is not supported by Policies NH/14, HQ/1 and the NPPF paragraph 202.

Recommendation

91. Officers recommend that the Committee Refuse the application.

Recommended Refusal Reasons

- 1) The site is located outside of the village framework of Fulbourn and in the countryside. The development would be against the strategy in relation to the location of new residential development. The proposal is therefore contrary to Policy S/7 of the South Cambridgeshire Local Plan 2018 that states outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
- 2) This proposal is in the grounds of a Grade II Listed Building, it has been identified that there would be minor Less than Substantial Harm identified. Paragraph 202 of the NPPF, requires a public benefit to the scheme to be able to overcome the harm that has been identified. The public benefit that has been put forward in the supporting statement is not considered to be a public benefit, which is for the retention of the optimum viable use of St Martin's cottage if the land to the north were developed. Therefore as the harm that has been identified has not been overcome then there would be no public benefit to the application. The proposal is therefore not in conformity with Policies NH/14 and HQ/1 of the Local Plan and paragraph 202 of the NPPF.

Papers

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

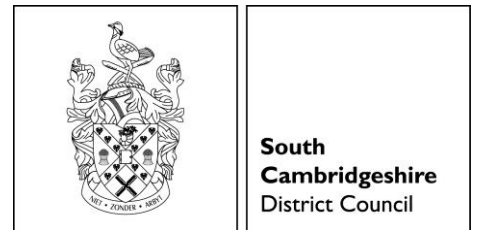
- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: 21/03628/FUL.

Report Author:

Jane Rodens – Principal Planner
Telephone Number - 07704 018 433

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Agenda Item 8



08 November 2021

Report to: South Cambridgeshire District Council

Lead Officer: Joint Director of Planning and Economic Development

20/05251/OUT Land Northwest Of 7 Primrose Walk Little Gransden

Proposal: Outline planning application for the erection of a single self-build dwelling with all matters reserved

Applicant: South Cambridgeshire District Council

Recommendation: Approval

Key material considerations: Principle of Development
Visual amenity and local character
Impact on amenities of neighbouring properties

Date of Member site visit: N/A

Is it a Departure Application? No

Decision due by:

Application brought to Committee because: Parish Council objection.

Officer Recommendation: Approval

Presenting Officer: Mary Collins

Executive Summary

1. The development accords with the South Cambridgeshire Local Plan (2018) as:

- It would not result in adverse impacts upon the character and appearance of the local area in accordance with policy HQ/1 and H/16;

- It would not result in significant harm to the amenities of neighbouring properties in accordance with policy HQ/1;

2. Subject to conditions, the proposed development accords with national and local planning policies.

Following the submission of a revised plans showing the red line of the application site amended, additional neighbours have been consulted and a revised site notice has been displayed on site and a notice published in the press. An additional neighbour has since been consulted which was missed. Officers are therefore seeking delegated powers subject to no new material issues being raised between the committee date and expiry of the consultation date, 20th December 2021, and with any new representations being reviewed in consultation with Chair & Vice Chair.

Site and surroundings

3. The proposed development site lies within the Development Framework on the south western side of Primrose Walk to the north west and immediately adjacent to the existing dwelling at 7 Primrose Walk. There is built development opposite which currently extends marginally further along this side of the road. The site would extend up to the village limits on this south western side and would result in built development on either side of the road up to the edge of the village.

The original Primrose Hill development was constructed in the 1960's by the then Rural District Council. This was followed in 1972 by the erection of the bungalows along Primrose Walk in 1972 – also a Rural District Council Development. In the early 1990's the two storey houses in Primrose walk were constructed by South Cambs DC.

The applicant seeks outline planning permission for the erection of a single self-build dwelling with all matters reserved.

Planning History

4. None

Planning Policies

5. National Planning Policy Framework (NPPF) 2021
National Planning Practice Guidance (NPPG)

South Cambridgeshire Local Plan Policies 2018

6. S/1 Vision
 - S/3 Presumption in Favour of Sustainable Development
 - S/7 Development Frameworks
 - S/11: Infill Villages
 - H/12 Space Standards
 - HQ/1 Design Principles
 - H/8 Housing Density
 - H/16 Development of Residential Gardens
 - NH/4 Biodiversity
 - SC/10 Noise Pollution
 - SC/7 Outdoor Playspace, Informal Open Space and New Developments
 - SC/8 Open Space Standards
 - CC/3 Renewable Energy
 - CC/4 Sustainable Design and Construction
 - CC/7 Water Quality
 - CC/8 Sustainable Design Systems
 - CC/9 Managing Flood Risk
 - TI/2 Planning for Sustainable Travel
 - TI/3 Parking Provision
 - TI/8 Infrastructure and New Developments
 - TI/10 Broadband

South Cambridgeshire District Council Supplementary Planning Documents (SPDs):

7. District Design Guide SPD – Adopted March 2010
Design and Construction SPD – Adopted January 2020
Biodiversity SPD – Adopted 2021

CONSULTATION

8. Little Gransden Parish Council - OBJECT to this application.

The Parish Council was concerned that residents at numbers 2, 4, 5, 6 and 8 Primrose Walk did not appear to have been notified - Primrose Walk is a small community abutting a public footpath, consisting of dwellings that were originally built by the District Council. Some of the dwellings are still owned by the District Council.

- The Parish Council was concerned that the proposed development would put more stress on the existing sewerage system.

- The Parish Council's principal concern was that the access to the proposed development is via a track that has the status of a public footpath: it is not of a suitable standard for vehicles and has not been maintained to highway standards for the existing dwellings, which were built by the District Council. If the Planning Office is minded to approve this application, Little Gransden Parish Council very strongly urges that a condition of any approval should be that either the vendor or the purchaser of the land should make up Primrose Walk

to public highway standards and that the County Council should adopt Primrose Walk.

Revised location plan

The Parish Council noted Mr Kelly's letter of 19 August 2021 and has no further comment to make.

Environmental Health - Advise that the following conditions/informatives should be attached to any planning consent granted;

Conditions

Construction Hours

Construction Environmental Management Plan

Local Highways Authority –

No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission as Primrose Walk is not Public Highway.

Revised red line of application site - Comments as previous

Sustainable Drainage Engineer –

There are no surface water flood risk issues. However, the proposals are not in accordance with South Cambs adopted Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage as the proposals have not demonstrated a suitable surface water drainage provision for the proposed development.

The drainage provision would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved; and
- c) A site plan identifying indicative locations for sustainable drainage features.
- d) Evidence to support b) which must include infiltration/percolation testing or written

confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable.

- e) Details of foul discharge location or treatment plant and discharge location.

All external areas should utilise permeable surfaces.

Anglian Water

In relation to surface water disposal, a surface water connection to the foul sewer can only be permitted under exceptional circumstances if evidence shows that the previous site was connected to the same sewer and there are no other new feasible discharge options. Anglian Water will seek to separate

any surface water from ANY new developments to relieve the existing pressures and treatment requirements.

Trees

The layout of any future application should respect the advice given in the Preliminary Arboricultural Impact Assessment For Outline Planning Application (dated November 2020). A Tree Protection Plan can be submitted with the reserved matters to avoid the need for a precommencement condition.

Ecology

There is no ecological objection in principle to the proposals. The site is not within close proximity to any sites designated for their nature conservation value. Any new residual development at this location must consider potential for significant adverse impacts on SSSIs as a result of additional recreational pressure in accordance with Natural England guidance.

No ecological assessment has been submitted with the application. Ecological surveys are only required when there is 'reasonable likelihood' of important habitats or protected species being present and impacted. There are no records for the site supporting important habitats or protected or notable species. Based on photographs and documents submitted, the site appears to comprise regularly cut grassland with scattered trees and scrub, mostly along the southern site boundary. One ash tree and two small groups of scrub will be removed. The tree does not appear to have any features suitable to support roosting bats based on the Arboricultural Report. Scrub may support nesting birds and avoidance/protection measures will need to be secured by condition if consent is granted. All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). There is not reasonable likelihood of any other protected species being present and impacted, providing grassland continues to be regularly cut. Therefore, an ecological survey is not required to inform this application. If site conditions change, including grassland management, an ecological survey would be required at Reserved Matters stage to demonstrate compliance with UK law.

In accordance with the NPPF, the Adopted South Cambridgeshire District Council Local Plan Policy NH/4 and emerging UK Government Policy, applications should contribute to enhancing and restoring biodiversity. Opportunities should be taken to achieve a measurable net gain in biodiversity through the form and design of development. This should include the incorporation of bat and bird nesting boxes in buildings, use of native planting mixes and wild grasses (including compensatory scrub/hedgerow planting) and hedgehog connectivity measures would be appropriate and proportional in this instance.

Any external lighting will need to be carefully designed due to habitats in close proximity which may support light sensitive bat species.

Recommended conditions

Nesting Birds

No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a suitably qualified ecologist has undertaken a careful, detailed check of suitable habitat for active birds' nests immediately before the habitat is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Ecological Enhancement

Prior to the commencement of development above slab level, a specification and location plan for a scheme of biodiversity enhancement including native planting, a scheme of integrated bat and bird boxes and hedgehog connectivity measures shall be supplied to the local planning authority for its written approval. A management specification shall be provided. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

External Lighting

No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing before installation by the local planning authority.

Definitive Map Officer

Please note Public Footpaths No. 2 Lt Gransden form part of the site access along a hardcore track already present on the ground. Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public footpaths, its legal alignment and width which may differ from what is available on the ground.

Recommend informative

Representations from members of the public

9. Objections – Comments summarised below:

2 Primrose Walk
7 Primrose Walk
14 Primrose Walk

Object.

Would spoil outlook, road not suitable for more traffic, why not build pair of bungalows instead and free up some houses

This is the only area of grass in Little Gransden and is used for community gatherings, children's games etc. There's nowhere else for children to play that is close to home.

Primrose Walk is a narrow, single track unmaintained country road, and additional traffic/parking will make it even more difficult for residents to use it safely.

Cutting down the trees and bushes would have a big impact on wildlife. The bramble bushes provide food and a safe haven for birds. Bees also nest in them for easy access to food and protection from predators.

There must be a more suitable area for building in Little Gransden without squeezing a house on this one piece of land which provides a community area, a haven for wildlife and a safe play area for children.

Revised red line of application site

Objections

7 Primrose Walk

14 Primrose Walk

This is one of the few remaining green spaces in Little Gransden and is regularly used by the residents of Primrose Walk for community gatherings. Important area for wildlife.

The destruction of trees and bushes would be detrimental to species of birds and insects whose numbers are already in decline. Primrose Walk itself is an undermaintained single track 'road' which would be difficult to sustain more traffic. Particularly a house built directly opposite existing dwellings

PLANNING ASSESSMENT

Principle of Development

10. 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.
11. Policy S/6 of the Local Plan 2018 allows for limited development in rural areas and Policy S/11 classifies Little Gransden as an Infill Village and states:

Residential development and redevelopment within the development frameworks of these villages, as defined on the Policies Map, will be restricted to scheme sizes of not more than 2 dwellings (indicative size) comprising:

- a. A gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining; or
- b. The redevelopment or sub-division of an existing residential curtilage; or
- c. The sub-division of an existing dwelling;
- d. The conversion or redevelopment of a non-residential building where this would not result in a loss of local employment.

In very exceptional circumstances a slightly larger development (not more than about 8 dwellings) may be permitted where this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.

12. The proposed development site lies within the Development Framework on the south western side of Primrose Walk to the north west and immediately adjacent to the existing dwelling 7 Primrose Walk. There is built development opposite which currently extends marginally further along this side of the road. The site would extend up to the village limits on this south western side and would result in built development on either side of the road up to the edge of the village.
13. The proposed site is not considered to comprise a gap in built-up frontage, or the subdivision of an existing residential curtilage or dwelling and therefore does not accord with Policy S/11.
14. However, in this instance the boundary of the Development Framework has been drawn to include this land and its inclusion was acceptable at the time of the adoption of the Local Plan 2018 and therefore the principle of some future use of this land within the Development Framework was accepted.
15. Given the location of the site with built up frontage immediately adjacent and opposite, and its position within the Development Framework, it is considered that an exception to policy S/11 can be made in this instance for the erection of one dwelling.

Impact on the Character of the Area

16. Policy HQ/1 (a) of the South Cambridgeshire Local Plan 2018 states that development will only be permitted where it preserves or enhances the character of the local urban and rural area and responds to its context in the wider landscape. Furthermore, this policy also states that development must be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area (d).
17. Although layout is a reserved matter at this stage, the siting of the proposed dwelling is indicatively shown on drawing 1780-SBA-XX-ZZ-DR-A-502 -B. This indicates that there is sufficient room on the application site for the siting of a dwelling and garage. The height of the proposed dwelling is not known at this outline stage. therefore, a similar height dwelling is considered appropriate. This will be subject to any reserved matters application.
18. There is a mix of styles in the surrounding neighbouring properties and as such, there is no single architectural style. No specific design of the dwelling has been submitted due to the application being outline. This will be subject to any reserved matters application.

19. It is considered the proposal would not result in a significant adverse impact on the character of the landscape. The design and appearance of the units will need to be resolved at the reserved matters stage.
20. Therefore, overall the proposal is considered to be in accordance with to policy HQ/1

Density

21. Policy H/8 of the South Cambridgeshire Local Plan 2018 states that residential developments should achieve average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment. The proposed development would fall below that density, however given the semi-rural location and relatively open character of the surrounding countryside, the proposed development is considered acceptable in this instance.

Residential Amenity

22. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust; (criterion 1n).
23. Paragraph 6.68 of the Council's District Design Guide details that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. For two storey residential properties, a minimum distance of 25 metres should be provided between rear or side building faces containing habitable rooms. Where blank walls are proposed opposite the windows to habitable rooms, this distance can be reduced further, with a minimum of 12 metres between the wall and any neighbouring windows that are directly opposite.
24. Paragraph 6.75 of the Council's District Design Guide details that ideally residential units should be provided with access to the following sizes of private amenity space. Each one or two bedroom house should have private garden space of 40m² in urban settings and 50m² in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 50m² in urban settings and 80m² in rural settings.
25. Although the application is in outline only with matters of scale, layout and appearance reserved, the indicative site plan provides an idea of the likely layout. Considerations fall to whether it is possible to accommodate an acceptable form of development in residential amenity terms.

Residential Space Standards

26. Policy H/12 of the Local Plan requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document with their gross internal floor areas. Should the proposal benefit from support and planning consent it would be reasonable and necessary to impose a condition that any future reserved matters application adheres to the requirements of Policy H/12 of the Local Plan.
27. The indicative footprint of the dwelling is approximately 115sqm. This suggests that potentially a 4 bed 6 person dwelling could be constructed.

Amenity of adjoining residential properties

28. The proposed dwelling would be adjacent to 7 Primrose Walk and would be sited to the north west.
29. The indicative position of the proposed dwelling shows it would be inset from the boundary with this property and would be approximately the same depth as the adjacent bungalow and approximately aligned with both front and rear elevations.
30. Given the orientation and the inset from the boundary, Officers are satisfied that the erection of a dwelling in this location would not be detrimental to the amenities of the adjacent occupier by way of overbearing, overshadowing or loss of light,
31. Overall, the proposal is in accordance with policy HQ/1 (n) of the South Cambridgeshire Local Plan 2018 in this respect.

Parking/Highway Safety

32. The Local Highway Authority have raised no issues in relation to the proposal and have not recommended conditions as Primrose Walk is not public adopted highway.
33. Policy TI/3 of the South Cambridgeshire Local Plan 2018 states that two car parking spaces should be provided per dwelling with one space allocated within the curtilage of residential dwelling.
34. It is likely that this could be achieved. This will be a subject to any reserved matters application.

Drainage and flooding

35. According to the South Cambridgeshire District Council Drainage Officer, the proposal is not in accordance with South Cambs adopted Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage as the application has not demonstrated suitable surface water and foul water drainage provision. However, for an outline application, a condition in this location is acceptable. Little Gransden is situated on greensand formation and Drainage Officers are satisfied that they can make an assumption that the infiltration coefficient will be good enough to permit infiltration subject to BRE365 testing and detailed design which can be by way of condition on this application.
36. The Parish Council has raised concern that the development would exacerbate existing drainage issues in the village.. In the last decade the incidences of flooding in Little Gransden has significantly increased in frequency. With regard to development carried out in the past such as when Primrose Hill and The Drift, Church Street in Little Gransden, when these areas were developed, the requirements for assessing drainage and flood risks differed from current requirements as there was no requirement for sustainable drainage. These streets are at higher ground to where the regular flooding occurs and the parish council is concerned that the run off water from these more recent development areas ends up flowing down to the vilage's oldest areas, in lower grounds.
37. With respect to the assessment of drainage and flood risk the Planning Officer would on the advice of the technical specialist in drainage ensure that firstly the principle of sustainable drainage is acceptable in the location proposed and that surface water run-off can be managed for the lifetime of the development and this would be through the imposition of a condition.
38. The Council's Drainage Officers have recommended that a condition requiring details of a surface water drainage scheme shall be submitted prior to commencement of the development. This is a pre-commencement condition which would need to be satisfied prior to any work on the development commencing. This would ensure that the site is drained without causing flooding or other drainage issues inside or outside the application site and that the issues of water management and flood risk are addressed to the satisfaction of the Councils Drainage Team.

If the scheme is acceptable, the drainage scheme must be implemented in accordance with the approved details and must be maintained for the lifetime of the development.
39. Officers consider the principle of drainage is acceptable on this site and subject to compliance with the proposed drainage conditions, the development is in accordance with South Cambridgeshire Local Plan 2018 Policy CC/7 Water Quality and Policy CC/8 Sustainable Drainage

Ecology and landscape

40. The application is considered to be acceptable in regards of Policy NH/4 of the adopted South Cambridgeshire Local Plan 2018 and conditions will be attached in relation to schemes of biodiversity enhancement and landscaping.

Self-build and custom-build concept in decision-making

41. In March 2015 the government introduced the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). This places a duty on certain public authorities to maintain a register of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and places a duty on public authorities to have regard to those registers in carrying out planning and other functions including housing, regeneration. The 2015 Act also places a legal duty on authorities to grant sufficient development permission to meet the demand for self-build and custom build in its area.
42. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications shall be determined in accordance with the development plan unless material considerations indicate otherwise. At present Council does not have a specific adopted or emerging local planning policy for the provision of self-build and custom build sites in the district. However, Policy H/9 (Housing mix) does touch on this.
43. South Cambridgeshire District Council is a Right to Build Vanguard Authority which aims to support people to design and build their own homes at potentially a lower cost than buying an existing property.
44. In accordance with the 2015 Act, the Council maintains a register of people interested in a serviced plot within the district. Given that the Council have progressed to becoming a vanguard authority and given the number of members on the register, both factors are considered to be a material consideration to the determination of any planning application. The provision of serviced plots will also meet the aims of paragraph 62 which seek to deliver a wide choice of homes which in turn could significantly boost the supply of housing.
45. In considering whether a home is a self-build or custom build home, the relevant authority must be satisfied that the initial owner of the home will have primary input into its final design and layout.
46. The proposed development would make a small contribution to the demands of the register as it will take one person off the register and will ensure that this need for custom self-build is met.
47. The application is considered to be acceptable in regards of Policy H/9 of the adopted South Cambridgeshire Local Plan 2018.

Planning balance and conclusion

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

Recommendation

49. Officers recommend that the Planning Committee approve subject to conditions

Conditions

- 1 Prior to the commencement of any development, details of the appearance, means of access, landscaping, layout and scale, (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: This is an Outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(Reason - The application is in outline only.)

- 3 The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

(Reason - The application is in outline only).

- 4 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 5 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development:

- a) full details of any piling technique to be employed, if relevant;

- b) contact details for site manager, including how these details will be displayed on site.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 6 No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme must include details as to how a 10% net gain in biodiversity has been accomplished. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

(Reason - To enhance ecological interests in accordance with Policies S/3, HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).

- 7 Prior to commencement of development a scheme for the disposals of surface water and foul water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

This would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) A site plan identifying indicative locations for sustainable drainage features;
- d) Evidence to support b) which must include infiltration/percolation testing or written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable; and
- e) Details of foul discharge location or treatment plant and discharge location.

All external areas should utilise permeable surfaces.

(Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policies CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).

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

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy SC/10 of the South Cambridgeshire Local Plan September 2018.)

- 9 The landscaping details required in condition 1 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.

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 HQ/1 and NH/4 of the South Cambridgeshire Local Plan September 2018.)

- 10 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 HQ/1 of the South Cambridgeshire Local Plan September 2018.)

- 11 No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the dwelling.

(Reason - In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)

12 The dwelling hereby approved shall not be occupied until the minimum water efficiency consumption of 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016) has been complied with.

(Reason - To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.)

13 The dwelling hereby approved shall not be occupied until the dwelling has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)

14 No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing before installation by the local planning authority.

Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018 and to protect nearby wildlife habitat

15 The dwelling hereby approved shall not exceed one and a half storeys.

(Reason - To ensure that the appearance of the site does not detract from the character of the area or harm amenities of adjoining properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan September 2018.)

16 The dwelling shall comply with the Residential Space Standards set out under Policy H/12 of the South Cambridgeshire Local Plan or successor and demonstrated through the provision of floorspace details within the submission of any reserved matters application.

(Reason - To ensure an appropriate level of amenity for future occupiers in accordance with policy H/12 of the adopted Local Plan 2018.)

Informatives

- 1 No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a suitably qualified ecologist has undertaken a careful, detailed check of suitable habitat for active birds' nests immediately before the habitat is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 2 Public Footpath 2 Lt Gransden must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).

Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980)

The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of Public Rights of Way are damaged as a result of increased motorised vehicle usage or during the construction phase, the Highways Authority is only liable to maintain it to a unbound standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.

The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

Developers should follow the County Council's guidance on boundary treatment to ensure it does not result in obstruction and maintenance problems, available online at www.cambridgeshire.gov.uk/definitivemap.

- 3 The layout of any future application should respect the advice given in the Preliminary Arboricultural Impact Assessment For Outline Planning Application (dated November 2020). A Tree Protection Plan can be submitted with the reserved matters to avoid the need for a precommencement condition.
- 4 The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the

boundary of the development site and should be free from tonal or other noticeable acoustic features.

In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactorily and any defects remedied to ensure that the noise levels do not increase over time.

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 suppression 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.

- 5 In relation to surface water disposal, a surface water connection to the foul sewer can only be permitted under exceptional circumstances if evidence shows that the previous site was connected to the same sewer and there are no other new feasible discharge options. Anglian Water will seek to separate any surface water from ANY new developments to relieve the existing pressures and treatment requirements.

For developments on Greenfield or Brownfield sites, sufficient evidence must be provided to prove that all surface water disposal routes have been explored. The Developer must demonstrate that the site does not increase flood risk both within the development and elsewhere, and that the surface water disposal hierarchy has been considered.

The disposal hierarchy should be in the following order of preference:

- 1) Discharge by infiltration to the ground
- 2) Discharge to an open surface water body
- 3) Discharge to a surface water sewer
- 4) Discharge to a combined sewer
- 5) Discharge to a foul sewer

Appendices

None.

Background Papers

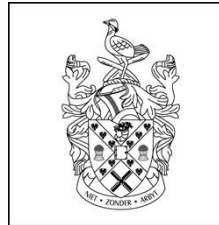
The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: 20/05251/OUT

Report Author:

Mary Collins - Senior Planning Officer
Telephone - 07704 018485

Agenda Item 9



South
Cambridgeshire
District Council

8 December 2021

Report to: South Cambridgeshire District
Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

20/04706/FUL - HISTON AND IMPINGTON WARD, IMPINGTON PARISH (60 IMPINGTON LANE)

Proposal: Demolition of existing garage and erection of a three bedroom, single storey dwelling to rear with detached carport/store.

Applicant: Mrs S Green, The Ely Diocesan Board of Finance

Key material considerations: Flood Risk
Character
Residential amenity
impacts

Date of Member site visit:

Is it a Departure Application?: No

Decision due by: 27.01.2021

Application brought to Committee because: Called in by Parish Council and referred to Planning Committee by the Committee Delegation Panel

Presenting officer: Phoebe Carter, Planning Officer

Executive Summary

1. This application seeks planning permission for a single storey three bed dwelling. The site falls within the Development Framework.
2. Objections have been received from the Parish Councillors and occupiers of adjacent dwellings.
3. Officers consider that the proposed development would not result in significant harm to the amenity of neighbouring properties.
4. Officers consider that, subject to conditions, the proposed development accords with national and local planning policies.

Relevant planning history

5. 20/01763/OUT - Outline planning with all matters reserved except for access for the demolition of an existing garage and the construction of a new access roadway and the construction of 1 No. dwelling and the construction of a detached garage for the existing dwelling - Withdrawn

Planning policies

6. National Guidance

National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG)

7. South Cambridgeshire Local Plan 2018

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/8 Rural Centres
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
H/8 Housing Density
H/12 Residential Space Standards
H/16 Development of Residential Gardens
TI/3 Parking Provision
TI/10 Broadband

8. South Cambridgeshire Supplementary Planning Documents (SPD)

Sustainable Design and Construction – Adopted January 2020

District Design Guide – Adopted 2010

Maintenance of Sustainable Drainage Systems – Adopted 2016

Histon and Impington Village Design Guide

9. Neighbourhood Plans

Histon and Impington Neighbourhood Plan (adopted)

Consultation

10. Histon and Impington Parish Council:

All agreed to recommend refusal on the grounds of drainage detail noting area has a tendency to flood and proposal for surface water to be discharged to main sewer. Positioning on plot would be difficult to avoid negative impact on neighbouring properties, lack of private amenity space. Recommendation for SCDC officers to put this plan to committee. Noting proximity to neighbouring properties, request working hours for weekend to be considerate (9am – 1pm) with no Sunday working permitted.

11. Drainage

Original Comment: The development proposed is unacceptable. The application is supported by Flood Risk and Drainage Strategy (Rossi Long Consulting, November 2020) We are not able to recommend planning permission is granted and we would recommend that the applicant submits the following information for our consideration: Existing surface water drainage, surface water disposal, SUDs hierarchy and Finished floor levels.

Amendment Comment: The development is acceptable subject to an informative regarding Anglian Water

12. Nature Conservation:

Content with survey effort detailed within the PEA. Although habitats of relatively low ecological value are reported on site, the scale, when combined with surrounding rear gardens represents a significant ecological resource for local species. The original officer request for a 10% net gain in biodiversity has currently not been demonstrated. I would suggest the DEFRA biodiversity net gain metric, version 2, be used to assess the proposed scheme against the base line. A landscape scheme containing features such as diverse flowering lawns and the wildlife pond recommended in the PEA may provide sufficient enhancements, alongside the proposed bird box provision, which is supported if minded to approve. The proposed green roof would also provide measurable enhancements if suitable substrate is installed to support a diverse species mix.

13. Trees:

I have no arboricultural or hedgerow objections to this application. Condition recommended regarding Tree Protection Plan.

14. Highways:

Development is acceptable subject to conditions regarding visibility splays, bound materials, access width, dropped kerb and a traffic management plan. An informative is also recommended regarding works to highways.

Representations from members of the public

15. 7 representations have been received from objectors to the application on the following grounds:

- Impact on Ecology
- Privacy
- Concerns about Drainage/Flooding. There is a large drainage ditch adjacent to the proposed dwelling
- Adverse impact of Noise
- Impact Security
- Overlooking
- Overbearing
- Adverse impact on residential amenity
- The proposed scale and massing is much larger than the surrounding properties
- Back garden development
- Design out of keeping with local vernacular
- Pollution from chimney
- Use of the property
- Red line plan incorrect

The site and its surroundings

16. The application site is located on the south western side of the Impington Lane, a predominately residential street characterised by detached dwellings. The site is situated within the Development Framework. There are no listed buildings within the immediate vicinity and the site falls outside of the Conservation Area. No. 60 is presently a detached residential property with a large amenity space to the rear.

The proposal

17. The proposal seeks planning permission for the demolition of the existing garage and the erection of a three bedroom, single storey dwelling to the rear with a detached carport. The proposed dwelling would access the property by a

proposed driveway along the western boundary constructed from permeable paving.

Planning Assessment

Principle of Development

18. The application site falls within the Histon and Impington Village Framework which is a Rural Centre covered by policies S/7 and S/8. S/8 supports residential development of any scale provided adequate facilities and infrastructure are provided. The proposal is for a single dwelling and therefore conforms to S/8.

Character and Heritage Assets

19. Policy HQ/1 of the South Cambridgeshire Local Plan 2018 supports development where it is of a high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context, including the criteria that development such as the proposed should be compatible within its location and be appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture, and colour in relation to the surrounding area. Policy H/16 specifically covers developments that are proposed to be within land last used as residential gardens for new dwellings. The policy provides that development will only be permitted where there would be no significant harm to the local area taking account of:
- i. The character of the local area;
 - ii. Any direct and on-going impacts on the residential amenity of nearby properties;
 - iii. The proposed siting, design, scale, and materials of construction of the buildings;
 - iv. The existence of or ability to create a safe vehicular access;
 - v. The provision of adequate on-site parking or the existence of safe, convenient and adequate existing on-street parking;
 - vi. Any adverse impacts on the setting of a listed building, or the character of a conservation area, or other heritage asset;
 - vii. Any impacts on biodiversity and important trees;
 - viii. Ensuring that the form of development would not prevent the development of adjoining sites.
20. Matters relating to design and impact to the character of the surrounding area will be covered in this section, with other matters dealt with in later sections of the report.
21. Policy HIM01 of the Neighbourhood Plan notes the variety in the built environment in the village and the absence of a dominant design style and sets out the design requirements for residential development within the plan area. It states that proposals should be in scale with neighbouring developments and supports high quality design.
22. The dwelling, by virtue of its back-land location, would not be prominent within the surrounding area and would have limited views from the main street. Whilst Impington Lane has a strong linear frontage to the street there is significant back-land development to the rear of the surrounding properties. Due the constraints of the surrounding properties the proposed building has been kept to a single storey which has an appropriate massing and scale. The materials proposed are vertical cedar cladding, white render and a green roof. The proposed car port and store will be cedar cladding and grey/black multi-facing brick. Whilst the proposed materials are not common in the area and the design is contemporary to those around, it contrasts successfully with the surrounding context. The proposal is therefore considered to adequately respect the character of the surrounding area
23. Concerns were raised by third parties that the proposed dwelling would result in over development of the site. The garden to no.60 is generous in size and officers are of the view that a dwelling of the size and footprint proposed would not result in overdevelopment.

Residential Amenity

No. 60 Impington Lane

24. The separation between the proposed dwelling and No. 60 Impington Lane is approximately 25 metres and boundary treatments are proposed to separate the dwellings. No.60 would be provided with a good sized retained garden separated by a new garden wall. It is not considered that the proposal would give rise to any overbearing, overshadowing or loss of privacy to no.60.

No. 62 and Annexe at No. 62 Impington Lane

25. No. 62, situated to the north east, is a two storey dwelling front Impington Lane with a linear garden to the rear. No. 62 is offset to the proposed dwelling and sited about 25 metres away. Due to the siting and mass of the proposed property it is not considered to harm the amenity of this neighbour in terms of overlooking, loss of light or overbearing impact.
26. At the rear of the garden of no.62 is a single storey annexe (12 metres in length by 7.5 metres in width) which fronts the garden on No. 60. The annexe will be directly to the southeast of the proposed dwelling. The annexe is situated approximately 3 metres from the boundary. Due to the design of the proposed property, in a L shape, the majority of the annexe (approximately 11 metres) will face onto the garden and have a separation of approximately 12 metres. As both properties are single storey, and due to the existing 1.8 metre high close boarded fence, it is not considered that the proposed dwelling would lead to loss of light, overbearing impact or loss of privacy to the annex. The layout and footprint adequately responds to this building.

No. 58 Impington Lane

27. No. 58, situated to the northwest, is set behind the properties fronting Impington Lane accessed by a private driveway. The property is a two storey dwelling which faces onto the rear garden on No. 60 and there is a significant tree belt between the properties which is to be retained.
28. By virtue of the scale, massing and relative siting in relation to No. 58, the proposed dwelling would not give rise to any overbearing or overshadowing impact to No. 58. Minimal windows have been proposed on the north western elevation. Due to the boundary treatment, 1.8 metres close boarded fence, and the separation of the properties of 16 metres, it is not considered that the windows would result in any harmful level of overlooking.

No. 11 Roselea

29. No. 11 Roselea, is situated to the south west, is a two storey link attached dwelling with a single storey extension to the rear. The two storey gable end faces the rear garden with no windows at first floor facing the land to the rear of No. 60. Whilst bringing built form closer to the boundary, by virtue of the scale, massing and siting in relation to No. 11, the proposed dwelling would not give rise to any overbearing or overshadowing impact to No. 11. Regarding overlooking and loss of privacy, No. 11 has no windows on the side elevation at first floor, thus views of No. 11 would be limited to the blank gable and as such would not result in a harmful level of overlooking.

30. Third parties have raised concerns regarding neighbour amenity in terms of noise, resulting from the proposals. Policy HQ/1 Local Plan requires that new development should protect the health and amenity of occupiers and surrounding uses. Policy H/16 part ii) supports the development of residential gardens where there would be no significant harm to the local area, taking account of any direct and on-going impacts on the residential amenity of nearby properties. Due to the intensification of the site, there may be an increase in noise disturbance, however it is not considered that this would be significant enough to merit refusal of the application.
31. Whilst there would undoubtedly be some disturbance to neighbouring occupiers during the construction period, the intensification of the site would be unlikely to create a significant noise impact. Due to the residential nature of the site a condition has been requested regarding construction and piling by the Parish which is considered a reasonable condition.

Amenity for future occupiers

32. The proposed dwelling would have an internal floor space of 135m², far exceeding the internal space minimum of 86m² for a three bed five-person single storey dwelling. The ground floor provides a generous open plan living, dining and kitchen area, which is served by bi-fold doors to the rear, resulting in good light levels, outlook and ventilation. Further sitting and utility rooms are provided. All bedrooms would experience a good outlook and are of adequate size.
33. The proposal offers a good-sized rear garden, 186m². This is considered proportionate to the intended number of occupants, and provides adequate space for activities if the property were inhabited by a family unit.
34. The existing dwelling retains a rear garden of 160m² which is considered proportionate to the size of the dwelling within a village setting.
35. Taking the above into account, the proposal would provide a good quality living environment for future occupiers and therefore would be compliant with policy HQ/1 of the South Cambridgeshire Local Plan (2018).

Car parking

36. The proposal would provide two off-street car parking spaces for both dwellings. Enough space has been left to ensure a large enough turning circle to allow cars to leave both dwellings in a forward motion.

37. Policy HIM05 of the Histon and Impington Neighbourhood Plan indicates that 3 car parking spaces should be provided for a 3-bedroom dwelling. Furthermore, Table 2 identifies Impington Lane as a restricted street, requiring dwellings along this street providing car parking spaces off the running carriageway. Restricted streets are defined by paragraph 5.62 of the Neighbourhood Plan as being 'streets where additional parking would either significantly impede traffic or would put access at risk (notably for emergency and service vehicles), unless the development proposal in question is not likely to have adverse impact on amenity, the passage of buses and service vehicles, or road safety through the passage of buses and secure vehicles, or road safety. However, whilst Officers acknowledge Policy HIM05, it is considered that the site is a sustainable location, as it is within walking and cycling distance of village amenities, as well as within walking distance of the Guided Busway and bus routes which provides cycling and public transport access into Cambridge. In addition, whilst the proposed dwelling would have three bedrooms, one of these bedrooms is small and are therefore unlikely to have a need for three vehicles. As a result, Officers are satisfied that the two proposed car parking spaces would be sufficient to serve the amount of occupiers of the proposed dwelling.
38. The proposed parking spaces would also meet the requirement in Policy HIM05 of the Neighbourhood Plan to have a minimum size 5m x 2.5m.
39. Taking the above into account, the proposal is compliant to policy TI/3 and HQ/1 of the South Cambridgeshire Local Plan (2018).

Cycle parking and refuse arrangements

40. The proposal shows cycling parking within the proposed store and is an acceptable covered location. The refuse store has not been shown within the site plan, however, this can be accommodated within the site without significant encroachment of the front or rear garden and would not harm the character of the area. To ensure provision, a condition to secure refuse arrangements is recommended.
41. Taking the above into account, the proposal is compliant to policy TI/3 and HQ/1 of the South Cambridgeshire Local Plan (2018).

Highway Matters

42. The Highway Authority has not objected to the proposal, therefore, it is considered that the proposal would not result in an adverse impact upon highway safety. A condition has been recommended to ensure visibility splays shall be kept clear of any obstruction exceeding 600mm in height at all times. The visibility splays shown on the block plan fall within the Public Highway. The other conditions recommended by the Highways Authority are considered reasonable by Officers and will be attached to any permission granted.

Biodiversity

43. Policy H/16 part vii) supports the development of residential gardens where there would be no significant harm to the local area, taking account of any impacts on biodiversity and important trees. Policy NH/4 requires that new development must aim to maintain, enhance, restore or add biodiversity, and that opportunities should be taken to achieve positive gain through the form and design of development. Third parties have raised concerns regarding the potential loss of biodiversity resulting from the loss of trees and shrubs on site. A condition is recommended which requires the applicant to demonstrate that the proposal would achieve a net biodiversity gain on the site of at least 10% (unless an alternative target is otherwise agreed by reason of viability), to ensure compliance with Policy NH/4 of the South Cambridgeshire Local Plan 2018. Officers consider that this overcomes concerns relating to potential biodiversity impacts resulting from the proposal. In addition, the Design and Access statement provides some detail on the sustainability of the proposals. Green roofs have also been provided which provide enhanced biodiversity and sustainability. Further conditions have been recommended to ensure compliance with Policy CC/3 and Policy CC/4 of the South Cambridgeshire Local Plan (2018) and the Greater Cambridge Sustainable Design and Construction SPD (2020).

Trees

44. The agent has submitted a Tree Survey Report and based on this information, the Tree Officer has no objection to the proposal. A condition is recommended to protect the existing trees which officers consider reasonable.
45. The proposal therefore complies with NH/2 and HQ/1 of the South Cambridgeshire Local Plan (2018).

Sustainability

46. Policy CC/3 of the Local Plan states that proposals for new dwellings will be required to reduce carbon emissions by a minimum of 10% (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) through the use of on-site renewable energy and low carbon technologies.
47. Policy CC/4 of the Local Plan states that all new residential developments must achieve as a minimum water efficiency equivalent to 110 litres per person per day.
48. Given the absence of a sustainability statement, to ensure the proposal adheres to the carbon reduction and water efficiency standards stated in policy CC/3 and CC/4, it is considered reasonable and necessary to impose a condition requiring these details prior to commencement.
49. Subject to the recommended conditions the proposal would accord with policies CC/4 and CC/5 of the Local Plan.

Accessibility

50. The Design and Access Statement states compliance with part M4(2) of the Building Regulations (accessible and adaptable dwellings).

Drainage

51. The Sustainable Drainage Officer has been consulted as part of the application. The officer was not supportive of the original application due to a lack of information, especially regarding the existing surface water drainage, which officers note third party representations also mentioned. The applicant submitted a revised Flood Risk Assessment and Drainage Strategy Rev 01 by Rossi Long Consulting dated April 2021 with additional information which has removed the Sustainable Drainage Officer's objection.
52. The applicant's FRA states: *'The flooding indicated to the rear garden of the existing property is isolated and not part of any surface water flood flow routing through the site, i.e. the ponding is generated by rainfall falling on to the site rather than an influx from elsewhere'* and that *'The site overlies a mix of Gault clay and sandy clay, with the former known to possess very poor infiltration rates whilst the latter has been subject to testing and does possess infiltration potential. It is proposed therefore that the new development will incorporate permeable paving throughout to act as attenuation to all run-off, with the area in the north of the site utilised for infiltration'*.
53. The report has set out the proposed use of permeable paving and infiltration which will provide SuDs techniques that reduce flood risk by accepting the rainfall that would otherwise cause ponding, attenuating the rate and quantity of surface water run-off from the site, improving water quality and amenity. Roof water will be collected by a traditional gutter and downpipe system and directed into the subbase of the new permeable paving system. In addition, the applicants proposed that the existing driveway to the frontage of No.60 is proposed to be replaced with permeable paving, which is to be linked to the new area of permeable paving laid to the rear and into the new development. Doing so will effectively prevent uncontrolled flows from the frontage running off-site into the highway in larger rainfall events, which is the likely scenario with the current arrangement. No conditions have been recommended following the submission of the revised strategy other than a compliance condition.
54. Whilst the concerns of the Parish Council are noted, the technical and expert advice received from drainage officers is that a refusal on drainage grounds would not be justified.

Other Matters

55. Policy TI/10 requires that infrastructure be imposed to create access to broadband internet. Officers consider it reasonable and necessary to impose a condition securing the requirements of policy TI/10.

Third party comments:

Ownership

56. Representations claim that the land subject to the application is not within the ownership of the applicant(s). No conclusive evidence has been put to the Council to demonstrate that the applicant does not own all the land within the application site. The applicant(s) have confirmed that the correct certificate of ownership has been served. Land disputes are not something the local planning authority can take into account when granting planning permission. If a developer or builder attempts to build on land they do not own then it is open to the owner of the land to take action in the courts. It is not for the local planning authority to arbitrate.

Use of the property

57. Concerns have been raised regarding the future use of the property. It is not a planning matter whether the applicant chooses to rent or sell the property and therefore it is not assessed within the officer report. If the property was used as a small scale House of Multiple Occupation this would fall within the permitted development regulations.

Chimney

58. Planning cannot control, or condition, pollution levels caused by a chimney and therefore it cannot be assessed as part of the application. There is separate legislation, the Environmental Protection Act 1990, which would relate to any pollution cause by the chimney.

Planning balance and conclusion

59. Having regard to the applicable national and local planning policies and having taken all the relevant material planning considerations into account, it is considered that the planning permission should be approved.

Recommendation

60. Officers recommend that the Planning Committee **Approve** subject to the following conditions:

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 The driveway hereby approved 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 and uses a bound material to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall be retained as such.

Reason: In the interests of highway safety.

- 4 The access shall be a minimum width of 5 metres, for a minimum distance of 5 metres measured from the near edge of the highway carriageway and retained as such.

Reason: In the interests of highway safety.

- 5 No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- a) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- b) Contractor parking, with all such parking to be within the curtilage of the site where possible
- c) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- d) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development.

- 6 Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site

- 7 The vehicular access should be constructed using dropped kerbs rather than the radii ones. The use of dropped kerbs reinforces the message that pedestrians have the right of way over the access and that vehicles entering or leaving the private property should give way.

Reason: In the interests of highway safety

- 8 No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 9 Before any works on site commence a detailed Arboricultural Method Statement and Tree Protection Strategy shall be submitted to and approved in writing by the Local Authority, including details of timing of events, protective fencing and ground protection measures. This should comply with BS5837. The tree protection measures shall be installed in accordance with the approved tree protection strategy before any works commence on site. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.

Reason: To ensure that any works undertaken comply with arboricultural best practice and minimise the impact on the tree's health and amenity.

- 10 No development above ground level shall proceed until an Energy Statement has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Statement shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure an energy efficient and sustainable development in accordance with Policy CC/3 of the adopted South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 11 No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction in accordance with Policy CC/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 12 Prior to the first occupation of the/any dwelling, infrastructure to enable the delivery of broadband services, to industry standards, shall be provided for that dwelling.

Reason: To contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband across the district, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

- 13 No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 14 The development shall be carried out in accordance with the Rossi Long Flood Risk Assessment and Drainage Strategy of April 2021.

Reason: In order to provide satisfactory drainage of the site (South Cambridgeshire Local Plan 2018 policies CC7, CC8 and CC9)

Informatives

- 1 Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

Agenda Item 10



Report to: South Cambridgeshire District Council 8 December 2021
Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Application Number: 21/03443/CL2PD

Parish(es): Oakington and Westwick

Proposal: Certificate of lawfulness under Section 192 for the construction of a home office in the rear garden of the property together with additional hard paving.

Site address: 9 Station Road, Oakington

Applicant(s): Cllr Thomas Bygott

Recommendation: Approval

Key material considerations: Lawfulness of development

Committee Site Visit: No

Departure Application: No

Presenting Officer: Alice Young, Senior Planner

Application brought to Committee because: Applicant is a Councillor

Date by which decision due: 20 September 2021

Executive Summary

1. This is an application for a certificate of lawfulness under Section 192 of the Town and Country Planning Act 1990 for the construction of a home office in the rear garden of the property together with additional hard paving. This application seeks to demonstrate compliance with Schedule 2, Part 1, Class E and Class F of the Town and Country Planning General Permitted Development Order 2015 as amended.
2. No planning judgement is exercised with this type of application. The proposal and members' consideration should solely be concerned with the lawfulness of the proposed development and its compliance with the permitted development regulations.
3. After review of the site history and the proposal, officers conclude that the proposal is compliant with the provisions of Schedule 2, Part 1, Class E and Class F of the Town and Country Planning General Permitted Development Order 2015 as amended and that the development would constitute permitted development and that a lawful development certificate should be issued to this effect.

Site History

4. S/0123/17/FL - Resubmission of application S/0454/11/FL to change the hipped roof design to a rear gable end roof design – Approved.
5. S/2397/14/NM– Non material amendment to application S/0454/11 (Extensions) to widen approved chimney and build it in brick.– Approved.
6. S/0454/11 – Extensions– Approved.
7. S/0116/11– Two-Storey Side & Rear Extensions– Refused.
8. S/1700/10– Extension. – Refused.
9. No planning application has removed permitted development rights for Schedule 2, Part 1, Class E (outbuildings).

National Legislation

10. Town and Country Planning General Permitted Development Order 2015 as amended (amended in 2021)

Consultation

11. **Oakington and Westwick Parish Council** – No comments received.

Representations

12. No representations have been received.

Planning Assessment

13. The proposal seeks confirmation by way of a certificate of lawfulness that the construction of a home office in the rear garden of the property together with additional hard paving would be permitted development and that express planning permission is not required. The proposed home office is shown as being sited in the rear garden of no.9 Station Road, measuring 10m in length, 4.3m in width and with a mono-pitch roof of 2.5m maximum height.
14. The following tables set out the permitted development parameters of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Classes E and F, which are applicable to the proposal and whether the proposal meets the requirements.
15. Class E (Buildings etc incidental to the enjoyment of a dwellinghouse)

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);	Not applicable
b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	The proposal would not exceed 50% of the total area excluding the original dwelling.
(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	Outbuilding would not be sited on land forward of a wall forming the principal elevation.
(d) the building would have more than a single storey;	The outbuilding would be single storey.
(e) the height of the building, enclosure or container would exceed— (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case;	The outbuilding would be sited within 2m of the boundary and have an eaves height of 2.44m and a ridge height of 2.5m. Therefore the proposal conforms with part (ii).

(f) the height of the eaves of the building would exceed 2.5 metres;	The proposed outbuilding would have an eaves height of 2.44m and thus complies with part (f).
(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;	Not applicable, the site does not contain a listed building.
(h) it would include the construction or provision of a verandah, balcony or raised platform;	Not applicable, no verandah, balcony or raised platform is proposed.
(i) it relates to a dwelling or a microwave antenna; or	Not applicable, no microwave antenna is proposed.
(j) the capacity of the container would exceed 3,500 litres.; or	Not applicable.
(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	Not applicable.
E.2 In the case of any land within the curtilage of the dwellinghouse which is within— (a) an area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site, development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	Not applicable, the site does not fall within an Area of Outstanding Natural Beauty, the Broads, a National Park or a World Heritage Site.
E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	Not applicable, the site does not fall within the Conservation Area.
E.4 For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.	The proposed home office would be incidental to the enjoyment of the dwellinghouse.

16. Class F (Hard surfaces incidental to the enjoyment of a dwellinghouse)

Development is not permitted by Class F if— (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use); or	Not applicable.
(b) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	Not applicable.
<p>Conditions</p> <p>F.2 Development is permitted by Class F subject to the condition that where—</p> <p>(a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and</p> <p>(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,</p> <p>either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse</p>	The hard standing proposed would drain onto permeable lawns within the curtilage of the dwellinghouse.

Conclusion

17. The proposed development complies with Schedule 2, Part 1, Class E and Class F of the Town and Country Planning (General Permitted Development) Order 2015 thereby falling within the scope of permitted development. It is therefore considered that the certificate of lawfulness should be granted in this instance.

Background Papers

None

Appendices

None

Report Author:

Alice Young, Senior Planning Officer
Telephone: 07704 018434

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Agenda Item 11



REPORT TO: Planning Committee

December 2021

LEAD OFFICER: Joint Director of Planning and Economic Development

Enforcement Report

Executive Summary

1. On 26th November 2021 there were 234 open cases.
2. 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.
3. Statistical data is contained in Appendices 1 and 2 to this report.

Updates to significant cases

Should Members wish for specific updates to be added to the Enforcement Report then please request these from the Principal Planning Enforcement Officer and they will be added to the next available Planning Committee.

On a further note, if members would like further information to be submitted as part of this report moving forward then please contact the Principal Planning Enforcement Officer.

Amendments are to be considered to be added to Appendix 1 - Enforcement Cases Received and Closed. The extra fields on the submitted document for October Planning Committee will include cases closed as not expedient and resolved. If Members would like others to be considered then please contact the Principal Planning Enforcement Officer.

Updates are as follows:

Croudace Homes Ltd Site, Land off Horseheath Road, Linton.

The developer has failed to discharge the surface water drainage condition prior to commencement of the development and the latest application to discharge the condition has been refused. A Temporary Stop Notice was served on the site on 24/02/21 and all work had stopped for 28 days.

Planners are in continual discussions with the developer to rectify the issues. The outcomes of the Enforcement visits have been forwarded to the relevant planners and senior management. The site has been monitored and regular visits will continue to be carried out.

Discussions between Planning Officers and the developers to be held on Friday 2nd July and verbal update to be provided to Planning Committee. A further meeting between Stephen

Kelly, Joint Director of Planning and Economic Development and local residents was held on 23rd August 2021.

Planning Enforcement have not been instructed to take any further action at this stage.

Burwash Manor Farm

Without planning permission, the erection of children's play equipment within land designated as Green Belt. A retrospective planning application, reference S/3494/18/FL had been refused. The size, scale and height of the development is contrary to paragraph 144 of the National Planning Policy Framework (NPPF) 2019. The enforcement notice issued requires the owners to cease the use of the play equipment specifically the adventure tower and remove the play equipment from the land. The compliance period is one (1) month from the date it takes effect on the 21 May 2019 – A Planning Appeal has been submitted to the Inspectorate on the 20th May 2019 – Appeal allowed; Enforcement Notice quashed. Replacement notice to be drafted and served. Enforcement Notice served on 9th July 2020. Compliance visit to be carried out after 7th October. Late Appeal rejected by PIN's. Stephen Kelly in talks with owner to re-site playground on suitable land. Site visited by Enforcement and Environmental Health Officers 16th December. No agreement reached consideration to be given to prosecution for failing to comply with the enforcement notice.

Partial compliance with notice following joint site visit with Environmental Health confirms that the Hobbit House has been removed but the associated wooden chairs remain along with the main playground structures. The playground has been closed over the past year but harm is still being caused by people sitting in the area where the hobbit house was.

Planning application reference 21/03587/FUL has been submitted for the retention of two pieces of play equipment and the introduction of an acoustic fence along the southern boundary. Further action will be placed on hold pending outcome of the application.

Elmwood House 13A High Street, Croxton, PE19 6SX

Extension and garage granted permission by S/2126/18/FL, not constructed as approved plans and approved materials not used. Retrospective application S/0865/19/FL to retain as constructed refused. Enforcement Notice requiring garage and extension to be demolished served, 18 December 2019. Enforcement Notice appealed. Appeal process commenced. 29 April 2020.

Appeals resulted,

Appeal A, allowed on ground (f), the appellant now has three options, (i) Demolish completely, (ii) Demolish to brick plinth level and rebuild as S/2126/18/FL or (iii) Remove exterior render finish and replace with brick tiles to match existing and construct roof as approval S/2126/18/FL.

Appeal B, planning permission should be allowed for development as built, dismissed.

Compliance date 30th December 2020.

Site visit carried out on 18/01/21, 25/02/21 and 12/04/21 and the notice has not been complied with.

A further application under reference 20/01408/HFUL has been submitted and agreement with Area Manager that all Enforcement action will be held in abeyance pending the outcome of the application.

Smithy Fen, Cottenham, Cambridge, Cambridgeshire, CB24 8PT

This is a site with an extensive history of formal Notices being served, injunctions and prosecutions being carried out. Due to the complex nature of the site an outside company Ivy Legal have been tasked with reviewing the site history and providing a detailed report on recommended actions that can be considered by the Local Planning Authority.

The report is in the final draft stage and members will be updated as soon as it is complete. Internal discussions between all departments are currently ongoing with how best to move this matter forward with recommendations from the Enforcement Group to be provided within two months to Leadership Group.

Pathfinder Way, Northstowe, Cambridgeshire, CB24 1AA

A Temporary Stop Notice was served on 21/09/21 to cease piling. Evidence from residents is being collated and forwarded to Legal to commence a prosecution. All works have stopped in respect of piling. Enforcement are continually being updated by Planning Officers and will take further action if directed to do so.

Land At Haden Way, Willingham, Cambridge, Cambridgeshire, CB24 5HB

A Breach of Condition Notice was served on 23rd September 2021 with regards to piling on site. All works have ceased in relation to the piling. A meeting between members and residents took place on 7th October 2021 and a further meeting on 29th October 2021.

No requirement for further Enforcement action, though it will continued to be monitored.

Land To North And South Of Bartlow Road, Linton, Cambridgeshire

Development has commenced on site without pre commencement conditions being discharged. Awaiting further information from Planning Officers as to the taking of further action. Site is further complicated by awaiting an appeal decision from the Planning Inspectorate and this decision is crucial on advising any possible further action.

The Planning Inspector has discharged the surface water drainage scheme by Notice on 8th November 2021.

There are three conditions outstanding on the reserved matters application but the triggers are all above foundation level so there are no breaches at present. Two are on hand and pending, one need to be submitted following a refusal by the Council and by PINS.

Background Papers

Planning Enforcement Register.
Statistical Analysis of Uniform Planning Enforcement Software Program.

Appendices

Appendix 1: Enforcement Cases Received and Closed.
Appendix 2: Notices Served.

Report Author:

Will Holloway - Principal Enforcement Officer

Date: 26/11/21

Enforcement Cases Received and Closed

Month – 2021	Received	Closed			
		No Breach	Resolved	Not Expedient	Application Approved
October 2021	27	23	25	1	4
September 2021	66	36	12	8	10
August 2021	46	2	1	0	3
July 2021	44	45			
1 st Qtr. 2021	118	91			
2 nd Qtr. 2021	92	214			
3 rd Qtr. 2021	142	117			
4 th Qtr. 2021	27	23	25	1	4
1 st Qtr. 2020	123	84			
2 nd Qtr 2020	101	60			
3 rd Qtr 2020	135	33			
4 th Qtr 2020	114	103			
1 st Qtr. 2019	135	134			
2 nd Qtr. 2019	146	155			
3 rd Qtr. 2019	177	154			
4 th Qtr 2019	157	198			
1 st Qtr. 2018	161	148			
2 nd Qtr. 2018	156	167			

3rd Qtr. 2018	176	160
4th Qtr. 2018	177	176
1st Qtr. 2017	122	122
2nd Qtr. 2017	157	165
3rd Qtr. 2017	148	118
4th Qtr. 2017	175	158
2021 - YTD	352	422
2020 - YTD	473	190
2019 - YTD	615	641
2018 - YTD	670	651
2017 - YTD	602	563
2016 - YTD	565	563
2015 - YTD	511	527
2014 - YTD	504	476

Notices Served

1. Notices Served in October 2021

Type of Notice	Period	Calendar Year to date
	October 2021	2021
Enforcement	1	10
Stop Notice	0	0
Temporary Stop Notice	0	3
Breach of Condition	0	2
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	6
Injunctions	0	0
High Hedge Remedial Notice	0	1

2. Details of Notices served in October 2021

Ref. no.	Village	Address	Notice issued
EN/01503/20	Great Wilbraham	31 Frog End Great Wilbraham Cambridge Cambridgeshire CB21 5JB	Enforcement Notice

Date: 26/11/21

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Agenda Item 12



Report to: Planning Committee

8 December 2021

Lead Officer: Joint Director of Planning and Economic Development

Appeals against Planning Decisions and Enforcement Action

Executive Summary

1. This report informs Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 24 November 2021. Summaries of recent decisions of importance are also reported, for information.

Appendices

Appendix 1: Decisions Notified by the Secretary of State

Appendix 2: Appeals received

Appendix 3: Local Inquiry and Informal Hearing dates scheduled

Report Author:

Ian Papworth
Telephone Number:

Technical Support Officer (Appeals)
01954 713406

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/2501/19/COND2	Land To The North And South Of Bartlow Road Linton	Condition 2 - Materials	Dismissed	8/11/2021	Refused
S/1963/15/COND10	Land To North And South Of And Immediate Linton	Condition 10 - Drainage	Allowed	8/11/2021	Non Determination
S/1963/15/COND5	Land To North And South Of And Immediate Linton	Condition 5 - Landscaping	Dismissed	8/11/2021	Non Determination
S/1963/15/CONDA	Land To North And South Of Bartlow Road Linton	Submission of details required by condition 19 (iii) (Archaeology) of planning permission S/1963/15/OL	Allowed	8/11/2021	Refused
21/01561/S73	7 Leeway Avenue Great Shelford	Variation of condition 2 (approved plans) of planning permission 20/03100/HFUL (Single storey front extension with a two storey side and rear extension, following demolition of the existing front porch, single storey side and rear building projections, conservatory, covered way to side and other exterior alterations. (Re-submission of planning application 20/01170/HFUL)) to amend the external finish to render for only the single storey front projection	Allowed	9/11/2021	Refused

Appendix 1

21/00160/HFUL	35 Frog End Great Wilbraham CB21 5JB	Retrospective application for a front extension and raising of the roof to accommodate a loft conversion	Dismissed	19/11/2021	Refused
21/00812/HFUL	12 The Common West Wrating	Single storey rear extension	Allowed	19/11/2021	Refused
S/0913/19/VC	Apple Acre Park London Road Fowlmere	Variation of condition 2 (The site shall not be used other than as a touring caravan site and/or tent site and shall not be occupied by mobile homes used either for seasonal use or permanent residential accommodation) of planning permission S/1156/92/F and variation of condition 2 (The site shall not be used other than as a touring caravan site and shall not be occupied by mobile homes used either for seasonal use or permanent residential accommodation) of planning permission S/1155/92/F	Allowed	22/11/2021	Non Determination

Appeals Received

Reference	Address	Details	Date Appeal lodged
21/01799/HFUL	50 High Street Willingham	Two storey rear and side extension	2/11/2021
20/03394/FUL	2 High Street Harston	Demolition of an existing public house and the development of the site to provide an A1 convenience store at ground floor with 4no. C3 Apartments at first floor together with all associated access and parking - Resubmission of S/3708/19/FL	4/11/2021
21/01102/FUL	Land Between 2 And 4 High Street Great Eversden	Erection of dwelling	11/11/2021
20/01992/FUL	Bennell Farm West Street Toft	Erection of 41 dwellings, including two self-build plots and associated development	12/11/2021
21/01540/CLUED	Poplar Cottage Nosterfield End Shudy Camps	Certificate of lawfulness under Section 191 for an existing single storey rear extension	15/11/2021
21/00171/FUL	6A Church Road Hauxton	Conversion of existing village hall to five bedroom dwelling along with part single, part two storey rear extension	18/11/2021
21/00684/FUL	Horse And Groom Baldock Road Steeple Morden	Demolition of existing building and the erection of a B8 self-storage unit with ancillary office	26/10/2021

Appendix 2

21/03748/HFUL	48 Hillfield Road Comberton	Demolition of single storey rear extension and erection of two storey side and rear extensions, revised from previous application 20/04189/HFUL.	31/10/2021
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Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
20/02929/OUT	Axis Land Partnerships Ltd	Land Between Haverhill Road And Hinton Way Stapleford	Refused	7/12/2021 for 8 days

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/4057/19/OL	Mr Andrew Adams, Axis Land Partnerships Ltd	Tanner And Hall Ltd Station Road Harston	Planning Decision	TBC
EN/01535/20	Mr Joseph Tidd	Land To The South Of Chear Fen Boat Club, Twentypence Road	Enforcement Notice	TBC
20/04431/FUL	Mrs Julie Brown	The Arches, Schole Road Willingham	Planning Decision	TBC
EN/00216/21	Nelson Charles Arthur James O'Conner	Land To The North Of The Old Coal Yard Chesterton Fen Road Milton	Enforcement Notice	TBC

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