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Tuesday 06 June 2023

To: Chair – Councillor Dr Martin Cahn  
Vice-Chair – Councillor Peter Fane  
All Members of the Planning Committee - Councillors Ariel Cahn,  
Bill Handley, Geoff Harvey, Dr Tumi Hawkins, Judith Rippeth,  
Peter Sandford, Heather Williams, Dr Richard Williams and Eileen Wilson

Quorum: 3

Substitutes Councillors Graham Cone, Sue Ellington, Mark Howell, Bunty Waters,  
if needed: Dr. Shrobona Bhattacharya, Anna Bradnam, Dr Lisa Redrup,  
Helene Leeming, William Jackson-Wood and Henry Batchelor

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber, First Floor** on **Wednesday, 14 June 2023** 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.**

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## 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 May 2023 and the extraordinary meeting held on 19 May 2023 as correct record.

**5 - 12**

### 5. **22/00887/OUT - Girton College, Huntingdon Road, Girton**

Outline application for the construction of student residential accommodation together with ancillary meeting, office and social space (maximum 14700sqm), auditorium (maximum 1300sqm) replacement buildings and grounds maintenance workshops, one new and relocated sports pitch, additional ball-stop fencing, relocated tennis courts, two new vehicular accesses and replacement car park with some matters reserved except for access.

**13 - 68**

### 6. **23/00375/HFUL - 24 West Street, Comberton**

Replacement of existing outbuilding with 3 bay single storey garage with mono pitch low profile roof

**69 - 76**

### 7. **22/05065/FUL - Avenue Business Park, Brockley Road, Elsworth**

Creation of a mixed-use food hub with additional parking

**77 - 112**

### 8. **22/04834/REM - 95 Bannold Road, Waterbeach**

Application for the approval of all reserved matters (appearance, landscaping, layout and scale) for 5 no. dwellings pursuant to outline planning permission ref: 20/03370/OUT (Outline planning permission with some matters reserved except for access for the demolition of the existing house and the erection of five dwellings).

**113 - 136**

### 9. **23/01426/CL2PD - 9 Station Road, Oakington**

Certificate of lawfulness under S192 for the construction of a home office in the rear garden with additional hard paving

**137 - 142**

<b>10.</b>	<b>Compliance Report</b>	<b>143 - 146</b>
<b>11.</b>	<b>Appeals against Planning Decisions and Enforcement Action</b>	<b>147 - 162</b>
<b>12.</b>	<b>Exclusion of Press and Public</b> By virtue of paragraph 7 of Part 1 of Schedule 12 A of the Local Government Act 1972 the following report is exempt from the press and public:	
	(7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	
<b>13.</b>	<b>Restricted Minute</b>	<b>163 - 164</b>



### **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 May 2023 at 10.00 a.m.

PRESENT: Councillor Peter Fane – Chair  
Councillor Geoff Harvey – Vice-Chair

Councillors: Ariel Cahn Dr Martin Cahn  
Bill Handley Dr Tumi Hawkins  
Peter Sandford Heather Williams  
Dr Richard Williams Dr Lisa Redrup

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Christopher Braybrooke (Principal Planning Compliance Manager), Tom Chenery (Senior Planner), Laurence Damary-Homan (Democratic Services Officer), Phil McIntosh (Interim Delivery Manager) and Charlotte Spencer (Senior Planner)

### 1. Chair's announcements

The Chair made several brief housekeeping announcements.

### 2. Apologies

Apologies for Absence were received from Councillors Henry Batchelor and William Jackson-Wood. Councillor Dr Lisa Redrup was present as a substitute.

### 3. Declarations of Interest

With respect to Minute 7, Councillor Heather Williams declared that she was the local Member for some of the appeals listed and that one of the appeals had been registered by a customer of her husband, but as the appeal had been withdrawn there was nothing precluding her from taking part in the discussion.

### 4. Minutes of Previous Meeting

By affirmation, the Committee authorised the Chair to sign the Minutes of the meeting held on 12 April 2023 as a correct record.

### 5. 22/04280/OUT - Fen Drayton (Land Rear of 40A Middleton Way)

The Senior Planner, Tom Chenery, presented the report. In response to a question, it was clarified that the two buildings proposed to be demolished had no planning history and had been constructed without planning permission but had been in place for more than 10 years, and were therefore outside of any enforcement period. A question was raised on the weight that should be given to the Fen Drayton Former Land Settlement Association (LSA) SPD. Members were advised that the SPD was given some weight in the planning balance, but that Policy H/5 was given greater weight- paragraph 8.9 of the report was referenced. The Parish Council's concerns, as referenced in the report, that approval of

the application would set a precedent were raised by Members. Officers advised that, in their view, the nature of the site was different to the rest of the area covered by the LSA, thus no precedent would be set. Members were advised that potential future applications would be assessed on their merits and the decision being made on the application in front of them would not affect future decisions.

The agent of the applicant, David Mead of The Planning Partnership, addressed the Committee in support of the application; Members had no questions of clarity for the agent.

In the debate, further discussion was held on the potential for a precedent to be set and Members asked as to if the nature of the application, being under Self-Build legislation, would prevent a precedent being set. Officers advised that the Local Plan held material weight, as did Self-Build legislation, and that the recommendation was based on greater weighting being given towards Self-Build legislation and meeting identified demand. Members acknowledged that Local Plan policies have exceptions in some cases and that the Committee was there to make a judgement on such exceptional cases. Members expressed support for the application and gave weight the fact that it was for a Self-Build dwelling and noted the advice on precedent setting. Further support was given to the application as Members felt that it would greatly improve the state of the site and the provision of a dwelling would enhance the character of the area. The Committee revisited the Planning balance as assessed by officers in their recommendation of approval. Councillor Dr Tumi Hawkins, seconded by Councillor Dr Martin Cahn, proposed that the Committee move to a vote, which the Committee agreed to by affirmation.

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

## 6. **23/00375/HFUL - Comberton (24 West Street)**

The Senior Planner, Charlotte Spencer, presented the report and informed the Committee that Reason for Refusal 2 had been updated to remove reference to No. 18 West Street. In response to a question, clarity was given over the update for Reason for Refusal 2.

The Committee was addressed by the applicant, Alistair Funge. Questions of clarity around the impact of the proposal on a ground floor window were asked. The Committee discussed the use of the room that the window was part of, with the Senior Planner advising that said room was a habitable room used as a study and the applicant stating that his understanding was that the room was a hallway. Members raised concern that the use of the room was not clear and the impact of the detriment to the outlook of the window, as listed in Reason for Refusal 2, carried significant weight in the assessment of the merits and harms of the application.

Councillor Dr Tumi Hawkins, seconded by Councillor Bill Handley, proposed that the application be deferred in order for a site visit to be conducted to provide clarity on the use of the room with the affected window.

By affirmation, the Committee **deferred** the application in order to allow a site visit to be conducted.

## 7. **Appeals against Planning Decisions and Enforcement Action**

The Interim Development Manager briefly introduced the report Members made comment

on some of the cases listed. The Committee requested that the reasons for an appeal being lodged be included in Appendix 2 (appeals received) in future reports.

The Committee **noted** the report.

## **8. Compliance Report**

The Principal Planning Compliance Manager presented the report and informed the Committee that acknowledgement emails, as an automatic response to an online form being completed, were being sent out and that the Compliance team were continuing to work on providing an option to submit anonymous complaints.

A request was raised to see an update on the outstanding case at White Farm, Croydon be included in the next report. Duck End, Girton was discussed and it was noted that the local Members supported the Parish Council's view that Enforcement actions should be carried out as described in the Inspector's report regarding the appeal. Further comments were made regarding a site on Red Hill Close, Great Shelford and the Principal Compliance Officer offered an update on the progress of managing the case- a request was raised for the case to be included in the next report.

The Committee **noted** the report.

## **9. Exclusion of Press and Public**

By affirmation, the Committee agreed to the exclusion of press and public, as proposed by the Chair and seconded by Councillor Dr Tumi Hawkins. The press and public was excluded by virtue of paragraph 7 of Part 1 of Schedule 12 A of the Local Government Act 1972 the following report is exempt from the press and public:

(7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## **10. Planning Compliance - Smithy Fen Traveller Site**

By virtue of paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 this Minute is subject to the exclusion of press and public.

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**The Meeting ended at 11.30 a.m.**

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## South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on  
Friday, 19 May 2023 at 11.00 a.m.

PRESENT: Councillor Peter Fane – Chair

Councillors: Dr. Martin Cahn Bill Handley  
Peter Sandford Dr. Richard Williams  
Anna Bradnam

Officers in attendance for all or part of the meeting:

Laurence Damary-Homan and Vanessa Blane (Senior Planning Lawyer),  
Laurence Damary-Homan (Democratic Services Officer) and James Tipping  
(Principal Planner [Strategic Sites])

Councillors Cllr Ariel Cahn, Cllr Heather Williams, Cllr Sue Ellington, Cllr Brian Milnes, Cllr Dr Lisa Redrup and Cllr Peter McDonald (as local Member) were in attendance remotely.

### 1. Chair's announcements

With the absence of the Vice-Chair, the Chair proposed that Councillor Dr Martin Cahn assume the role of Vice-Chair for the meeting. This was seconded by Councillor Anna Bradnam and agreed by affirmation. The Chair then made several brief housekeeping announcements.

### 2. Apologies

Apologies for Absence were received from Councillors Henry Batchelor, Geoff Harvey, Dr Tumi Hawkins and William Jackson-Wood. Councillors Anna Bradnam, Brian Milnes and Dr Lisa Redrup were present as substitutes (Councillors Milnes and Redrup were present virtually).

### 3. Declarations of Interest

There were no Declarations of Interest.

### 4. Members' Briefing on the Proposed Design Guide for the Wellcome Genome Campus (Hinxton) Expansion

The Senior Planning Lawyer made a statement clarifying the purpose of the Briefing. The Principal Planner (Strategic Sites) detailed the reasons for presenting the Briefing to Members and outlined the history of the site. Members were informed that the Briefing was to bring Members up to date with the progress of the development and to provide factual information on the proposed Design Guide.

The Briefing was delivered by a number of representatives of the developer:

- Caroline Foster and Nigel Hugill of Urban & Civic

- Julia Foster and Helen Pearson-Flett of David Lock Associates
- Tony Musson of WilkinsonEyre Architects
- Andrew Thornhill of Churchman Thornhill Finch

The Briefing covered a range of topics, including:

- The original parameter plans from the Outline permission
- Changes to the plans since the granting of the Outline consent
- The phasing of the development process
- The proposed framework plan and design proposals
- Landscaping strategy
- Green space implementation and management
- Sustainability considerations
- Transport corridors and impact on highways
- Infrastructure on-site and links to existing local infrastructure
- Details of engagement with consultants, officers and local communities
- Impact on local communities

Councillor Peter McDonald opened the Members' questions section of the briefing with a statement as local Member. Councillor McDonald commended the developers for their engagement with the local communities and stated that local support for the development was strong as long as residents continued to be consulted as the process progressed. Praise was given for the quality of the Design Guide, the innovative proposals that it included and the commitment to tree translocation on the site. The local Member noted that there may be questions around sustainability, particularly regarding water, and construction management, although it was noted that this was not part of the Design Guide but stated that in his view the developers had seriously considered these issues.

Members of the Committee asked a number of questions and received response from the developers, confirming that:

- On-site facilities and green spaces were to be open for community activity, both for residents of the site and the wider community
  - The Design Guide would carry weight as a material planning consideration in the determination of any forthcoming Reserved Matters applications
  - Tree translocation had started and had been initially successful, with a 5-year management plan in place to ensure the screening of the site remains effective
  - The bridges had been proposed in response to the demands of the site and capacity of existing highways; the proposals were responsive to consultations with the County Council and other parties. Members were informed that ongoing monitoring of the highways to assess the effectiveness of the highways strategy would be in place, with further implementation of investment and mitigation strategies to be introduced if required.
  - A travel plan and improvement of public transport links was to be introduced, although it was noted that this needed to be part of a wider, strategic transport strategy for the area
- A question was raised on the links to Whittlesford station and Members were informed that the developers were looking to make links to the stations at Whittlesford and Great Chesterford as strong as possible. The Committee was informed that improvement works to the A1301, which would create cycle and pedestrian infrastructure, was due to commence in 2023, and that other routes to the site, including offroad routes, were being explored alongside the work to improve public transport provision. Councillor Dr Richard Williams made a comment as local Member for Whittlesford, stating that Whittlesford Parish Council would welcome a briefing on the transport links to Whittlesford.

Further questions lead to responses which informed the Committee that:

- Planting on the green space above the car park would have adequate soil depth for root systems to form, with the sustainable drainage system providing irrigation for trees in this area

- The housing on-site was to be owned by Wellcome and would not be open market housing, allowing for a targeted approach to provide housing to match the assessed need. Members were informed that extensive surveying had been conducted to assess housing need and this had shown a mix of need, ranging from family housing to short term accommodation. The Committee was assured that an assessment of housing need in terms of mix and tenure would be ongoing.
- The on-site movement network would support a variety of modes of transport and would be adequately sized to support the range of transport, as well as providing accessibility. Sustainable transport hubs would be implemented across the site to support the movement network. Policies and protocols were to be introduced to encourage active travel and ensure safety.
- The existing primary woodland to the north of the site would be preserved, with the southern woodland having a more varied structure. The ecological interest of both areas of woodland was recognised and supplementary planting would take place to support the woodlands, such as through woodland edge planting.
- Community and cultural spaces would be introduced alongside the health, wellbeing and leisure facilities, both through permanent structures and temporary structures on green spaces. Work was ongoing with officers to identify the most appropriate locations for the facilities to maximise benefit to both those on-site and the wider community, with delivery of these facilities to be completed at an early stage of the development.
- Extensive consultation with local communities and Parish Councils had been undertaken and that liaison with the local Parishes and residents would continue throughout the development process
- Perimeter links and leisure routes would be delivered, utilising both existing and new routes
- Work was ongoing to assess how agroforestry could be best implemented, with the proposal aiming to enable the adjoining tenancy holder to continue to work the land. The spacing of agroforestry was designed to allow the size of currently operating machinery to continue to be used and to also give scope for the management of the arable land to be conducted by various parties or under one overarching management approach.
- Analysis had proved that demand for the work, research and housing requirements was there

A request for information on the details of the granted Outline permission was raised by Members and officers agreed to provide this. Councillor Peter McDonald spoke again as local Member and commented that the community engagement from the developers had been satisfactory and welcomed by the local communities. Further comment was made regarding the finer details of construction, such as traffic management, but the local Member noted that this work was ongoing and not directly linked to the Design Guide. Comment was provided by Members on the successes of the development of the new town in Waterbeach and, in response to a question, the developers confirmed that lessons had been learned through that process and these would be carried forward to inform the development process of the Wellcome Genome Campus expansion.

A brief discussion was held over the use of the phrase “serendipity” throughout the presentation and the developers informed the Committee that, whilst it was not a phrase that was part of the National Planning Policy Framework, it was a core principle which the developers were incorporating into every aspect of the design of the site. Thanks were expressed from Members to the developers for their time and the thorough nature of Briefing, stating that it had been a very useful session.

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**The Meeting ended at 12.45 p.m.**

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# Agenda Item 5



<b>Planning Committee Date</b>	14 June 2023
<b>Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/00887/OUT
<b>Site</b>	Girton College, Huntingdon Road, Girton
<b>Ward / Parish</b>	Girton
<b>Proposal</b>	Outline application for the construction of student residential accommodation together with ancillary meeting, office and social space (maximum 14700sqm), auditorium (maximum 1300sqm) replacement buildings and grounds maintenance workshops, one new and relocated sports pitch, additional ball-stop fencing, relocated tennis courts, two new vehicular accesses and replacement car park with some matters reserved except for access.
<b>Applicant</b>	The Mistress Fellows and Scholars of Girton College
<b>Presenting Officer</b>	Elisabeth Glover
<b>Reason Reported to Committee</b>	The application is contrary to the provisions of the development plan and would need to be referred to the Secretary of State.
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	Green Belt, Historic Environment, Trees, Transport, Environmental Considerations and Ecology
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions / S106

## 1.0 Executive Summary

- 1.1 The application seeks outline consent (with all matters reserved except for access) for new student residential accommodation along with ancillary meeting, office and social space totalling a maximum of 14,700sqm, auditorium with maximum space of 1,300sqm and replacement buildings and ground maintenance workshops, one new and relocated sports pitch, additional ball stop fencing, relocated tennis courts, two new vehicular accesses and replacement car park.
- 1.2 This application is a very similar proposal to the previously approved application S/0957/15/OL for which reserved matters were not submitted within the consented timeframe. A number of factors influenced the delay in submitting the first reserved matters application, including the College's need to divert finances
- 1.3 The development is inappropriate development within the Green Belt. It will result in moderate harm to the openness of the Green Belt through contributing to the merger of Girton Village with the new urban edge of Cambridge (North West Cambridge).
- 1.4 It is considered that the quantum of development can be accommodated on the site without impacting adversely on the setting of the Listed Buildings subject to the development being of satisfactory design and appearance. The development would result in the loss of a limited number of mature trees, but this is not considered to detract from the positive contribution the site would make to the landscape character.
- 1.5 Officers consider that there are sufficient 'very special circumstances' which exist, and have been demonstrated which clearly outweigh the in principle and other harm to the Green Belt. These circumstances arise due to the uniqueness of the applicant, lack of appropriate alternative sites as well as the role of Cambridge University in the local, regional and national economy and need for the College to contribute to the objective of the University remaining a world class institution.
- 1.6 Officers consider the matter of access to be acceptable and that the development would not result in harm to highway safety.
- 1.7 A S106 legal agreement will ensure appropriate financial contributions towards, NHS provision at Huntingdon Road Surgery and obligations securing long-term Biodiversity Net Gain monitoring.
- 1.8 Officers recommend that the Planning Committee approve the application.

## 2.0 Site Description and Context

None relevant		Tree Preservation Order	Y
Conservation Area		Local Nature Reserve	
Listed Building	Y	Flood Zone 1, 2 3	FZ1
Building of Local Interest		Green Belt	Y
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	

Local Neighbourhood and District Centre		Article 4 Direction	
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- 2.1 Girton College is located on the edge of Girton Village, approximately 2.5 miles north-west of Cambridge City Centre and lies entirely within the Cambridge Green Belt. The site extends approximately 23 hectares and is bound by Huntingdon Road to the south-west, Girton Road to the East and by the A14 to the north.
- 2.2 Other planning constraints on the site include:
- Statutorily Listed Buildings
  - The Orchard is a Local Biodiversity Action Plan Habitat
  - Some trees and tree belts are protected by TPO's
  - Part of the playing fields lies within the Air Quality Management Area that covers the A14.
- 2.3 The site is located in Flood Risk Zone 1 and is at a low risk of flooding. The site is not within a Conservation Area and the grounds are not designated Historic Parks and Gardens.
- 2.4 Girton College is one of the larger Colleges of Cambridge University with almost 800 students, of whom over a third are postgraduate, together with 120 fellows. The student accommodation is currently split between the main campus in Girton, Swirles Court in Eddington and some college houses.
- 2.5 The College has a long-term plan to deliver wider public benefits, and the intention is to bring all college students whether undergraduate or postgraduate to live on the main college site. The masterplan seeks to consolidate accommodation and teaching activities onto the Girton site. The provision of postgraduate accommodation on site is a key part of the masterplan, however, the masterplan also includes a wide-ranging comprehensive development programme for the College which encompasses new and improved facilities such as; an auditorium, social spaces, meeting rooms, replacement maintenance workshops, offices and outdoor sports facilities.
- 2.6 The resubmission of an application is required due to the delays caused by the Covid pandemic. Officers understand that the College was due to run an architectural competition in Spring 2020 to design the first building within the masterplan. However, due to the pandemic, the College was required to shift focus and funding from this project to the welfare of its community and the loss of revenue led the College to review its priorities in the short-term.
- 2.7 Meetings were held with planning officers in November 2020 and January 2021 where it was agreed that a revised application should be submitted to enable the college to have a longer time to roll out development. This current application has been updated via addendums to reflect and address policy and legislative changes since the time of the original permission.

### **3.0 The Proposal**

- 3.1 The application proposal seeks outline consent (with all matters reserved except for access) for the construction of student residential accommodation together with ancillary meeting, office and social space (maximum 14700sqm), auditorium

(maximum 1300sqm) replacement buildings and grounds maintenance workshops, one new and relocated sports pitch, additional ball-stop fencing, relocated tennis courts, two new vehicular accesses and replacement car park.

3.2 The quantum of development is derived from a comprehensive assessment of the needs of the college over the next 25-30 years, and in summary comprises:

Graduate growth over 25 years	115 rooms
In lieu of returning rooms to fellows sets	70 rooms
Re-provision of Swirles Court Bedrooms	150 rooms
Reprovision of Swirles Court admin/teaching/social spaces	12 rooms
In lieu of turning rooms in to Fellows offices	10 rooms
House all 4 <sup>th</sup> year students	40 rooms
Re-provision of rooms at 53-55 Girton Road	8 rooms
<b>TOTAL</b>	<b>405 rooms</b>

3.3 This application seeks Outline Consent as application S/0957/15/OL expired in October 2022, during the determination period of the current application.

3.4 In respect of the new buildings a set of parameter plans will control; the extent of land to be developed, maximum percentage of built footprint and maximum roof height above ground level. This will be secured through condition, with future 'reserved matters' applications having to conform with the agreed parameter plans.

3.5 The parameter plans indicate the following extent of development;

- Plot A Orchard Drive (1.94 ha) – 0.97 ha designated for buildings, with a maximum percentage of built footprint of 45%. Maximum roof height above ground level 18m, with a 10% of total footprint allowance to extend higher.
- Plot B Maintenance and Hockey Pitch (1.77 ha) – 1.32 ha designated for buildings, with a maximum percentage of built footprint of 40%. Maximum roof height above ground level of between 12m and 15m, with a 10% of total footprint allowance to extend higher.
- Plot C Car Park (0.48 ha) – 0.48 ha designated for buildings, with a maximum percentage of built footprint of 25%. Maximum roof height above ground level 12m, with a 10% of total footprint allowance to extend higher.

3.6 Access is proposed in detail, with the following changes proposed:

- New vehicular “north” access from Girton Road for vehicles delivering to the grounds, building maintenance yard and kitchens;
- Vehicular access to Grange Drive to be widened



- As Plot C relates to the redevelopment of the existing Mare’s Run car park, the existing car park is proposed to be relocated closer to the main Porter’s Lodge. Following a scheme revision, the new car park will still be accessed via the existing entrance from Girton Road;
  - Relocation of parking within Cloister Court to the new car park, with limited parking retained for disabled persons;
- 3.7 The applicant requests that any new permission would benefit from the same time duration as the previous consent, which allowed the applicant six years from the date of the permission for the submission of the first application for the approval of reserved matters and a further six years for submission of the last reserved matters before the expiration of twelve years from the date of the permission. Officers address this matter further in the Planning Assessment section below however given the time passed since the original application it is considered appropriate to recommend four years from the date of the permission for the submission of the first application and a further five years for the submission of the last reserved matters.
- 3.8 This application is broadly the same proposal which was brought to Planning Committee in January 2016.
- 3.9 Notwithstanding, the current application has been amended to address representations and further consultations have been carried out as appropriate. As a result, a key change includes the removal of the proposed new primary access to the relocated car park from Girton Road close to the Huntingdon Road junction. This also removes the need to remove a number of TPO trees. As such, the proposed downgrading of the existing Orchard Drive/Mare Run access will no longer be downgraded to emergency access only.
- 3.10 Other proposed works in outline include relocation and reprovision of sports pitches, demolition and replacement of some existing buildings and maintenance sheds and workshops.
- 3.11 Additional information has also been provided to address objections regarding Flood Risk and Drainage.

#### 4.0 Relevant Site History

Reference	Description	Outcome
22/00316/SCRE	EIA screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to determine whether the proposed development at Girton College constitutes EIA development.	EIA Not Required  17.02.2022
S/0957/15/OL	Student residential accommodation together will ancillary meeting, office and social space (maximum 14700sqm), auditorium (maximum 1300sqm) replacement buildings and grounds maintenance workshops, one new and relocated sports pitch, additional ‘ball-stop’ fencing, relocated tennis courts, two new vehicular accesses and replacement car park.	Approved. Permission lapsed in October 2022

S/1191/11/F	Erection of three storey building for student accommodation (50 rooms) including new gym facilities, rebuilding and alterations to the existing swimming pool, alterations to the squash court building, minor alterations to existing buildings, rearrangement of car parking and extension to existing cycle sheds.	Approved
S/1181/11	Demolition of swimming pool, part squash court & ablution block steps. Erect three-storey & single storey extension comprising 50 rooms and lift shaft. Rebuild swimming pool, alter gable to squash court, replace parapet to swimming pool link and replace roofs to part old labs & part bar corridor. Form two new door openings & alter door in cloister corridor. Replace boiler & balustrade in Orchard Wing.	Approved
S/1173/11	Extension to car park to create 18 new parking spaces.	Approved
S/0539/12/F	Erection of Cricket Pavilion with Changing Rooms and Associated Works.	Approved

## 5.0 Policy

### 5.1 National

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

### 5.2 South Cambridgeshire Local Plan 2018

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/7 – Development Frameworks  
CC/1 – Mitigation and Adaption 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/6 – Green Infrastructure  
NH/8 – Mitigating the Impact of Development in & adjoining the Green Belt  
NH/14 – Heritage Assets  
SC/2 – Health Impact Assessment

SC/4 – Meeting Community Needs  
SC/6 – Indoor Community Facilities  
SC/7 – Outdoor Play Space, Informal Open Space & New Developments  
SC/9 – Lighting Proposals  
SC/10 – Noise Pollution  
SC/12 – Air Quality  
TI/2 – Planning for Sustainable Travel  
TI/3 – Parking Provision  
TI/8 – Infrastructure and New Developments  
TI/9 – Education facilities  
TI/10 – Broadband

### **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
District Design Guide SPD – Adopted March 2010  
Public Art SPD – Adopted 2009  
Trees and Development Sites SPD – Adopted March 2010  
Listed Buildings SPD – Adopted July 2009  
Landscape in New Developments SPD – Adopted March 2010

## **6.0 Consultations**

### **6.1 Girton Parish Council – Support**

Girton Parish Council approve the Outline Planning Application.

Girton Parish Council ask that all relevant authorities and the College itself, fully investigate the safety issues for the new access to the College and can satisfy the Planning Authority in this regard.

We also ask that the College continues communication with the village to get their feedback on each stage of the Planning Application. Also, to ensure that all requirements for Net Biodiversity Gains are met or exceeded.

Officer comments: the new vehicular access at Girton Corner has been removed from the scheme.

### **6.2 Sport England – No objection**

The application is considered to meet exception 4 of our adopted Playing Fields Policy, subject to conditions relation to the approval of the technical specification for the tennis courts and approval of a specification for the additional sports pitch. Conditions recommended.

### **6.3 County Highways Development Management**

Revised comments dated 30<sup>th</sup> May 2023 confirm no objections to the revised access drawings.

Revised comments dated 16<sup>th</sup> March 2023 raised concerns with the following:

- Welcome the redesign of the new service road access however would be of a no dig construction which is not acceptable for adoptable public highway.

- Request that any drawings of the Grange access not be approved by the LPA as this forms part of a new signal junction into the NW Cambridge development and may be liable to alteration
- Unclear if there will be an increase in parking provision – masterplan indicates “possible car parking adjacent to site” suggests intensification of use of the Grange access onto Huntingdon Road. Request plans showing inter-vehicle visibility splays be provided.
- Following resolution and provision of the above information the Highway Authority will be content that the proposals should not be detrimental to the safe functioning of the Highway

Original comments dated 4<sup>th</sup> April 2022 – **Objection.**

The applicant has failed to provide a drawing showing the required inter-vehicle visibility splays for the proposed vehicular accesses (both the northern site access and car park access). The Highway Authority requests that a plan showing the visibility splays is provided prior to determination of the application.

The proposed northern site access, as detailed on Drawing 11, appears to show that the new access sits within the ramped section of the raised table/junction of Girton Road/Thornhill Road, clearly this would be unacceptable to the Highway Authority. The exiting raised junction will need to be amended/extended such that the access is wholly within the raised section of this junction.

In addition, the Highway Authority objects to the creation of a layby within the existing highway verge, adjacent to the proposed northern site access, and requests that this be removed from the drawings.

#### 6.4 **County Transport Assessment Team – no objection**

Revised comments dated 27<sup>th</sup> March 2023 - The proposed development is acceptable subject to the proposed Travel Plan being aligned with the Overarching University site-wide Travel Plan.

Original comments dated 7<sup>th</sup> April 2022 raised concerns with regard to Trip Generations, Distribution and Monitoring.

#### 6.5 **National Highways – no objection**

#### 6.6 **Health and Safety Executive**

No comments to make on this type of application.

#### 6.7 **Definitive Maps Officer**

No response received.

#### 6.8 **Sustainable Drainage Officer**

No comments to add, the LLFA have commented on this application.

#### 6.9 **Lead Local Flood Authority – No objection**

Revised comments dated 13 March 2023 – Following the submission of a Surface Water Drainage Strategy Report and SUDS drawing the LLFA are able to remove their objection to the proposed development.

The documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, vegetated infiltration swales/basins and geocellular tanks. A commitment to the use of above ground infiltration systems such as swales and basins has been made, and it has been acknowledged that these should be used as widely as possible.

Conditions recommended.

Revised comments dated 22 June 2022 – Objection for the following reasons:

Geocellular soakaway tanks - It is noted that the surface water drainage strategy drawing (0100 rev P01) has been provided, which shows several geocellular soakaway tanks proposed to drain surface water from Plots A, B and C. At present, no justification has been included within the Flood Risk and Drainage Strategy Report (rev. P01) to state why above ground infiltration swales/basins could not be provided in these areas instead of the geocellular soakaway tanks. The LLFA's preference would be for infiltration swales/basins to be used where possible to provide water quality, biodiversity and amenity benefits. As without other components (e.g, swales, filter drains or strips) geocellular tank systems do not provide any water quality treatment and would not be considered an element of SuDS.

Original comments dated 04 April 2022 – Objection for the following reasons:

Hydraulic Calculations - The applicant must submit hydraulic calculations setting out the required volumes of attenuation for the proposed impermeable area of the scheme. These calculations should be carried out using FSR rainfall data for the 15 and 30 minute duration storms, and FEH rainfall data for the 60 minute storm or greater. Until hydraulic calculations have been provided, setting out required attenuation volumes, we are unable to support this application.

Preliminary Drainage Layout drawing - A drainage layout drawing, aligning with the masterplan drawing should be submitted. This should demonstrate how the proposed SuDS features could be accommodated within the proposed scheme, providing the required volumes of attenuation

#### 6.10 **Environment Agency – No objection**

Original comments dated 29 March 2022:

The LLFA should be consulted with regard to sustainable surface water drainage.

The proposed development site is not located within a Source Protection Zone meaning that it does not lie within the catchment of a groundwater abstraction used for public water supply. It is indicated to be underlain by a superficial Secondary (undifferentiated) aquifer over bedrock unproductive strata.

Groundwater and Contaminated Land – We do not consider this proposal to present a high pollution risk to controlled waters, based upon the environmental setting and the previous land uses of the site.

### 6.11 **Anglian Water – No objection**

Re-consultation comment 10 June 2022: no additional comments to those made on 14 March 2022

Comments dated 14 March 2022: Used Water Network – Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. Request a condition requiring an on-site drainage strategy.

Surface Water disposal - The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed.

Condition and informatives recommended.

### 6.12 **Cadent Gas – No objection**

There are high pressure assets in the vicinity.

### 6.13 **NHS – Cambridgeshire and Peterborough Integrated Care System**

Updated comments received 28<sup>th</sup> March 2023:

The proposed development has been assessed by C&PICS as having the potential to impact on the services of Huntingdonshire Road Surgery.

Following discussion with the affected practice, and having reviewed the site, building and patient list size, C&PICS can confirm that there is no existing capacity within the existing health infrastructure to take on additional patients from this development without mitigation (see below):

<b>Premises</b>	<b>Patient List Size</b>	<b>NIA (m2)</b>	<b>Maximum Capacity</b>	<b>Existing Capacity (NIA m2)</b>
Huntingdon Road Surgery	16,953	564	8,225	-598.49

#### *Financial contribution in lieu*

Noting that there is no capacity within the existing health infrastructure to absorb any new patients from this development, C&PICS requires the applicant to provide a financial contribution of £175,680, to facilitate improvements/extensions/refurbishments to provide additional patient capacity within the locality. Rebased to South Cambridgeshire District Council area using BCIS Tender Price Index (December 2022) - This equated to £5,124 per m<sup>2</sup> (once adjusted for professional fees, fit out and contingency, but excluding land acquisition). Suggested S106 wording.

Original comment dated 9 September 2022 –

We note that the application advises of the construction of student residential accommodation, but the application does not detail the number or the amount of accommodation they are intending to develop. We would be grateful if you could provide this additional information so the ICS can assess the impact this development would have on the provision of health care services to existing services and be in a position to advise on any mitigation required.

6.14 Officer comment: the requested financial contribution is discussed within the Heads of Terms section below in this report.

6.15 **Urban Design – No objection**

Re-consultation comments received 13 March 2023 – no further comments.

Original comments dated 4<sup>th</sup> April 2022 - The scheme was previously benefited from an early engagement with the council's Officers, Design Workshops and presented to the DEP (the previous Design Review Panel) which had helped in improving the design quality of the scheme resulting in a high-quality masterplan that meets Girton college's requirements. It also reflects the history of the developments on site.

It is considered that the masterplan principles have been informed by a thorough understanding of the existing site context (Landscape and Heritage). In addition, the quantum of development proposed and the approach of setting the height in response to the scale and massing of the existing buildings is considered acceptable and to comply with Policy HQ/1 of 'South Cambridgeshire Local Plan' (2018) and Paragraphs 130-136 of the 'National Planning Policy Framework' (2021).

The Council's Urban Design Officers are still supportive of the proposals in Urban Design terms.

At reserved matters stage, the applicant is strongly encouraged to engage the Council's specialists' team in developing the detail design of the scheme at pre-application stage.

6.16 **Conservation Officer – No objection**

Revised comments received 6 March 2023 – no further comments.

Original consultation comments received 29 April 2022 - The proposals are supported in principle. The college has been developed piecemeal over its history, as outlined in the Heritage Statement, and these proposals will be a continuation of that evolution. However, the acceptability of the final designs will be down to their impact, or not, on the significance of the listed building. The building heights should ensure that they do not dominate the skyline and detract from the listed building, and the materials and quality of the workmanship for the new buildings should be carefully considered and monitored. The proposals for the parameters across the various areas of development should justify their final heights explaining the need for anything beyond the existing building height, for example how the proposed 3-4 storeys of Orchard Drive Field can be accommodated within an appropriate design for this site. Some replication of the form of the existing buildings, with the internal courtyards, may be something that could be explored.

The demolition of some of the buildings to the rear of the site which form part of the service area of the college can be supported subject to an appropriate scheme for the site being agreed.

The proposal will not adversely affect the character of the Listed Building. The proposals will comply with Local Plan policy NH/14.

With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 126, 154, 155, and 195 would apply.

**6.17 Historic England – No objection**

Original comments dated 4<sup>th</sup> April 2022 - Historic England have no objections to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 200 and 202.

We remain of the view that the proposals would be contextually sympathetic in terms of scale, massing, materials and overall configuration in relation to the original grade II\* listed college buildings.

We are satisfied that the outline proposals would not cause harm to the significance of the grade II\* listed college buildings, as a result of the impact on their setting, in accordance with paragraph 200 of the NPPF.

**6.18 County Archaeology – No objection**

The present application replicates a previous permission which was granted with an archaeological condition (condition 4) attached.

We would therefore make the same recommendation for an archaeological condition to be placed on the development as was included on permission granted to prior development S/0957/15/OL within the same bounds

**6.19 Sustainability Officer – No objection**

Original comments received 4<sup>th</sup> May 2022: The scheme appears to take into consideration the move to all electric and is incorporating renewable technologies and water efficiency measures to meet Local Plan requirements.

The applicant must provide a more detailed specification as the design progresses, along with carbon and water calculations to ensure Local Plan compliance is achieved. Conditions recommended.

**6.20 Landscape Officer - No Objection**

Revised comments dated 15 March 2023

**Landscape and Visual Impact Assessment – Addendum 2021**

The previous comments regarding the landscape and visual impact assessment relate to recommendations made for the detailed design stage. The proposed 12m high ball-stop fencing should be installed together with carefully considered planting to help soften its appearance to viewpoint 12 on the bridge that crosses the A14. The comment stands and should be incorporated into the design at reserved matters stage.



**Tree Survey** - As requested, a survey of the condition of the existing tree stock has been undertaken. The survey concludes that much of the tree stock is in good condition, with recommendations for the removal of deadwood and ivy on a number of trees. These works should be undertaken at the earliest opportunity to maintain the health of the trees. The tree survey should also be used to inform proposals at reserved matters stage, including where it is necessary to gap up screening vegetation, tree belts and tree groups, as well as when considering species for new areas of planting.

**Courts**- The previous comments regarding the sports courts stand, and the recommendations should be incorporated into the detailed design proposals at reserved matters stage.

**Northern Access from Girton Road** - The previous comments stand and the recommendations should inform design at reserved matters stage.

**Access to New buildings From Huntingdon Road** - This issue has not been resolved. However, it would appear from Highway Authority comments that this matter is not yet fixed due to ongoing changes within the Eddington Fringe Area. Development within the North-West Cambridge Area Action Plan will ultimately have an impact upon the character of this landscape, however future proposals should seek to protect existing vegetation and enhance the landscape to create a strong rural edge along the access road, if this location is taken forward.

6.21 Original comments dated 25 April 2022 – No objection. The Outline Landscape proposals look well thought out and with the potential to form a series of useful and pleasant spaces, and an enhanced setting for proposed and existing buildings. However, some points to consider were raised in the following sections:

- Landscape and Visual Impact Assessment – Addendum 2021
- Tree Survey
- Courts
- Northern Access from Girton Road
- Access to new building from Huntingdon Road
- Sports Area
- Car Park Landscape

Conclusion - There has been little change in the general setting of the proposed development into the landscape of Girton. However the character of the detailed design and layout of planting will require a review in some areas as outlined above. Additional planting will be required along the ball-stop fencing at the A14 boundary. A general survey of how trees and vegetation have changed since 2015 should also be completed.

6.22 **Tree Officer**

Has requested an AIA and AMS showing Root Protection Areas.

6.23 Officer comment: see Trees in Planning Assessment Section below.

6.24 **Ecology Officer – No objection**

Revised comments dated 6 April 2023 - The submitted information shows that a 11% and 11.5% net gain in habitat and hedgerow units, respectively, is possible in-principle as a result of the development. This is acceptable and removes any remaining ecology and biodiversity concerns regarding the application

The applicant is proposing to use an off-site solution to provide the uplift. If the off-site solution is on land within the ownership of the applicant, then Biodiversity Net Gain can be secured through a condition. If not, then a Section 106 agreement will be required.

Conclusion: there is sufficient ecological information to determine the application.

Re-consultation comments received 7 March 2023 – no further biodiversity net gain information has been submitted. See previous comments and re-consult once the required information has been submitted.

Original comments dated 24 March 2022 – Insufficient information to determine the application.

The applicant has not provided a baseline assessment of biodiversity net gain.

Actions Required:

- Submission of baseline Biodiversity Net Gain assessment with an outline plan of how a minimum of 10% net gain will be achieved and how the development will work towards 20%.
- All calculations must be submitted using the DEFRA Metric 3.0.

#### 6.25 **Natural England – No objection**

2 March 2023 – previous comment still stands.

Original comment received on 28 March 2022 - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

#### 6.26 **Environmental Health – Contaminated Land – No objection**

Re-consultation comments received 6th March 2023 – no further comment.

Original comments dated 12 April 2022 - The site has a potentially contaminative historical usage comprising agricultural structures and surrounding land and is being developed into a sensitive end use (residential). The above Phase I Environmental Site Assessment has identified uncertainty in relation to a number of potential sources including oil and chemical storage and localised made ground. Recommendations have been made for intrusive investigation, which I am in agreement with.

Conditions recommended.

#### 6.27 **Environmental Health – Air Quality – No Objection**

The proposed all-electric heating and hot water scheme for the development is welcomed.

#### 6.28 **Environmental Health – Noise – No objection**

Conditions recommended with regard to construction noise, Demolition and Construction Environmental Management Plan, vibration, residential road traffic noise, operational noise, artificial lighting.

**6.29 Police Designing Out Crime Officer – No objection**

Security and crime prevention should be considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for students, staff, residents and visitors.

This office would be happy to consult with the applicants and their architects to discuss Crime Prevention through Environmental Design and Secured by Design principles to ensure that consideration is given to security and crime prevention measures to help reduce both the incidence and fear of crime.

**6.30 Fire Authority – No objection**

Fire Hydrants should be secured by condition or by Section 106 agreement the cost of the fire hydrant should be covered by the developer.

**6.31 S106 Officer**

Planning obligations are sought in relation to the following:

- a) Green Infrastructure an offsite contribution of £140,332.50 towards the creation of new green infrastructure at Coton Countryside Reserve
- b) Monitoring fees being a contribution of £500.

6.32 Officer comment: The Green Infrastructure financial contribution is not required as the proposed development will deliver sufficient biodiversity improvements and there is already public access to the site which will be captured through conditions and S106 obligations. This is discussed further in the Planning Assessment and Heads of Terms sections below.

**Third Party Representations**

6.33 6 representations have been received from two consultation periods.

6.34 Original Consultation in February 2022. Those in objection have raised the following issues:

- Location of new vehicular entrance to car park at Girton Corner with a car park, would result in the loss of a layby. It's proposed on a busy junction with Huntingdon Road and compounded with a bus stop also on the corner.
- New access would impact pedestrians crossing Huntingdon Road, its currently already dangerous for pedestrians crossing.
- Increase in traffic and delivery drivers stopping on Girton Road will lead to increased noise and pollution.
- Huntingdon Road junction requires improvement with traffic lights and a pedestrian crossing point and should be required of this application if the proposed entrance is to be retained.
- Loss of mature trees, these trees absorb pollution and provide habitats for wildlife and contrary to the climate change and green agenda.
- Green Belt and trees are protected – 7 TPO trees would have significant visual impact on the residential properties on Girton Road.
- No community consultation. Community exhibition should be undertaken.
- Large scale development relative to the footprint of the existing college buildings.

- Visual impact – proximity of Plot B to Girton Road and the residential properties. 3 storeys will be visible and are too high and will add to light pollution.
- Girton college has already expanded with the Swirles Court development at Eddington, the applicant has not demonstrated why a large, incongruous development is necessary.
- New buildings are large scale, essential that these should be similar height to existing buildings and sited further into the site.
- Plot B would result in loss of light to existing college buildings.
- Will change the character of the area and dramatically decrease the quality of life and safety of the neighbouring residents.
- Loss of privacy and overlooking from new dormitory windows.
- Increased noise pollution from a residential structure.
- No benefits for the residents of the parish.
- Other locations available to the College that are better suited to development of this size.

Following the removal of the proposed vehicular entrance at Girton Corner, the following objections were received during re-consultation in Spring 2023:

- The new access described as the “northern entrance” as shown on drawing 11 will increase noise levels to residents, shine lights into the house, impact on our privacy, degrade the safety of the environment.
- New service access should be via Grange Road accessed from Huntingdon Road.
- Expansion is unnecessary given previous expansions and new student accommodation at Eddington.

### **Member Representations**

6.35 Cllr Bygott has made an **objection** the application on the following grounds:

- Conflict with Local Plan policy NH/14 - Will not sustain or enhance the special character and distinctiveness of Girton’s historic environment. impact on the historic buildings.
- Conflict with Local Plan Policy TI/2.
- Conflict with Local Plan Policy NH/2, NH/4 and NH/7
- Conflict with Policy NH/8 as the proposal would have an adverse effect on the Green Belt.
- Conflict with Local Plan Policy HQ/1 – incompatible with its location or appropriate in terms of scale, density, mass, form or siting in relation to the surrounding area.

Officer comment: Each point raised will be addressed in the relevant section of the Planning Assessment.

### **Local Groups / Petition**

6.36 **Victorian Society – no objection**

Considering that we made no comments on the 2015 application and that Historic England have raised no new concerns, we would not wish to make substantive comments on this application. We support HE’s advice regarding Plot A Orchard

Drive and that this building should have a continuous elevation on the north and eastern boundaries, rather than the proposed three detached building.

**6.37 Cambridge Past, Present and Future (CPPF)**

Following revised documents and further information supplied by the applicant, on 13 March 2023 CPPF have made a follow up **neutral** representation the application on the following grounds:

- Green Belt: Major Developed Site. We concede that the proposed development is outside the former policy area of Major Developed Site and there has therefore been no policy change in this respect.
- Green Belt Assessment. Retain our request that the Council assess the special circumstances of the development against the most recent GB Assessment which concludes the overall harm of the release of parcel AR2 as Moderate-High (LUC Cambridge GB assessment 2021).
- Very Special Circumstances. We accept the applicant's preference to accommodate students on site as opposed to at Eddington and that the presence of Eddington since the original application is not a material consideration.
- Biodiversity – We welcome the applicant is working with the Council's Ecology Officer in achieving BNG. We hope that a net gain of 20% is achieved. We ask that the net gain is additional to any biodiversity improvements the College would be undertaken as part of its wider management of the College gardens and grounds.

**6.38 The CPPF raised the following concerns in their representation dated 30 March 2022:**

- Green Belt – contrary to NPPF para.147, and Local Plan Policy S/4. In the previous local plan Girton College was identified as a major developed site in the Green Belt, this no longer exists.
- Lack of suitable alternative sites. Eddington has been developed and Girton College already has some accommodation. Eddington should be a material consideration in determining this application.
- The application should submit a baseline BNG assessment with an outline plan of how at least 10 %, working to 20% net gain will be achieved.
- The height of the new College buildings should remain below that of the trees.

**6.39 The Ramblers – no objection**

All the proposed works will be within the grounds of Girton College. Currently the College very generously allows the public permissive access to a delightful path which goes through part of the grounds and is much appreciated by the local community. We hope that this permissive access would continue once the proposed works have been completed.

**6.40 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.**

## 7.0 Assessment

7.1 Planning law requires application to be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan comprises the adopted South Cambridgeshire Local Plan (2018).

7.2 Material considerations - The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided it has regard to all material considerations, it is for the decision maker (Planning Committee or Secretary of State) to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

7.3 The application proposal raises the following key material considerations;

- Green Belt;
- Historic Environment;
- Transport;
- Trees;
- Ecology;
- Environmental Considerations;
- Other matters

## 7.4 Principle of Development

### Green Belt

7.5 The College was included in the Cambridge Green Belt in the 1970's and prior to the construction of the A14 dual carriageway. Substantial portions of Green Belt were released after 2002 to facilitate the expansion of Cambridge University and for additional housing. The Girton College site was retained as Green Belt.

7.6 Policy S/4 (Cambridge Green Belt) of the South Cambridgeshire Local Plan 2018 is a spatial policy which sets out the primary function of the Cambridge Green Belt. Policy S/4 states (emphasis added):

*“A Green Belt will be maintained around Cambridge that will define the extent of the urban area. The detailed boundaries of the Green Belt in South Cambridgeshire are defined on the Policies Map, which includes some minor revisions to the inner boundary of the Green Belt around Cambridge and to the boundaries around some inset villages. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.”*

7.7 The Local Plan supporting text recognises the importance of the Cambridge Green Belt and that although it is small in its extent, it doesn't make it less important. Even small encroachments into the Green Belt cause harm.

7.8 The Government attaches great importance to Green Belts, paragraph 137 of the NPPF (2021) confirms

*“The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

- 7.9 Paragraph's 149 and 150 of the NPPF set out the exceptions and forms of development which are not considered to be inappropriate in the Green Belt.
- 7.10 In addition, Policy NH/9 of the Local Plan reflects paragraphs 149 and 150 of the NPPF and sets out a number of exceptions to inappropriate development within the Cambridge Green Belt.
- 7.11 Some elements of the proposal do fall within the definition of acceptable development in the Green Belt including, the re-provision and relocation of the hard sports courts. Para 149b states: *"the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it."*
- 7.12 Furthermore, depending on the scale and position of the replacement gardens and grounds maintenance buildings these could either fall within NPPF para 149(d): *"the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces,"* or NPPF para 149(g): *"limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*
- 7.13 Given the scale of the proposed masterplan, the development proposals including the new student accommodation blocks, ancillary teaching and maintenance buildings, and the new auditorium lecture theatre would not meet the policy exceptions within the list of what constitutes appropriate development in the Green Belt and therefore the proposal is, by definition, inappropriate development in the Green Belt.
- 7.14 Inappropriate development is, by definition, harmful to the Green Belt and should only be approved in 'very special circumstances.' The NPPF is clear in advising that local authorities should ensure substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.15 Officers consider it important to note, that since the time of granting the original outline masterplan permission both National Planning Policy and the Local Plan have been revised and adopted. NPPF policy wording with respect to 'very special circumstances' remains unchanged from 2012.
- 7.16 Under the previous Development Plan, the 2007 Proposals Map identified the College situated within the Green Belt and part of the site was designated as a Major Developed Site (policy GB/4). Importantly, the building plots for the original masterplan were outside the Major Sites designation, and therefore policy GB4 did not apply.

7.17 The 2015 masterplan application was also considered inappropriate development and demonstrated that very special circumstances existed which outweighed the harm to the Green Belt. The original officer's assessment remains a material consideration. The very special circumstances put forward by the applicants is discussed later in this report.

### **Visual and Spatial Harm to the Green Belt**

7.18 Given the quantum and location of the development the proposal would impact on the openness of the Green Belt causing harm, and therefore the extent of harm needs to be considered.

7.19 Paragraph 2.30 of the Local Plan 2018 sets out three purposes of the Green Belt (not the five set nationally):

*"The established purposes of the Cambridge Green Belt are to:*

- Preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre;*
- Maintain and enhance the quality of its setting; and*
- Prevent communities in the environs of Cambridge from merging into one another and with the city."*

7.20 Paragraph 2.31 of the supporting text to this policy advises that in defining the Green Belt and policies which should be applied to it, regard will be given to the special character of Cambridge and its setting including, amongst other criteria;

- a soft green edge to the city;
- a distinctive urban edge;
- green corridors penetrating into the city;
- the distribution, physical separation, setting, scale and character of Green Belt villages; and,
- a landscape which retains a strong rural character.

7.21 Officers have considered the submitted Landscape Visual Impact Assessment, and Addendum reports, the parameter plans, Design and Access Statement and consultation feedback from Landscape officers, Historic England and Urban Design.

7.22 The Design and Access Statement and parameters of the scheme including illustrative plot positions and maximum heights have been informed by the existing site context and the college's mature landscaped setting and collaboration between the Council officers, Design Panels and Historic England.

7.23 Officers consider the location of the proposed building plots, which retains the open playing fields to the outside of the campus seek to preserve the visual openness of the Green Belt. The plots would be set behind the existing tree belts and vegetation, and be heavily screened from many vantage points between Girton Road and Huntingdon Road, largely preserving the current relationship and visual



separation between the College, Girton village and Cambridge City. The extension of the College's built form in this manner would be perceived as a logical and harmonious way in which to provide the additional accommodation sought and the extent of the visual harm would be moderate.

*Preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre*

- 7.24 Through undertaking a master-planning exercise the College site has been assessed in a comprehensive manner with the proposed development taking into account its long-term needs. Importantly the location, scale and quantum of development relate well to the existing buildings and as such (subject to detailed design) respect the unique character of the College. University Colleges are a defining feature of Cambridge, and sympathetic additions to a College will preserve the character of Cambridge city. As such officers are of the view no material impact on the character of Cambridge as a compact, dynamic city would arise.

*Maintain and enhance the quality of its setting*

- 7.25 The College is enclosed by a substantial tree belt which is protected by a Preservation Order, with this landscape feature significantly enhancing the gateway into the city (Huntingdon and Girton Roads). The masterplan scheme has been revised, to retain the TPO tree bank fronting Huntingdon Road, in combination of the positioning of the buildings way from Huntingdon Road and Girton Road, officers are of the view that the extent of visual harm to the setting of Cambridge is limited. This harm would be further reduced by additional planting to mitigate.

*Prevent communities in the environs of Cambridge from merging into one another and the City and countryside encroachment*

- 7.26 The College site is within the Parish of Girton but clearly outside of its Development Framework. The College is distinct from the village itself forming a mature landscaped college setting within the Green Belt. With the redefining of the urban edge of Cambridge including development at Eddington (North West Cambridge) and emerging NIAB sites edging closer to Girton, there is great importance for the College site in preventing coalescence of built form. Plots B and C envisage the College site extending accommodation wings and an auditorium building closer to Girton Road eroding the spatial gap between Girton Road properties and the developed College site. The building parameters would cover areas of 1.77 Ha and 0.48 Ha respectively and include buildings of 3 and 2 storey heights. The spatial gap would be eroded and result in harm to the Green Belt whereas the visual presence of buildings here would be partly mitigated by the strong landscaping belt.

- 7.27 Plot A comprises a site of 1.94ha which is currently used as playing fields and is where the hard courts are located. The submitted parameter plans indicate that 45% of this space could be designated for built footprints (0.97ha). The parameter plan also indicates a maximum roof height of 18m (3 - 4storeys) to be acceptable, with a further 10% of total footprint allowance to extend higher. The submitted Landscape Visual Impact Assessment identifies that buildings of Plot A would be visible from glimpses and vantage points along Huntingdon Road but notes that the plot would be partially screened by existing vegetation. The LVIA goes on to state that the significance of the landscape effects would be minor positive, and the significance of the visual effects being moderate positive, with built form

creating an improved 'gateway' to the city. Whilst the visual effects development of Plot A overall would have a moderate impact on the Green Belt, the proposal fails to accord one of the five purposes of the Green Belt set out in NPPF para. 138(c) and would result in encroachment into the countryside, rather than coalescence of villages with the City.

- 7.28 Overall, officers are of the view the development would conflict with these objectives of Green Belt policy, and taking into account the mitigation offered by the mature tree belt, location of the buildings set back from the road frontage and overall size of the site, the extent of harm is 'moderate'.

*Inner Green Belt Study 2015*

- 7.29 Girton College falls within Sector Number 1, East of Huntingdon Road, Sub area 1.1

- 7.30 Paragraph 6.4.3 of the IGBS (2015) acknowledges that this sector plays a key role in the separation between the village of Girton and the existing and future edge of Cambridge. It retains open countryside close to the future edges of the city and prevents the sprawl of build development as far as the edge of Girton and the A14. It also preserves what remains of the separate identity of the southern part of Girton.

- 7.31 It is clear from this assessment that the Green Belt plays a fundamental role in maintaining the existing limited separation between Cambridge and Girton, as well as Girton's identity as a separate settlement.

- 7.32 In their consultation response, Cambridge Past, Present and Future made reference to the Greater Cambridge Landscape Assessment, which was prepared to inform Green Belt release and ascribes a scoring of harm to the GB should the land be released for development.

- 7.33 In considering whether the land would be suitable for release of the Green Belt, paragraph 6.4.4 advises:

*"It is unlikely that any development within the majority of this sector could be accommodated without substantial harm to Green Belt purposes. Development within sub area 1.1 would risk altering the characteristic approach into Cambridge along Huntingdon Road, potentially affecting the vegetated character of this section of the route... No green Belt release should be contemplated in sub areas 1.1..."*

- 7.34 Officers consider it pertinent to note that neither the site, nor the masterplan proposals are being considered for release from the Green Belt. If the proposals were to be approved again, the land would remain designated Green Belt land whereby the proposals had demonstrated that very special circumstances exist which outweigh the harm to the Green Belt.

- 7.35 In summary officers are of the view the development will result in 'moderate' harm to the openness of the Green Belt through contributing to the merger of Girton village and the new urban edge of Cambridge and encroachment into the Countryside. There have been no substantive changes to the buildings onsite or college grounds or Green Belt policy since the time of the previous planning

application which indicate that circumstances have changed or that the officer assessment should take a different approach.

- 7.36 Notwithstanding the above, the “in principle” harm to the Green Belt carries substantial weight in the overall Planning Balance.

### **Very Special Circumstances**

- 7.37 There is no precise definition of what constitutes a Very Special Circumstance (VSC) in planning policy terms. Indeed, the matters which constitute VSC’s do not independently need to be special, rare or uncommon. Each proposal is to be assessed by the local planning authority on its own merits and the weight in the planning balance given to each consideration is a matter of judgement for the decision taker. Whether a combination of factors do or do not amount to VSC’s is ultimately a matter of planning judgement.

- 7.38 Paragraph 147 of the NPPF states: *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*

- 7.39 Paragraph 148 of the NPPF states: *“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.”*

- 7.40 The applicant is required to demonstrate that the ‘in principle’ harm to the Green Belt, which carries substantial weight, and any other harm resulting from the proposal, is clearly outweighed by very special circumstances.

- 7.41 The Applicant’s case is that a number of considerations, taken together, constitute ‘very special circumstances’ which outweigh the in principle, and any other harm resulting from the proposal.

- Uniqueness of applicant;
- Lack of alternative sites;
- Cambridge University growth vital to the national economy;
- Collegiate community;
- Improvements to sustainability;
- Enhancement of heritage assets; and
- Enhancement of public spaces

#### *Uniqueness of applicant*

- 7.42 Girton College is the only College of Cambridge University within the administrative area of SCDC. The site was deliberately located there upon its foundation. It was some 100 years after the College was established on this site that the boundary of the Cambridge Green Belt was drawn to include it.

- 7.43 To meet the college's growth needs over the next 30 years, there is a requirement to expand. It is important to consider that the college has gradually developed through a piecemeal, design-led approach since the time of the college's inception. The Design and Access Statement details the fundamental aspects of the original architect's design intent which was that the buildings should be capable of being expanded in stages as additional funds were raised. This is how the site has developed over time, to meet growth and needs associated with modern teaching methods, with significant extensions being completed in 1900, 1931, 1962, 2003 and 2013.
- 7.44 As set out within the application documents, the proposals seeks to reconcile the current accommodation and teaching arrangements to bring all students back on to the campus. The masterplan is a long-term vision encompassing a comprehensive planned development programme for the college as a whole and should not be viewed as building additional student accommodation.
- 7.45 Officers consider, as there are no other Colleges located within the Green Belt, that this circumstance is unique to Cambridge. Officers consider that the College site characteristics, together with its history and identity of the applicant comprise a material consideration which weigh in favour of supporting the VSC argument.

*Lack of alternative sites*

- 7.46 The applicants argue that it is impractical for the College to seek an alternative site. The buildings were purpose built for the College and they are its heritage and identity, and seeking an alternative site(s) to cater for the extent of growth proposed in close proximity to the College is unviable and an unrealistic option.
- 7.47 Officers note that at the time of the previous consent, the North-West Cambridge development was already approved and under construction and taken into account as part of the deliberation of that proposal. Presently, the college houses approximately 150 students at Swirles Court in Eddington (North-West Cambridge Strategic Development Site).
- 7.48 The application is supported by a letter from Girton College which sets out that the accommodation at Swirles Court was intended to be a temporary solution for accommodating the students displaced when Wolfson Court was no longer available. Swirles Court has been used by the college for the last 5 years and provides cluster flats of 4 and 8 bedrooms with kitchen facilities. There are no on-site college or student facilities and students have to walk or cycle to the main Girton college site for all social activities, dining in the Hall, sport facilities, library, group study and seminar rooms, and tutors as well as pastoral support services. Officers are of the view that new on-campus accommodation together with ancillary educational, social and pastoral support are a unique part of the attraction for students applying to Girton College as part of the wider Cambridge University offer. This provision will help reinforce Cambridge University and its associated Colleges as a leading educational provider of international repute and represents a holistic improvement to the college's offer for students looking to study in Cambridge and is a material consideration which weighs in favour of supporting the VSC argument.
- 7.49 Furthermore, the college advises that there are concerns with the continued leasing of rooms from Swirles Court with respect to financial costs and long-term unresolved management and maintenance issues, along with concerns for student safety when returning from the college late at night. Officers would give this last

point limited weight in the overall consideration of VSC's. The issues cited are not unsurmountable.

*Cambridge University growth vital to the national economy*

- 7.50 The South Cambridgeshire Local Plan is silent with regard to the role a site such as Girton College plays in relation to Cambridge University growth.
- 7.51 Paragraph 5.4 of the adopted Cambridge Local Plan 2018 states: '*The University of Cambridge continues to be a world leader in higher education and research. The University of Cambridge is consistently ranked in the top three research universities globally, based on the two internationally recognised measures. It is a vital driver of the Cambridge economy and is the reason why so many high technology and knowledge-based employers decide to locate to the city. It contributes to and is dependant upon the quality of life in the city and city centre.*
- 7.52 Strategic objective 10 of the Cambridge Local Plan is to promote and support economic growth in environmentally sustainable and accessible locations, facilitating innovation and supporting Cambridge's roles as a world leader in higher education and research, and knowledge-based industries, while maintaining the quality of life and place that contribute to economic success.
- 7.53 Policy 43 of the Cambridge Local Plan supports the development or redevelopment of faculty, research and administrative sites for the University of Cambridge, providing it meets the principles set out in the policy and other relevant policies. Whilst it is noted that Girton College is the only Cambridge University college which its sited outside the administrative boundary of Cambridge City in West Cambridge, it nonetheless demonstrates the vital role of the university in the local and national economy.
- 7.54 The University of Cambridge's esteemed reputation has underpinned the Cambridge phenomenon and much of the city's prosperity in recent years, The University of Cambridge and its colleges are also significant employers in their own right, providing over 12 000 jobs. Their reputation and heritage continues to attract students from across the world, tourists, language students, spin-off enterprise and medical research, and it continues to be a vital driver of the local and national economy' and goes on to state 'The University of Cambridge has plans to grow undergraduate numbers by 0.5 percent a year and postgraduate numbers by 2 percent a year in order to maintain its globally successful institution'. In order to continue to attract an increasing number of students and to play its part in maintaining the world renowned reputation of the University, the College needs to expand and provide a high quality living and learning environment for its students and staff.
- 7.55 The application proposes a net growth of students at Girton college to be 115 over the next 25-30 years which is a modest growth of 4 students per annum.
- 7.56 Officers consider that the role of Girton College and the wider university is prominent and should be afforded substantial weight in the overall consideration of very special circumstances.

*Collegiate community*

- 7.57 One of the distinctive characteristics of Cambridge University is its collegiate nature. At Girton College this experience is diluted as it is not currently able to

accommodate all its students on a single site. As with most Cambridge colleges, Girton seeks to offer students the opportunity to live in college. Further stating in their application that there is an expectation from prospective students that this is the case when considering their choice of college and their college experience when studying in Cambridge. The supporting letter from Girton College dated January 2023 sets out what they consider multiple benefits for students, including practical and direct access to all facilities and services, but also health and wellbeing. There is a thriving community on the main site due to the college's distance from other city centre colleges.

- 7.58 Historically, approximately 130 students lived at Wolfson Court off Clarkson Road. Wolfson Court also included a number of teaching and administration rooms which provided teaching spaces. However, since the time of the previous application, the College no longer owns Wolfson Court and 150 of the displaced students are currently being accommodated at Swirles Court in Eddington. Swirles Court does not have any teaching or admin rooms for use by Girton college.
- 7.59 Underpinning the proposed development is a College ambition to maximise the numbers of students living on the main College site where there is access to a full range of services and facilities. The vast majority (290) of the 405 student rooms proposed within this application already form part of the Girton College community but would be the result of bringing all the student accommodation back to the campus as well as returning a number of the original fellows' rooms back to the original set layouts within the historic fabric of the buildings.
- 7.60 Officers consider the collegiate community should be afforded substantial weight in the overall consideration of very special circumstances.

*Improvements to sustainability*

- 7.61 The current arrangement of operating a split site leads to additional vehicle movements which would be reduced. In the long run the economic benefits of consolidation will contribute to the financial sustainability of the College and potentially enhance the resources available for investment in the historic buildings to reduce their carbon footprint. Additionally, the scheme proposed all new buildings to be electric only.
- 7.62 Officers welcome the move towards electric only buildings and the suite of proposed sustainability measures. These improvements should be afforded moderate weight in favour of very special circumstances.

*Enhancement of heritage assets*

- 7.63 Although not part of this application, the overall masterplan for the College includes opportunities to undertake a number of enhancements to the Grade II\* Listed College buildings including;
- Returning some of the rooms to sets, restoring some of the original features of the College and contribute to enhancing the Grade II\* listed buildings
  - Reversing unsympathetic later alterations to some rooms and spaces.
- 7.64 Without the funding from the proposed masterplan growth plan, it would be less likely that the works to the historic assets could feasibly take place. Accordingly, officers would afford this minimal weight in the consideration of very special

circumstances given that such works would not be secured and do not form part of this proposal.

#### *Enhancement of public spaces*

- 7.65 The College already allows local people to access the College grounds and a dog walking route is provided around much of the perimeter.
- 7.66 As part of the overall landscape masterplan additional tree planting, landscaping, and significant biodiversity net gain enhancements would be secured and delivered.
- 7.67 Overall, officers would afford these improvements minimal weight in the overall consideration of very special circumstances unless such provisions were formally secured.
- 7.68 Whether or not there is sufficient VSC's to outweigh the in-principle harm and any other harm to the Green Belt is concluded in the overall planning balance

#### **Heritage Assets**

##### *Setting of Listed Buildings*

- 7.69 No works are proposed directly to any of the Listed Buildings, however, the impact on their setting is a material consideration. The application is within the setting of the main ranges of College buildings which are Grade II\* listed and the Huntingdon Road Lodge which is separately listed at Grade II. The application site does not fall within a designated Conservation Area.
- 7.70 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 7.71 The NPPF identifies that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 189).
- 7.72 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 7.73 Para. 200 of the NPPF requires 'clear and convincing justification' for any harm to the significance of a listed building and Para. 202 notes that harm to a heritage asset should be weighed against the public benefit of the proposed development, including securing the asset's optimum viable use.
- 7.74 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must

be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.

- 7.75 The first buildings of Girton College were designed by Alfred Waterhouse in 1872, with further extensive works undertaken throughout the 1880's as the College acquired land to Girton Road. At the beginning of the 20<sup>th</sup> century the College continued to expand through the construction of Cloisters Court including the dining hall, kitchens and chapel. The Grange, to the north west of the College, was built at some time between 1903 and 1926. Woodlands Court was completed in 1931, with the Mistress's flat added in the 1960's. More recently Ash Court was completed in 2013 providing accommodation for some 50 students.
- 7.76 Girton College is listed at grade II\*, placing it in the top 5.8% of listed buildings nationally and warranting every effort to preserve its special interest. The listing description for the College reads as follows;
- 7.77 *'College by Alfred Waterhouse. 1873 with additions of 1876, 1883 and 1886. Red brick, English bond, with black mortar courses and terracotta details to windows, doorways and eaves. Steeply pitched roofs of patterned tiles with crested ridge tiles. Tall ridge stacks. Original plan of sets of rooms with corridor access. In Neo-Tudor style. Two storeys and attics. Pointed arches to hung sashes with plate glass, in segmental heads. Parapetted, five stage gatehouse tower of 1886-7 over vaulted carriageway entry. In 1891 Paul Waterhouse, his son, joined the partnership. Cloister Court, including the dining hall, chapel and part of Woodlands Court was built in 1900- 02 in a similar style. The rest of Woodlands Court and the library were completed in 1931-2 by Michael Waterhouse, the grandson, with Sir Giles Gilbert Scott as consultant. Paler red brick, English bond with steeply pitched tiled roofs. Stone surrounds and four centred arches to casements and doorways. Interior: The dining hall has a hammer-beam roof and original light fittings and the library a roof of kingpost construction and arch bracing to the tie beams. Pevsner. Buildings of England p.190 Dixon and Muthesius. Victorian Architecture'*
- 7.78 The Grade II (buildings of special interest) listed Lodge has the following listings description;
- 7.79 *'Lodge. c.1886. Red brick with steeply pitched tiled roof and ridge stack. One storey and attic. Segmental arches to two casements on either side of doorway in opensided gabled porch with turned wood posts on brick base. Moulded brickwork to gable end eaves. Pevsner. Buildings of England p.190'*
- 7.80 The original development proposal as submitted in 2015 involved extensive pre-application discussions with both Historic England, and the Council's Conservation Officers. The submitted Planning Statement (para 5.5) confirms that the Council and Historic England were involved in establishing which parts of the site are capable of accommodating this quantum of development in a way which is acceptable in terms of the planning constraints (most notably, GB and Heritage). These parameter plans remain unchanged.
- 7.81 In their consultation response to this application Historic England raised no objections and have reiterated their comments from the original planning application and are satisfied that overall, the scheme would be contextually sympathetic in terms of scale, massing, materials and overall configuration in relation to the original grade II\* listed collegel buildings. Further advising that Plot A Orchard Drive buildings should develop with a continuous, built elevation on the eastern and norther boundaries of the site, reflecting the configuration of the



original college buildings, rather than as separate blocks. Officers will include an informative.

- 7.82 Historic England would also support the phasing of the masterplan development to commence with Plots B and C to the rear and east of the main building on the less contextually sensitive areas of the site.
- 7.83 The Conservation Officer has advised that the proposals are supported in principle. These proposals will be a continuation of the college's piecemeal development over its history. The acceptability of the final design will be subject to their impact, or not, on the significance of the listed buildings. The building heights should ensure that they do not dominate the skyline and detract from the listed building, and the materials and quality of the workmanship for the new buildings should be carefully considered and monitored. The proposals for the parameters across the various areas of development should justify their final heights explaining the need for anything beyond the existing building height, for example how the proposed 3-4 storeys of Orchard Drive Field can be accommodated within an appropriate design for this site. Some replication of the form of the existing buildings, with the internal courtyards, may be something that could be explored.
- 7.84 The college would be encouraged to submit their proposed developments for pre-application advice once they have concluded their architectural competition. We will be interested in the evolution of the design concept and how that will complement the existing structures which form an important family of buildings, with the connections across the site being an important aspect of the navigation of the college.
- 7.85 It is considered that the outline proposal, by virtue of its scale, massing and design, would not harm the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Local Plan policy NH/14, and will be subject to detailed assessment at the reserved matters stage.

### **Design, Layout, Scale and Landscaping**

- 7.86 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 7.87 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 7.88 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 7.89 The Council's Urban Design officer is supportive of the proposals in Urban Design terms and consider the masterplan principles have been informed by a thorough understanding of the existing site context. In addition, the quantum of development proposed and the approach of setting the height in response to the scale and

massing of the existing buildings is considered acceptable and complies with Local Plan HQ/1, an paragraphs 130-136 of the NPPF.

- 7.90 Girton College and the surrounding land lies within the 'West Cambridge Claylands' Landscape Character Area. A Landscape Visual Impact Assessment dated April 2015 prepared by Robert Myers Associate has been submitted with the application, along with an LVIA Addendum dated November 2021 prepared by Turley which consider any potential landscape character impacts from the proposed development and whether potential landscape and visual effects have altered since the 2015 application. The addendum concludes that there would be no noticeable difference in views of the development proposal from outside the site.
- 7.91 The Council's Landscape Officer advised: *"generally, there has been little external change in the visual effects of the scheme to receptors. View 12 has become more prominent as the bridge has been widened and converted to a vehicular route with higher use and an extended view. The effects of the main visual element visible (extensive ball-stop fencing to the east) will depend on the design of the fence and some additional planting to integrate the 12m fencing into the landscape. This maybe inside or outside the fence line."*
- 7.92 The Council's Landscape Officers have reviewed the submission documents, notably Design and Access Statement Section 5 – Landscape, the Landscape Visual Impact Assessment, LVIA Addendum 2021, and the Arboricultural constraints plan. Overall, the officer considered the proposals to look well thought out and with the potential to form a series of useful and pleasant spaces, and an enhanced setting for proposed and existing buildings
- 7.93 The future reserved matters are to consider the following in regards of the layout and landscaping of the site:
- The applicant is strongly encouraged to engage the Council's specialists' team in developing the detail design of the scheme at pre-application stage. We provide design workshops, design-led community engagement service and an Independent Design review service which is very beneficial in terms of helping to achieve positive planning outcome. Rearrangement of the existing landscape once dwellings are demolished to fit with the proposed maintenance building and the new frontage to Girton Road.
  - The design of the new courts may encourage more use and provide a better setting for the buildings if the layout and planting take inspiration from the original Jekyll vision.
  - Redesign existing courts for best amenity and character – not just upgrading materials using the current layout
  - The proposed 12m high ball stop fencing should be installed together with carefully considered planting to help soften its appearance to viewpoint 12 on the bridge that crosses the A14.
  - Tree works should be undertaken at the earliest opportunity to maintain the health of the trees.
  - The tree survey should be used to inform proposals at the reserved matter stage, including where it is necessary to gap up screening vegetation, tree belts and tree groups, as well as when considering species for new areas of planting.

## **Trees**

- 7.94 Policies NH/2, NH/4 and HQ/1 to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 7.95 A group Tree Preservation Order (Ref: C/11/17/033/20) covers a large proportion of the trees found to the sites perimeter, most notably parallel with Huntingdon and Girton Roads. This tree belt makes a significant positive contribution to the amenity of the local area and ambiance within the college grounds. The scheme has been revised to remove one of the proposed access roads from Girton Road. This had been previously approved as part of the previous planning approval and would have resulted in a material loss of trees
- 7.96 The application is accompanied by a Tree Survey and Constraints Plan dated 09.01.15, Tree Plan - Illustrative Drawing, Tree Survey – Health and Safety Rev A dated 4.11.2022 and Tree Survey Plans prepared by Haydens dated 09.11.22.
- 7.97 The Council's Tree Officer has advised that Arboricultural Impact Assessment and Tree Protection Plan should be provided at this stage. However, as this application is in outline stage, officers are considering the parameter plans only. As the exact building footprint and dimensions are yet to be designed, it would be unreasonable to request this level of detail at this stage. Given the scheme has been revised to omit the removal of TPO trees to facilitate the new entrance onto Girton Road, Officers consider there is sufficient scope to ensure the trees are appropriately protected as the detailed design develops through the reserved matters applications and will include appropriately worded conditions to that effect.
- 7.98 The Tree Officer in their consideration of the now expired outline proposal acknowledged the proposal would result in the loss of some existing mature trees (including TPO trees) but that the quantum of loss is proportionately small and offered no objection to the development, subject to mitigation including the protection of retained trees and planting of additional trees.
- 7.99 Subject to conditions as appropriate, the proposal would accord with policies NH/2, NH/4, HQ/1 of the Local Plan.

### **Biodiversity**

- 7.100 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 7.101 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Preliminary Ecological Appraisal, pre-intervention and post-intervention habitats indicative plans, Biodiversity Net Gain Metric 3.1 which sets out that an 11% and 11.5% gain in Habitats and Hedgerows respectively.
- 7.102 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered. A 30 year monitoring period for BNG is required to make the

development acceptable in planning terms, in accordance with the Environment Act, an index linked financial obligation will be secured to cover the Council's monitoring costs and periodic monitoring reports are to be submitted to the Council after years 1, 2, 3, 4, 5, 10, 15, 20, 25, and 30.

- 7.103 In consultation with the Council's Ecology Officer, subject to appropriate conditions, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.
- 7.104 Natural England have raised no objection in respect of an impact on any statutory protected sites.
- 7.105 A S106 clause is required to capture monitoring reports and associated tariff-based costs for the 30 year monitoring period with the exact commuted sum to be agreed with the Council's Ecology team post resolution.

### **Green Infrastructure**

- 7.106 Local Plan Policy NH/6(4) requires all new developments to contribute towards the enhancement of the green infrastructure network within the district. These contributions will include the establishment, enhancement and the on-going management costs.
- 7.107 The Council's S106 Officer has requested a financial contribution of £140,332.50 towards the creation of new green infrastructure at Coton Countryside Reserve.
- 7.108 Following discussion with the S106 officer, it has been agreed that on balance, this request is not justified as the Girton College grounds already provides public access and a dog walking route through landscaped grounds which benefit from well-maintained clusters of mature and TPO trees. In addition, the outline application will secure on-site delivery of Biodiversity Net Gain discussed in detail below.
- 7.109 As such, officers consider the outline to meet the requirements of Policy NH/6 of the Local Plan 2018.

### **Carbon Reduction and Sustainable Design**

- 7.110 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by policy CC/1.
- 7.111 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m<sup>2</sup> or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 7.112 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.

- 7.113 The application is supported by a Sustainability Statement and sustainability checklist. The proposal incorporates fabric improvements and energy efficient measures including;
- Enhanced U-values
  - Improved air tightness
  - Low energy lighting
  - Mechanical ventilation with heat recover
  - All electric
  - Heat pumps for heating and hot water requirements.
- 7.114 Renewable technologies proposed include Solar Photovoltaic panels on viable roof spaces.
- 7.115 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies, overheating risk, and water efficiency.
- 7.116 The applicants have suitably addressed the issue of sustainability and renewable energy and subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

#### **Water Management and Flood Risk**

- 7.117 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 7.118 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 7.119 The applicants have submitted a Flood Risk and Drainage Strategy Report dated 03/11/2021 prepared by Smith and Wallwork Engineers, Surface Water Drainage Strategy Report dated 27/04/2022 prepared by Smith and Wallwork Engineers, and an Anglian Water Pre-planning report.
- 7.120 The Council's Sustainable Drainage Engineer has advised they have no comments to make as the LLFA have comments on the application.
- 7.121 The Local Lead Flood Authority has advised that following the submission of the Surface Water Drainage Strategy Report that they have removed their objection to the proposed SUDS strategy, which is now proposed to be managed through permeable paving, vegetated infiltration swales/Basins, and geocellular tanks. The LLFA strongly encourage the use of above ground infiltration such as swales/basis as widely as possible. Conditions are recommended.
- 7.122 The Environment Agency has commented on the application and have no objection to the application subject to recommendations and informatives, which are to be applied to the application through conditions and informatives if this application is to be recommended for approval.
- 7.123 Anglian Water has provided a pre-planning report and has advised that the foul drainage from this development is in the catchment of the Uttons Drove Water Recycling Centre which currently does not have capacity to treat the flows from the development site, however, they do acknowledge that it is their responsibility

to accept the foul water from the development and take the necessary steps to ensure that this is achieved. No comment was made in relation to surface water drainage. Informatives were recommended on the application in line with the used water network and how this development will sit within the current network.

- 7.124 Subject to the inclusion of the recommended conditions and informatives, the applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

### **Highway Safety and Transport Impacts**

- 7.125 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 7.126 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 7.127 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.128 The application is supported by a Master Plan Transport Statement and Travel Plan Framework dated January 2022, prepared by SLR and a Technical Note dated 26<sup>th</sup> January 2023 which was drafted to address concerns raised in the original consultation. The application is also accompanied by detailed access drawings.
- 7.129 The application seeks detailed approval for access to the college as part of the overall outline. This includes:
- The introduction of the northern entrance on Girton Road for use by vehicles delivering to the grounds, maintenance yard and the kitchens.
  - Widening of the existing vehicular access to Grange Drive.
  - Retention of Orchard Drive as the primary vehicular access to the new car park accessed via the existing Mare's Run access road.
- 7.130 Following amendments, the Local Highways Authority have confirmed that they have no objection to the proposed access subject to conditions relating to levels, construction traffic management plan, bound materials, and an informative regarding separate permissions for highways works.
- 7.131 As a key aspiration of the masterplan proposals are to rationalise accommodation and bring all students of Girton College to accommodation on the college grounds, it is anticipated that there would be a neutral impact on the local highways with respect to trip generation by walking, cycling, car and public transport. The College also forms part of the wider University license system where opportunities for students to keep a car or motorcycle in Cambridge is limited.
- 7.132 The submitted Technical Note addresses the comments made by the Transport Assessment Team in terms of the trip movements to and from the site. It is noted

that the trip patterns will change from those existing as students will no longer have the need to travel from off-campus accommodation to the University.

7.133 The application has been subject to formal consultation with Cambridgeshire County Council's Transport Assessment Team, who raise no objection to the proposal subject to the proposed Travel Plan being aligned with the Overarching University site-wide Travel Plan.

7.134 No objection is raised by National Highways.

7.135 Subject to conditions the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

### **Cycle and Car Parking Provision**

7.136 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.

#### *Cycle Parking*

7.137 TI/3 requires cycle parking provision for residential institutions (residential schools and colleges) to be delivered on merit.

7.138 The existing site has several areas of cycle parking with a cumulative total of 455 cycle spaces.

7.139 The submitted Master Plan Transport Statement and Travel Plan Framework do not include details of proposed cycle parking but confirms that cycle parking will come forward with each reserved matters application to cater for the increase in student numbers. A condition is proposed to require details of cycle parking to be submitted for approval.

#### *Car Parking*

7.140 TI/3 requires indicative car parking provision for residential institutions (residential schools and colleges) to be provided on merit.

7.141 The existing site currently has car parking for 167 cars across the site, of which 38 are visitor bays.

7.142 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **Other Matters**

#### **Construction and Environmental Health Impacts**

7.143 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC/11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.

7.144 The application is accompanied by a Noise Impact Assessment, prepared by Max Fordham dated 11<sup>th</sup> January 2022. The Council's Environmental Health Team have assessed the application and recommended approval subject to conditions and informatives relating to; noise/vibration impacts, construction phase: noise/vibration and dust, detailed noise assessment, residential road traffic noise insulation, operational noise impacts, and artificial lighting.

*Contamination*

7.145 The application is accompanied by a Phase 1 Environmental Site Assessment prepared by SLR dated March 2015. The report has been reviewed by the Council's Contaminated Land Officer who notes the date of the report and that there are potential contaminative historical usages on the site, but raises no objection to the scheme subject to appropriate conditions.

*Air Quality*

7.146 The proposed development if approved would be an all-electric heating and hot water scheme. The Council's Air Quality officer has reviewed the submitted AQA prepared by Create Consulting Engineers Ltd, dated December 2021 and raised no objections to the proposals.

7.147 To conclude, the proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

**Archaeology**

7.148 The County archaeologist has commented on the application, their records show that this site lies in an area of archaeological potential:

*"A nationally important Anglo-Saxon cemetery was discovered on the south side of the College in the late 19th century, containing 150 urned cremation burials and 50 inhumations with a richness of grave goods (Cambridgeshire Historic Environment Record reference 05274). This site is unscheduled as it was excavated in advance of College building works in the 19th and 20th centuries. Additionally, evaluation trenching in 2013-14 on the NW side of the College (CHER ref ECB4112) presented new evidence of predominantly Late Iron Age to Roman settlement, although phases of earlier occupation were also recorded, extending our understanding of the extent and density of this period of settlement following the large scale excavations undertaken in the University's NW Cambridge development area on the south side of Huntingdon Road. Huntingdon Road follows the route of the Roman Road between Cambridge and Godmanchester, and contemporary spur roads have been recorded connecting with this from development sites along its length in recent years, indicating the interconnectedness of the Roman farms and larger settlements with this arterial route."*

7.149 To be certain as to the character of the current proposal area, the County Archaeologist recommend that previously un-evaluated areas which will be impacted by the proposed development should be subject to archaeological



evaluation. An archaeological condition for a Written Scheme of Investigation will be included should the application gain benefit of planning permission.

### **Public Art**

- 7.150 Policy HQ/2 of the Local Plan (2018) required developments of 1,000sqm or more than 10 residential dwellings to provide public art, integrated into the design of the development as a means of enhancing the quality of development proposals.
- 7.151 Given the scale of the development Officers consider it would be appropriate to secure public art within the scheme, as the design develops. There is sufficient space on site and the site is accessible by the public for public art to be delivered on site, and the art would be maintained and managed by the College so a financial contribution and monitoring costs would not be required.
- 7.152 Accordingly, a condition pertaining to Public Art provision will be included, should the application gain benefit of outline planning permission.

### **Playing Fields**

- 7.153 Sport England raised no concerns to the application and considered the development meets exception 4 of the adopted Playing Fields Policy.
- 7.154 Exception 4 relates to development on a playing fields, stating: *'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:*
- *of equivalent or better quality, and*
  - *of equivalent or greater quantity, and*
  - *in a suitable location, and*
  - *subject to equivalent or better accessibility and management arrangements.'*
- 7.155 The submitted parameter plans demonstrate that the proposed building areas would not affect any marked out formal sports pitches, and the proposal would provide four new tennis courts to compensate for the loss of the disused tennis Courts. Conditions will be secured with respect to detailed design of tennis courts and development on sports pitches.

### **Designing Out Crime**

- 7.156 No concerns were raised with regard to crime and disorder. The Designing Out Crime Officer welcomes the opportunity for early engagement at the detailed application stage to ensure the security of buildings, homes, amenity space and the environment provide a safe place for students, staff, residents and visitors.

### **Broadband**

- 7.157 LP policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the District. Given the site is an existing University campus site, Officers do not consider there would be a requirement to impose a planning

condition requiring broadband as the site already benefits from high-speed broadband.

*Time Limit within which development granted planning permission must begin*

7.158 Under section 92 Town and Country Planning Act 1990, outline planning permission should be made subject to conditions imposing two types of time-limit, one within which applications must be made for the approval of reserved matters and a second within which the development itself must be started. This is normally three years from the date on which permission was granted to submit all reserved matters, and development to begin within two years of the date on which the final reserved matters are approved. If the local planning authority considers it appropriate on planning grounds they may use longer or shorter periods but must clearly give their justification for doing so.

7.159 The application is a complex proposal, set out in the form of a masterplan which has examined the whole of the site in a comprehensive manner, which will provide for the needs of the College in the long term (25 - 30 years). Furthermore the College are reliant on obtaining funding to proceed with this development. For these reasons it is considered there is appropriate justification to allow for an extended period of time to implement the consent in various phases. Such an approach is consistent for the Governments objective of supporting sustainable development. The current Local Plan sets the spatial framework for the district until 2031, and it is considered reasonable to ensure the permission does not extend beyond that date.

7.160 Officers acknowledge the time limits imposed on the previous outline permission were very generous and consider that there may be substantive policy changes between now and 2031, and that the opportunity to review the application in light of the changes should be allowed for. On this basis, Officers recommend a date of four years to submit the first reserved matters application with the final reserved matters application to be submitted no later than 9 years from the date permission is granted, with development beginning no later than 2 years from the date of the last reserved matters.

**8.0 Third Party Representations**

8.1 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Issue</b>	<b>Officer response</b>
The new access described as the “northern entrance” as shown on drawing 11 will increase noise levels to residents, shine lights into the house, impact on our privacy, degrade the safety of the environment.	<p>The Local Highways Authority have not raised concerns with the use of this new access for servicing requirements. The entrance has been designed to highways adoptable standards and will be subject to detailed approval from the Local Highway Authority. Therefore, local highway safety should not be increased and conditions are proposed to control this.</p> <p>The properties which could be most affected by the proposed entrance are located close to the Girton Road and will</p>

	<p>already experience an element of noise and light impacts from passing traffic.</p> <p>The new proposed access is a secondary access intended primarily for pedestrians, cyclists, and servicing and deliveries to the grounds, building maintenance yard and kitchens, it is not intended to be used as a main entrance for users of cars or all deliveries. Overall, officers are satisfied that the impact from the proposed entrance would not be unduly harmful to the neighbouring occupiers.</p>
New service access should be via Grange Road accessed from Huntingdon Road.	The Local Highways Authority have not raised concerns with the use of this new access for servicing requirements.
No community consultation. Community exhibition should be undertaken.	Extensive community consultation was undertaken prior to the original planning application. It was agreed between the Council and the applicant in 2021 that further public consultation prior to submission would not be required as the outline masterplan design principles have not changed.
Visual impact – proximity of Plot B to Girton Road and the residential properties. 3 storeys will be visible and are too high and will add to light pollution.	As yet, there is no detailed design of plot B, only a parameter plan which would allow for a maximum of 40% plot coverage for built footprint with a maximum height of 12-15m. These heights have been tested within the submitted LVIA and are considered to be appropriate. Light pollution will be controlled by condition.
Girton College has already expanded with the Swirles Court development at Eddington, the applicant has not demonstrated why a large, incongruous development is necessary.	This has been addressed in the Planning Assessment section.
Will change the character of the area and dramatically decrease the quality of life and safety of the neighbouring residents.	Officers consider the significant majority of the students to be relocated to the college site already use the college site on a daily basis. The net student growth anticipated over the next 25-30 years is anticipated to be 115 students total.
Plot B would result in loss of light to existing college buildings.	The submitted plans are indicative only and would be subject to detailed amenity scrutiny and design considerations at the reserved matters stage
Large scale development relative to the footprint of the existing college buildings.	The submitted plans are indicative only and would be subject to detailed design considerations at the reserved matters stage.

Loss of privacy and overlooking from new dormitory windows.	The submitted plans are indicative only and would be subject to detailed amenity scrutiny and design considerations at the reserved matters stage.
Increased noise pollution from a residential structure.	Noise conditions will be applied if permission is granted.
No benefits for the residents of the parish.	There are perceived public benefits including public art, public access, Biodiversity Net Gain and additional landscaping and tree planting, contributions towards increasing capacity at Huntingdon Road GP Practice.
Other locations available to the College that are better suited to development of this size.	The aspiration of Girton College's masterplan is to consolidate all students accommodation and activities onto the existing site, and this forms a key part of the collegiate campus experience.

## 9.0 Planning Obligations (S106)

- 9.1 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 9.2 The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF.
- 9.3 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.
- 9.4 The South Cambridgeshire District Council S106 Officer has commented on the application and they have requested an obligation for £140,332.50 towards the creation of new green infrastructure at Coton Countryside Reserve and a monitoring fee of £500. It has been agreed between the parties that on the basis that the site already benefits from a matured landscaped gardens, would be delivering significant Biodiversity Net Gain improvements and already allows public access through the site that a further Green Infrastructure contribution would not be a reasonable or proportionate request and is therefore not required. Public access to the site is currently managed by the College and officers do not consider it reasonable to request that this matter be formalised through the S106 legal agreement.

- 9.5 Biodiversity Net Gain improvements and associated monitoring reports and fees will be secured through the S106. The costs associated with monitoring the BNG on site and the review of the monitoring reports would require an indexed-linked payment, dependent on the amount of officer time required to undertake monitoring duties per annum, with the final commuted sum to be agreed post resolution.
- 9.6 The NHS Cambridgeshire and Peterborough Integrated Care System has commented on the application and they have identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development, comprising £175,680 for improvements / extensions / refurbishments to provide additional patient capacity within the locality as there is currently insufficient capacity at the Huntingdon Road GP practice. As set out in the consultation response, the sum has been calculated based on the number of rooms created through the development, which is approximately 400. This number has been arrived at upon the assumption that any rooms vacated / reconciled by the University would then be backfilled by continued residential occupation.
- 9.7 The applicant has put forward reasoned justification as to why this is not necessarily the case and officers consider that the rooms lost through the returning of bedrooms to fellows sets and study rooms, and the demolition of the post graduate houses should not be included in the calculation. Furth
- 9.8 Officers accept the applicant position that the majority of students are already in situ, and that only the net increase in student numbers, circa 115 over a 25-year period would be reasonable and proportionate, and that payments should be staggered and payable prior to the occupation of the relevant phase of student accommodation.
- 9.9 The planning obligations as set out above are considered to be necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore Officers are of the view that the required planning obligation(s) passes the Regulation 122 tests set by the Community Infrastructure Levy Regulations 2010 and are in accordance with Policy TI/8 of the South Cambridgeshire Local Plan (2018).

## **10.0 Planning Balance**

- 10.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

### *Balance of harm v benefit*

- 10.2 The NPPF is clear in advising substantial weight should be given to any harm to the Green Belt, and that 'very special circumstance' will not exist unless the potential harm to the Green Belt, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 10.3 The potential enhancements to public open space for the community and improvements to sustainability are material, but are of limited public benefit given local residents are already granted access to the site and short travelling distance between Girton and Swirles Court, Eddington. In respect of the historic environment, the development does have the potential to make improvements to the Grade II\* Listed Buildings through returning some rooms to sets, however this

is not proposed within this application and officers are of the view limited weight can be given this benefit.

- 10.4 Officers are of the view substantial weight should be given to the vital economic role of Cambridge University in the current and future growth at local, regional and national level, and need for the College to contribute to meeting the objectives of the University remaining a truly world class institution.
- 10.5 This, when taking into account the lack of realistic alternative sites for the College to expand justifies 'very special circumstances' which clearly outweigh the harm (when given substantial weight) to the Green Belt through the coalescence of Girton village with Cambridge and the other relatively limited harm identified above.
- 10.6 Other potential impacts including drainage, ecology, sustainability, heritage, archaeology and transport issues have all been adequately addressed through appropriate planning conditions.

*Referral of the decision to the Secretary of State*

- 10.7 If members are minded to recommend approval of the application, the application will need to be referred to the Secretary of State because of the Green Belt considerations.
- 10.8 The Town and Country Planning (Consultation) (England) Direction 2009 sets out the applicable criteria and arrangements that must be followed for consulting the Secretary of State once the local planning authority has resolved to grant planning permission for certain types of development, which includes this application.
- 10.9 The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under section 77 of the Town and Country Planning Act 1990. The use of the call in power requires that the decision be taken by the Secretary of State rather than the local planning authority.
- 10.10 Where consultation with the Secretary of State under the Direction is required, the local planning authority cannot grant planning permission on the application until the expiry of a period of 21 days beginning with the date which the Secretary of State notifies the local planning authority that the consultation has been received and he has all the information necessary to consider the matter.
- 10.11 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval

**11.0 Recommendation**

**11.1 Approve subject to:**

- The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

- Satisfactory completion of a Section 106 Agreement which includes the Heads of Terms (HoT's) as set out in the report with minor amendments to the Heads of Terms as set out delegated to officers. The precise quantum of the contribution towards the NHS to be delegated to officers
- The Secretary of State confirming the application is not to be Called-In for his consideration.

11.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.

## **12.0 Planning Conditions**

### **1. Reserved matters**

No development shall commence until details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") have been 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. Reserved Matters time limit**

(a) The first application for approval of reserved matters shall be made to the Local Planning Authority no later than four years from the date of this permission.

(b) Application for approval of the last of the reserved matters shall be made to the Local Planning Authority before the expiration of eight years from the date of this permission.

(c) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

### **3. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans.

Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

### **4. Phasing Plan**

Prior to or concurrently with the submission of the first of the reserved matters application(s), a Site Wide Phasing Plan shall be submitted to the local planning authority for approval. No development shall commence apart from enabling works agreed in writing by the local planning authority until such time as the phasing plan has been approved in writing by the local planning authority. The development

shall be carried out in accordance with the approved phasing contained within the phasing plan.

Reason: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications.

**5. Reserved Matters – Noise**

Concurrent with any Reserved Matters application for containing commercial, community or leisure uses on site, a noise assessment as necessary and a scheme for the insulation of the building(s) and/or associated plant / equipment or other attenuation measures, in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details.

Reason: To protect the amenity of the adjoining properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

**6. Reserved Matters - Artificial Lighting** - Within any reserved matters application, which includes the provision of any form of illumination pursuant to this outline permission the reserved matters details for appearance shall include details of the height, type, position and angle of glare of any final site lighting / floodlights including horizontal and vertical isolux contours. The details and measures so approved shall be carried out and maintained in accordance with the approved lighting scheme/plan.

Reason: To protect the amenity of the nearby residential properties in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

**Pre-commencement Conditions**

**Sports Provision**

**7.** No development of the tennis courts shall commence until details of the design and layout of the proposed courts have been submitted to and approved in writing by the local planning authority. The tennis courts shall be constructed in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with adopted policy SC/8 of the South Cambridgeshire Local Plan (2018)

**8.** No development of the sports pitches shall take place until there has been submitted by the applicant and approved in writing by the Local Planning Authority; 1) a detailed assessment of the ground conditions of the land proposed for the (i) (j) playing field which identifies constraints which could affect playing field quality; and 2) based on the results of the assessment to be carried out pursuant to 1) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The development shall be constructed in accordance with the agreed details.

Reason: To ensure the playing field is prepared to an adequate standard and is fit for purpose and to accord with adopted Policy SC/8 or any updating of this policy)



### **Archaeology**

9. No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) the statement of significance and research objectives;
  - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
  - c) The timetable for the field investigation as part of the development programme;
  - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To ensure that before any demolition and or development commences an appropriate archaeological investigation of the site has been implemented before development commences in accordance with Policy NH/14 of the South Cambridgeshire Local Plan 208.

### **Trees**

10. Details of Tree Protection

Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site.

### **Ecology**

11. No development of the relevant phase shall take place (including demolition, grounds works, 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:
- a. Risk assessment of potentially damaging construction activities
  - b. Identification of "biodiversity protection zones"
  - c. Practical measures (both physical measure and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
  - d. The location and timings of sensitive works to avoid harm to biodiversity features
  - e. The times during which construction when specialist ecologists need to be present on site to oversee works
  - f. Responsible persons and lines of communications

- g. The role and responsibilities on site of an ecological clerk of works (WCoW) or similarly competent person
- h. Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be adhered 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 an appropriate protection measure for ecology during construction has been agreed in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

### **Surface Water**

12. No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Surface Water Drainage Strategy Report prepared by Smith and Wallwork Engineers (ref: 000300-SAW-ZZ-ZZ-RP-C-0002 Revision P02) dated 10 May 2022. It should be ensured that the following is included:

- b. Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- c. 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 an assessment of system performance;
- d. Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- e. Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- f. Site Investigation and test results to confirm infiltration rates;
- g. 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;
- h. Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- i. Full details of the maintenance/adoption of the surface water drainage system;
- j. Permissions to connect to a receiving watercourse or sewer;
- k. Measures taken to prevent pollution of the receiving groundwater and/or surface water

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 and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

13. Prior to commencement of development of each phase or parcel of the development, in accordance with the submitted Surface Water Drainage Strategy Report prepared by Smith and Wallwork Engineers (ref: 000300-SAW-ZZ-ZZ-RP-C-0002 Revision P02) dated 10 May 2022, detailed designs for the surface water drainage scheme for that phase or parcel shall be submitted to and agreed by the Local Planning Authority in consultation with the Lead Local Flood Authority. The detailed designs will include elements of source control and a programme for the incremental implementation of the surface water drainage design for the phase or parcel. This must ensure sufficient surface water drainage infrastructure is in place for the amount of development which has taken place in that phase or parcel of the development at any point in time unless otherwise agreed in writing by the Local Planning Authority. Once implemented the surface water drainage infrastructure shall be retained for the lifetime of the development.

Reason: To ensure a satisfactory method of surface water drainage, and to prevent the increased risk of flooding to third parties

14. No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

**Reason:** To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

**15. Demolition Construction Environmental Management Plan**

No development, including demolition, of the relevant phase shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.

- d) Delivery times and collections / dispatches for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority
- e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails.
- f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.
- g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate.
- h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - Greater Cambridge supplementary planning guidance 2020.
- i) Use of concrete crushers.
- j) Prohibition of the burning of waste on site during demolition/construction.
- k) Site artificial lighting including hours of operation, position and impact on neighbouring properties.
- l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- m) Screening and hoarding details.
- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- p) External safety and information signing and notices.
- q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures.
- r) Membership of the Considerate Contractors Scheme.

Development shall be carried out in accordance with the approved DCEMP.

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

#### **16. Noise and Vibration Assessment**

Before any development is commenced, a scheme for protecting the proposed buildings from noise from Huntingdon Road and Primary Routes through the site shall be submitted to and approved in writing by the Local Planning Authority and all works which form part of the approved scheme shall be completed before any one of the permitted dwellings is occupied.

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

#### **17. Contamination - Remediation**

No development shall take place until:

- a. The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives

have been determined through risk assessment and agreed in writing by the Local Planning Authority

- b. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the South Cambridgeshire Local Plan 2018.

#### **18. Contamination – Verification**

Prior to the first occupation of any residential accommodation hereby permitted, te works specified in any remediation method statement detailed in the contamination remediation condition must be completed and a Verification report submitted to an approved in writing by the Local Planning Authority

Reason: to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the South Cambridgeshire Local Plan 2018.

#### **19. Contamination - Unexpected**

If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to the first occupation of any residential accommodation hereby approved.

Reason: to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the South Cambridgeshire Local Plan 2018.

#### **20. Traffic Management Plan**

No demolition or construction works of the relevant phase, shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

- a. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
- b. Contractor parking shall be within the curtilage of the site and not on the street.
- c. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.
- d. Control of dust, mud and debris, in relationship to the functioning of the adopted public highway. Reason: In the interests of highway safety.

Reason: In the interests of highway safety.

### **Prior to above Ground Level/Occupation**

#### **21. Materials**

No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority.

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

#### **22. Public Art**

No development above ground level of the relevant phase, other than demolition (or in accordance with a timetable agreed in writing by the Local Planning Authority) shall commence until a Public Art Delivery Plan (PADP) has been submitted to and approved in writing by the Local Planning Authority.

The PADP shall include:

- a) Details of the public art and artist commission;
- b) Details of how the public art will be delivered, including a timetable for delivery;
- c) Details of the location of the proposed public art on the application site;
- d) The proposed consultation to be undertaken;
- e) Details of how the public art will be maintained;
- f) How the public art would be decommissioned if not permanent
- g) How repair would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To provide public art as a means of enhancing the development in accordance with Policy HQ/2 of the South Cambridgeshire Local Plan.

#### **23. Landscape and Ecological Management Plan (LEMP)**

No approved dwelling shall be occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) 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.

#### **24. Cycle storage**

No development shall take place above ground level, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

#### **25. Renewable Energy Strategy**

The approved renewable/low carbon energy technologies (as set out in the Sustainability Statement) shall be fully installed and operational prior to the occupation of the development. Detailed design stage SBEM calculations, evidencing a minimum 10% carbon emissions reduction, shall have previously been submitted to and approved in writing by the local planning authority.

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 development and thereafter maintained in accordance with the approved details

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.

#### **26. Water Efficiency**

The development hereby permitted shall not be used or occupied until a water efficiency specification, based on the BREEAM Wat01 Water Calculator Methodology, has been submitted to approved in writing by the local planning authority. The specification shall demonstrate the achievement of 2 credits for water efficiency (Wat01) and that the development will 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 (South Cambridgeshire Local Plan 2018 Policy CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

## **27. Fire Hydrants**

No development above ground level shall commence until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use.

### **Compliance conditions**

#### *Highways - Levels*

- 28.** The access hereby approved shall be constructed so that the falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: For the safe and effective operation of the highway.

#### *Highways – Materials*

- 29.** The access routes hereby permitted shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: In the interests of highway safety

### **Informatives**

1. Historic England are of the view that in respect of the reserved matters application for Plot A Orchard Drive a continues built elevation on the eastern and northern boundaries should be incorporated into the scheme.
2. Archaeology - Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.
3. Anglian Water - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
4. Anglian Water - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
5. Anglian Water - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.



6. Anglian Water - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
7. Anglian Water - The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
8. Environment Agency - Surface Water Drainage: All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
9. Environment Agency - Where infiltration drainage schemes, including soakaways, are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways will not be permitted to be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
10. Environment Agency - Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
11. Environment Agency - Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
12. Environment Agency - Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
13. Environment Agency - Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
14. Environment Agency - Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
15. Environment Agency – Conservation: Opportunities should be provided for wildlife habitat enhancement through enlargement and/or appropriate

management of existing habitats and through creation of new habitats. Subsequent proposals must demonstrate enhancement.

16. Lead Local Flood Authority - It is noted that infiltration could be utilised across the site. However, further infiltration testing will be required as the design of the scheme is set out. Infiltration rates should be worked out in accordance with BRE 365. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.
17. Lead Local Flood Authority- Ordinary Watercourse Consent - Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-andwaste/watercourse-management/>
18. All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
19. Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
20. To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units at are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.
21. Any noise and vibration assessment of 'Operational Noise' including mitigation/insulation scheme for non-residential use classes (e.g. Employment areas, retail units, waste recycling facilities, community buildings, recreational uses and any associated operational plant and equipment) will have due regard to and shall be in accordance with industry best practice / technical guidance including DEFRA's Noise Policy statement for England (as referenced in the NPPF, March 2012) and 'Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, Adopted January 2020'

22. To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.
23. Local Highways Authority - The applicant is advised that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
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### **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 Local Development Framework SPDs
- Planning file (22/00887/OUT) – These documents are available for public inspection on the Council website.

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# Agenda Item 6



<b>Planning Committee Date</b>	14 June 2023
<b>Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	23/00375/HFUL
<b>Site</b>	24 West Street, Comberton CB23 7DS
<b>Ward / Parish</b>	Comberton
<b>Proposal</b>	Replacement of existing outbuilding with 3 bay single storey garage with mono pitch low profile roof
<b>Applicant</b>	Mr Alistair Funge
<b>Presenting Officer</b>	Charlotte Spencer
<b>Reason Reported to Committee</b>	Application submitted by an officer of the Council and deferred from previous committee (10 May 2023)
<b>Member Site Visit Date</b>	12 June 2023
<b>Key Issues</b>	1. Character and Appearance and Impact on Heritage Assets 2. Neighbour Amenity
<b>Recommendation</b>	<b>REFUSE</b>

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the demolition of an existing outbuilding and erection of a 3 bay single storey garage with mono pitch low profile roof.
- 1.2 The proposal would have a detrimental impact on the setting of the Grade II Listed Buildings and in turn would fail to preserve or enhance the character of the Conservation Area.
- 1.3 Due to the siting of the garage in close proximity to windows within Nos.14 and 18 West Street, the garage would result in an unreasonable sense of enclosure and therefore, constitute an unneighbourly form of development.
- 1.4 The item was brought to committee on the 10<sup>th</sup> May 2023. The application was deferred to allow Members to conduct a site visit to provide clarity on the use of the room with the affected window.
- 1.5 Officers recommend that the Planning Committee refuse the application.

## 2.0 Site Description and Context

None relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	
Listed Building	Adj	Flood Zone	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The application relates to a two storey, detached dwelling house located to the North of West Street. The render and tile dwelling is set back from the road by over 17 metres of hardstanding and soft landscaping
- 2.2 The site lies within the Comberton Development Framework and Conservation Area. It is adjacent to Grade II Listed Buildings at Nos.14 and 18 West Street.

## 3.0 The Proposal

- 3.1 The application is seeking planning permission for the demolition of an existing outbuilding and erection of a 3 bay single storey garage with mono pitch low profile roof.

- 3.2 The proposed garage would be located in front of the existing dwelling, approximately 1.5 metres from the boundary with Nos.14 and 18 West Street and approximately 3.2 metres from the front boundary. It would have a width of 10 metres and a depth of 6 metres. It would be characterised by a mono-pitched roof with a maximum height of 3 metres.
- 3.3 The site plan includes a new gate to the front however, this does not form part of the application as it is considered to be permitted development as confirmed under 21/01633/CL2PD.

#### 4.0 Relevant Site History

Reference	Description	Outcome
21/01633/CL2PD	Certificate of lawfulness under section 192 for the construction of a concrete base for the siting of a caravan within an existing residential planning unit, erection of 2 metre high gates and boundary fence and construction of a permeable gravel parking area.	Certificate Granted 05.08.2021
4.1	A certificate of lawfulness for the construction of a concrete base for the siting of a caravan in a similar location to the proposed has been granted.	

#### 5.0 Policy

##### 5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Circular 11/95 (Conditions, Annex A)

##### 5.2 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

HQ/1 – Design Principles

NH/14 – Heritage Assets

## **6.0 Consultations**

### **6.1 Parish Council – Object**

6.2 Concern regarding the proximity to the listed building and light to ground floor of neighbour.

6.3 However, support the design of the outbuilding and feel it is fitting for the Conservation Area.

### **6.4 Conservation Officer - Object**

6.5 The proposals are not supported as the site for the garage would affect the setting of the listed buildings and in turn would have a negative impact on the character and appearance of the conservation area.

6.6 The location of the garage should be reconsidered so that it is not directly adjacent to the neighbouring property. The description of the proposed garage looks to be acceptable for this location.

## **7.0 Third Party Representations**

7.1 Two neighbour representations have been received.

7.2 Those in objection have raised the following issues:

- Proximity to listed buildings;
- Potential impact from drainage on the listed buildings;
- Impact on light

### **Design, Layout, Scale and Landscaping and Impact on Heritage Assets**

7.3 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

7.4 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification. Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires



development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets.

- 7.5 The application site is located within the Comberton Village Conservation Area and is characterised by a large open frontage which includes a small shed. There is a conifer hedge located on the eastern front boundary which provides some screening of the existing dwelling and its front garden. The dwellings along West Street have varying setbacks and it is noted that some are built to the back edge of pavement, making such dwellings prominent features within the streetscene. This is the case for no's 14 and 18 West Street (Grade II Listed Buildings) which lie adjacent to the site. They and other nearby listed buildings (9, 10, 13 and 17 West Street), form a cluster of dwellings which are sited up to the back edge of pavement. Their prominent siting mean they are prominent features which contribute positively to the character and appearance of this part of the Conservation Area. Outbuildings within front gardens are not a characteristic feature of the streetscene.
- 7.6 The proposed garage would have a maximum height of 3m and a footprint of 60m<sup>2</sup>, which is significantly larger than the existing shed. The garage would be sited in close proximity to the Grade II Listed Buildings at Nos.14 and 18 West Street, bringing the built form in close proximity to them and in a much more visually prominent location in the streetscene. This is considered to cause harm to the setting of no.14 and no.18 West Street (Listed Buildings). Furthermore, because of its siting, it would also harm the character of the Conservation Area. Whilst it is acknowledged the existing hedge provides some screening, this is not considered sufficient mitigation to outweigh the harm identified. The harm identified is considered to be less than substantial harm to the setting of the listed buildings and character and appearance of the conservation area.
- 7.7 Paragraph 202 of the NPPF states that where less than harm is identified this must be weighed against the public benefits of the proposal. The proposal relates to a private garage for use by the applicant. Whilst there may be some employment generated through the construction of the garage, this would be limited and a temporary benefit. As such, it is not considered there are public benefits associated with the proposal which outweigh the harm identified.
- 7.8 The applicant has obtained a certificate of lawfulness (21/01633/CL2PD) for a proposed development which includes the provision of a concrete slab within the front garden. At the time of the application, the applicant indicated that the purpose of this concrete slab was to allow the positioning of a caravan within the front garden. The applicant indicated that the caravan would be 16.3m long, 6.8m wide, 3m high to the ceiling (with a further 3m high pitched roof); 6m overall in height. Although this certificate was obtained in August 2021, no caravan has been placed on the site. However, the applicant considers this to be a fallback position which carries material weight in considering the proposal for the garage.

- 7.9 However, this certificate of lawful development only confirms that a concrete base can be constructed, not the caravan itself. The siting of a caravan on the land is not operational development and therefore, does not require planning permission. A caravan, by definition, is moveable and this is materially different to the erection of a building. As such, the placing of a caravan on the land is not considered to provide a credible fallback position which carries material weight when assessing the proposal for a building.
- 7.10 Therefore, it is considered that due to siting of the proposed garage in close proximity of the Listed Buildings (no.14 and 18 West Street), the proposal will cause harm to their setting. This will also cause harm to their positive contribution and significance in the Conservation Area, to the detriment of its character and appearance. The harm identified is considered to be less than substantial and there are not sufficient public benefits which outweigh this harm. The proposal would therefore fail to preserve the setting of the Listed Buildings and fail to preserve or enhance the character or appearance of the Conservation Area. The proposal is therefore, contrary to the NPPF, Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan (2018) and the provisions of the Planning (LBCA) Act 1990.

### **Amenity**

- 7.11 Policy HQ/1 (n), sets out that proposals must 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.
- 7.12 The proposed garage would be located 1.5 metres from the neighbouring properties at Nos.14 and 18 West Street. The plans demonstrate that these properties have windows facing the application property. These are positioned on the flank boundary. It is considered that due to the limited height, the garage would not have a detrimental impact on the light to the first floor side window. Due to the limited height, and the slope of the roof, it would not intersect the 25 degree line from the ground floor windows. However, the garage would be located in close proximity to these windows, and one of them is currently used as a study as confirmed by the neighbour and previously approved plans for No.14. This is the only window that serves this room and due to the proximity it is considered that it would cause an unreasonable sense of enclosure, limiting outlook. As such, it is considered that the proposal would result in an unneighbourly form of development which is contrary to Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

### **Third Party Representations**

- 7.13 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Impact on Listed Building	Discussed in paras 7.3 to 7.8
Impact on light	Discussed in paras 7.9 to 7.11
Drainage Issues	This is a civil matter between different landowners in which the local planning authority has no role. The Party Wall Act 1996 governs the process by which party walls and associated disputes are handled.

### **Planning Balance**

- 7.14 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 7.15 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

### **Recommendation**

- 7.16 **Refuse** for the following reasons:
1. The proposed garage, by reason of its scale and siting in close proximity to Grade II Listed Buildings (No. 14 and 18 West Street) would result in harm to their setting and in turn, would harm the character and appearance of the Conservation Area. The harm is less than substantial however, there are not sufficient public benefits to outweigh this harm. Consequently, the proposal would fail to preserve the setting of the Listed Buildings and fail to preserve or enhance the character and appearance of the Comberton Village Conservation Area. The proposal is therefore, contrary to the National Planning Policy Framework (NPPF), Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan (2018) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
  2. The proposed garage by reason of its scale and proximity to the neighbouring properties would have a detrimental impact on the outlook of the ground floor windows of Nos.14 and 18 West Street causing an unreasonable sense of enclosure and therefore, unneighbourly form of development. The proposal is therefore, contrary to the National Planning

Policy Framework and Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

# Agenda Item 7



<b>Planning Committee Date</b>	14 <sup>th</sup> June 2023
<b>Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/05065/FUL
<b>Site</b>	The Avenue Business Park, Brockley Road, Elsworth
<b>Ward / Parish</b>	Elsworth
<b>Proposal</b>	Creation of a mixed-use food hub with additional parking
<b>Applicant</b>	Davison and Co.
<b>Presenting Officer</b>	Tom Gray
<b>Reason Reported to Committee</b>	Called-in by Cllr Howell Called-in by Elsworth Parish Council Application raises special planning policy or other considerations
<b>Member Site Visit Date</b>	12th June 2023
<b>Key Issues</b>	1. Principle of retail use in the countryside, impact upon the community shop and re-use of existing rural buildings 2. Design, scale, layout and landscaping 3. Highway safety impacts 4. Residential amenity impacts
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## **1.0 Executive Summary**

- 1.1 The application seeks planning consent for a mixed-use food hub with additional parking. The proposal would convert an existing office building and would provide locally sourced food, a café and offer educational classes.
- 1.2 Although the proposal would result in the loss of office accommodation, the proposed retail use would create approximately 20 jobs and provide an element of employment.
- 1.3 The proposed development would make use of existing vacant rural buildings. Whilst the food hub would inevitably attract customers from a wide catchment area via private car, given the small footprints of the retail units, the increase in the amount of traffic movements on a daily basis would be minimal compared to the existing office use of the site and offer customers opportunities for linked retail trips. Other lawful uses of the site include research and development of products and processes, and some industrial processes, these uses have no restriction on hours of use and therefore could be open at weekends and during unsociable hours without requiring planning consent.
- 1.4 Whilst there is an existing community shop within the village, this predominately sells convenience goods. The proposed development would sell artisan goods and therefore the proposed development would complement rather than detract from, or compete with, this facility.
- 1.5 No external alterations to the buildings are proposed, and soft landscaping will ensure that the additional car parking proposed would have negligible visual impact upon the local area.
- 1.6 The impact upon protected trees and biodiversity are considered to be acceptable, whilst the additional car parking area would comprise permeable materials, ensuring that any surface water flood risk is not exacerbated.
- 1.7 The proposal would attract less additional trips during peak weekday hours compared to the existing office use. The Local Highways Authority has no objections to the proposed development. Appropriate provision of car and cycle parking is proposed, whilst a pedestrian link would encourage walking to the site for Elsworth residents. The additional daily traffic movements are considered to be minimal compared to the existing office use, and opening hours, deliveries and external lighting can be controlled via condition.
- 1.8 Therefore, on balance, it is considered that the social and economic benefits of the scheme would outweigh any potential impacts upon the community shop. Members are therefore recommended to approve the application subject to conditions.

## 2.0 Site Description and Context

Outside the Development Framework	X	Tree Preservation Order	X
Conservation Area	X	Flood Zone 1	X
Surface Water Flooding	X		

\*X indicates relevance

- 2.1 The application site comprises nine office units (formerly class B1(a), now class (E(g)(i)), which have recently become vacant. The other lawful uses of these units are research and development of products and processes; and some industrial process, formerly classes B1(b) and B1(c) and which fall within the new use class order (2020) of classes E(g)(ii) and E(g)(iii) respectively. These units therefore have planning consent for the entirety of use class E(g). The site is accessed off Brockley Road which connects with Cambourne to the south, Papworth Everard to the west along with villages including Boxworth, Connington, Knapwell and Hilton situated nearby.
- 2.2 The application site is located within the Elsworth Conservation Area and situated approximately 70 metres from the Elsworth Development Framework boundary to the north; Elsworth is designated as a Group Village within the South Cambridgeshire Local Plan. The access road is bounded by statutory protected trees (TPOs) on both sides and the site is subject to low (1 in 1000 risk), medium (1 in 100 risk) and high (1 in 30 risk) surface water flooding.
- 2.3 Commercial offices are located to the north of the application site, of which planning consent was granted for extension to units 17-18 under application 22/03801/FUL. Elsewhere to the north and east are residential dwellings and to the west and south is open agricultural land. Several ponds are located nearby to the application site in addition to areas of woodland and grassland.

## 3.0 The Proposal

- 3.1 The applicant proposes the creation of a mixed-use food hub with additional parking. The site will offer predominantly local food products from local businesses. The site is surrounded by existing agricultural land which is under the ownership of the applicant and some of this land will be used to produce goods for the food hub.
- 3.2 Units 2&3 would comprise a café which will use produce from the on-site bakery, butchers and coffee roaster, whilst also sourcing eggs and

vegetables from the locality. The café will also offer educational opportunities to the local primary school and residents.

- 3.3 Initially, Unit 4 was to comprise a microbrewery which would use local apples and malt, and also offer brewing courses, however, this unit is now intended to form part of the café and cookery school (Units 2-3). Unit 6, a deli and fishmonger would sell local produce including preserves from the local surroundings. Unit 7, a bakery which specialises in sourdough would use locally supplied flour, wheat and grain and would also run educational courses.
- 3.4 Unit 8 would comprise a butchers, a new franchise from a Cambridge City based butchers. The butchers would use local meat wherever possible, and the aim is to rear livestock on the site in the long term.
- 3.5 Unit 9 would produce pasta and biscotti using locally sourced ingredients. Unit 10 would produce hand-crafted cakes and offer cake-making classes, using local ingredients.
- 3.6 The applicant is currently looking for another occupier for Unit 11.
- 3.7 The overall aim of the proposal would be to create a community-centred food hub, using local businesses and produce, with the objective of educating the local community and providing sustainably sourced food from the local area and on-site
- 3.8 The application has been amended since its original submission with the additional access connecting to Rogues Lane to the north removed from the proposal and the area of car parking reduced in size.
- 3.9 The application has been amended to address representations and further consultations have been carried out as appropriate.

#### 4.0 Relevant Site History

Reference	Description	Outcome
22/03801/FUL	Erection of office extension to Units 17-18 Avenue Business Park and associated external works	Permitted
20/1900/TTCA	I am writing to give 7 days notice of our intention to remove an Ash tree in a dangerous condition at Avenue Business Park, Brockley Road, Elsworth, CB23 4EY which is sited within the Elsworth Conservation Area.	No objection



S/2237/19/TC	T1 - Ash (Common) - Fell and treat stump T2 - Lime - Fell and treat stump T4 - Maple (Field) - Fell and treat stump T5 - Ash (Common) – Fell and treat stump T6 - Ash (Common) - Fell and treat stump	No objection
S/2408/17/FL	Proposed new building to provide for three small business units with car and cycle parking and associated works	Permitted
S/0176/02/F	Variation of Condition 3 of Planning Permission S/0868/99/F to Allow Class B1 (B) Use (Research and Development)	Permitted
S/2292/01/F	Variation of Condition 2 of Planning Permission S/0868/99/F to Allow Class B1 (B) Use (Research and Development)	Permitted
S/0868/99/F	Extension and Conversion of Farm Building and Erection of New Buildings for Offices Together with Associated Parking	Permitted
S/2032/99/F	Car Park (Renewal of Period Consent S/0828/97/F)	Permitted
S/0910/99/F	Change of Use of Agricultural Buildings to Offices	Refused
S/1313/98/F	Change of use of agricultural buildings to offices	Refused
S/0828/97/F	Two car park	Permitted
S/1040/94/F	Conversion and addition to farm buildings to form rural business centre	Permitted

- 4.1 Planning consent S/1040/94/F for the conversion and addition of farm buildings to form a rural business centre was granted subject to conditions, one of which precluded their use other than those included within class B1

(now Class E(g). This condition was attached to protect amenities of adjoining residents and to safeguard the character of the area.

- 4.2 Irrespective of this previous planning consent restricting the use of the units, the applicant seeks planning consent for use of the site for a mixture of retail (Class E(a)), industrial process (Class E(g(iii))) and non-institutional education (Class F1(a)) and sui generis use.
- 4.3 Third party comments concerning the two units that are occupied are noted. The cakery (Unit 10) runs teaching classes and sells cakes online, whilst the bakery (Unit 7) sells baked goods online for collection. These units require the applied for planning consent to ensure that these operate lawfully.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

### **5.2 South Cambridgeshire Local Plan 2018**

S/1 – Vision

S/2 – Objectives of the Local Plan

S/3 – Presumption in Favour of Sustainable Development

S/5 – Provision of New Jobs and Homes  
 S/7 – Development Frameworks  
 S/10 – Group Villages  
 CC/6 – Construction Methods  
 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/14 – Heritage Assets  
 E/17 – Conversion or Replacement of Rural Buildings for Employment  
 E/18 – Farm Diversification  
 E/21 – Retail Hierarchy  
 E/22 – Applications for New Retail Development  
 E/23 – Retailing in the Countryside  
 SC/3 – Protection of Village Services and Facilities  
 SC/4 – Meeting Community Needs  
 SC/6 – Indoor Community Facilities  
 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/9 – Education facilities

### **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
 Sustainable Design and Construction SPD – Adopted January 2020  
 Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009  
 District Design Guide SPD – Adopted March 2010  
 Trees and Development Sites SPD – Adopted January 2009

### **6.0 Consultations**

- 6.1 **Parish Council – No recommendation. Request Planning Committee.**

- Access: No reason is given for the removal of access onto Rogues Lane. This was created in order to reduce the amount of traffic from the west/north-west.
- Traffic and pedestrian safety: Implications for pedestrian access to the business park from Smith Street. Volume of traffic would increase and use of car parking for children attending the school. Footpath along Smith Street is 50m away.
- Car parking: No reason for the reduction in car parking.
- Retail impact assessment: Catchment area within the retail impact assessment seems artificially constrained.
- No evidence of enhancing the offering of the community shop
- Employment: Number of employment opportunities arising from the change of use is likely to be less than people previously employed in the office units 6-11.
- No response from the Council's Drainage Engineer as yet.
- In the event that planning consent be granted, requests conditions and S106 agreements in particular pedestrian access and safety for crossing of Smith Street and Highways should be asked to identify how access here can be improved.

6.2 Previous comments (26<sup>th</sup> January 2023): Response from LHA is unsatisfactory and is concerning.

6.3 Previous comments (29<sup>th</sup> December 2022): Object and request referral to Planning Committee.

- Validation requirements: Question validity of application without floor plans/elevations.
- Flood risk: No flood risk assessment submitted. Not clear where the catchment pond flows when full. Flooding down Brockley Road towards Smith Street could be exacerbated.
- Access and traffic: Transport statement does not mention second access and is contrary to TI/2. Lack of footways is of a concern. Must attract a significant number of visitors from outside the village to remain viable and would rely on private car travel (E/17(5)). Consequential environmental impact. Potential car parking on nearby streets.
- Neither a business plan nor a retail impact assessment. Food park will pose an existential threat to the Community Shop (E/23). If it were to fail, the village would be left without any shop facility at all.
- Light and noise pollution in evenings and weekends.
- Employment: Not clear how many employment opportunities would be created. Prior to the termination of leases, the business park used to provide many more jobs than it currently does and therefore could be a net reduction of jobs on site (S/2).
- If approval is granted, to lessen any adverse impacts on the village, consideration should be given to mitigating these by planning

conditions and possibly S106 agreements. EHO comments are relevant.

**6.4 County Highways Development Management – No Objection**

6.5 Comments following amended plans: No objection subject to provision of a footway and informative. Welcomes removal of 2<sup>nd</sup> access point.

6.6 Previous comments: Vast majority of all modes will be within peak hours. Outside of these times, the traffic flows will be lower and therefore the impact will be lower. Transport statement infers that the impact will not be severe in highway safety terms.

6.7 No objection. No significant adverse effect upon the public highway should result from this proposal. Submitted transport statement states that it is anticipated to attract 7 fewer vehicular trips in AM peak hour and 6 fewer vehicular trips in PM peak hours compared to the existing office land use.

6.8 Would seek a footway link from the existing footway on the opposite side of the road to connect the site to the development and enable pedestrians to access the site. Uncontrolled pedestrian crossing and a 2m footway link to be installed.

**6.9 Definitive Maps Officer – No objection.**

6.10 No objection to amended plans.

6.11 Previous comments: Objection. Additional vehicles would have a detrimental effect on the public right of way in terms of the public's enjoyment of the public right of way and would restrict and limit its use. Would not comply with Policy TI/2.

**6.12 Sustainable Drainage Officer – No Objection**

6.13 Flood risk assessment is still confusing and contradictory. However, no comments due to no external alterations to the buildings, the car park being grass and change of levels.

6.14 Previous comments: Clarification sought. Follow FRA guidance.

6.15 Previous comments: Surface water flood risk issues require more detailed analysis. A Flood risk assessment (FRA) is required.

**6.16 Conservation Officer – No Objection**

6.17 No harm to any heritage assets.

**6.18 Ecology Officer – Object / No Objection**

6.19 Preliminary Ecological Appraisal submitted. No further surveys required. Satisfied that biodiversity net gain can be conditioned. Recommend conditions including compliance with appraisal, ecological enhancement measures and biodiversity net gain.

6.20 Previous comments: Insufficient ecological information to determine the application.

### **6.21 Tree Officer – No Objection**

6.22 No further comments.

### **6.23 Environmental Health – No Objection**

6.24 Recommend construction hours and Construction Environmental Management Plan (CEMP) conditions. Informatives.

## **7.0 Third Party Representations**

7.1 Representations from 31 addresses have been received (24 in objection, 7 in support).

7.2 Those in objection have raised the following issues:

On amended plans received 19<sup>th</sup> May 2023:

### Principle

- No justification for location in the countryside or conservation area.
- Grossly overstates the economic and social benefits of the development whilst suppressing serious and lasting adverse impacts on the environment, character and amenities of the village.
- Not sustainable due to further pressure on other areas for employment use.
- Not good use of land given that we need office space for small businesses.
- Unjustified loss of employment land.
- Need for retail offer contemplated is unconvincing.
- Whilst adjacent to farmland, the farm cultivates cereal crops and shifting production will take years. No written commitment from the local farmer to support the change of use or a business plan showing how the farm will remain viable.
- Economic situation is changing spending habits.
- How is development sustainable and net zero?
- Validity of commercial enterprise?

### Retail impact

- Retail Impact Assessment is short on detail. and old data used. No footfall analysis nor household shopping survey
- No evidence of employment opportunities.

- Serious damage to village amenity.
- Existing community shop caters for most of our needs.
- Other small independent outlets sited locally e.g. Bourn and Hilton.
- No discussion held with Village Shop committee
- No consideration of impacts on village shop – a not for profit operation

Traffic and pedestrian safety:

- All traffic coming from the Hilton and Boxworth directions would have to pass through the village to gain access.
- Visibility is dangerous for pedestrians crossing Smith Street. No footpath extending to site and therefore dangerous for school children.
- Smith Street is a rambling route, and popular with cyclists also
- Brockley Road is not suitable for increased traffic and heavy delivery vehicles.
- Local residents likely to drive due to distance and lack of pedestrian access.
- Vehicles frequently mount kerb
- Less safe for school children and pedestrians - school already attracts 50-60 cars parked along Broad End / Smith Street
- Impact on road network and safety of other road users
- 30,000 additional car movements per year and impacts on centre of village, and residents
- Village roads are narrow, limited visibility, drains collapsing, surface is degrading and no central car park

Flood risk/drainage

- Inadequate existing drainage.
- Real risk of flooding problems and FRA does not address practical problems of the site, no details on surface water run off.
- Very obvious errors within the FRA. Appendices missing.

Pollution/amenity

- Traffic fumes from increased vehicle movements.
- Attract a lot of visitors to the village via car causing noise and pollution.

Other Matters

- Late information concerning opening hours, vehicle trips generated and special events. Interested parties and residents not given the opportunity to comment as no formal reconsultation carried out.
- A retail park open 7 days a week raises serious questions about the level of disruption to residents and road safety.
- Lack of event information and where will the visitors vehicles park.
- Will Highways be asked to properly consider the implications on road safety?
- Planning policy disregarded.

- Attract a lot of visitors to the village via car causing noise and pollution.
- Cumulative impact of additional road users generated from this development and the Black Cat / Caxton Gibbert A428 Development
- Development has already started.

On original submission:

#### Principle

- Would not increase employment compared to office use (S/2).
- No discussion as to carbon footprint of these business nor any mitigation of their environmental impacts. Planting of trees would not mitigate this. Sustainability claims should be scrutinised.
- Not demonstrated that there is further retail need in the village (S/7)
- No business case submitted (E/13).
- Suggestions for local employment are unfounded.
- No conclusions can be reached in terms of whether the majority of goods will be produced on the farm (E/23).
- 'Greenwashing'.
- The development is not sustainable

#### Retail impact

- No retail impact assessment (E/22). Risk of loss to the village shop. If business park fails then unlikely to see the community shop reinstated. Supplying shop from food park is unrealistic.
- No factual information on the village shop to make an assessment.
- Community shop is a community asset.
- Food prices would be reliant on the independent businesses themselves.
- Not for profit community shop so the smallest negative impact would likely send the shop in very quick decline, resulting in nowhere to shop for essentials.

#### Traffic and pedestrian safety

- Proposed change of use and construction of a new road would be a danger to road users and in breach of a prior planning condition.
- No independent review of applicant's transport statement.
- Alternative locations adjacent to sustainable forms of transport not investigated.
- Implications for children's safety when crossing Smith Street.
- Rogues Lane is a blind bend and dangerous.
- Proposed surfacing of footpath No.73/3 would ruin quiet walking route and development would impact safety of walkers due to increase volume of traffic.
- Additional 272 car movements through Elsworth each day.
- Noise and pollution from traffic spiling quiet enjoyment of walkers.



- Proposed development would impact on safety of walkers by increased volumes of traffic through the village, access to the site via Smith Street with no walk way and on a blind bend.
- Highways have rubber stamped developers highways safety assessment and not carried out their own.
- New access to Smith Street/ Rogues Lane would be a danger to road users, school children and pedestrians.
- Brockley Road is narrow and unsuitable for additional traffic, with a very narrow footpath on only one side.

#### Visual impact

- Overspill of parking would do irredeemable visual harm.
- Development would be at the expense of the historic environment.
- Proposed poly tunnel behind the business park ruins view in the conservation area
- Removal of large section of hedgerow to the east front of the business park.

#### Flood risk/drainage

- Increased risk of flooding due to impermeable surfaces.
- Flooding causing a nuisance to neighbouring properties. Drainage within the site is inadequate.
- Concerns over capacity of the ditch and culvert, along with holding pond.

#### Pollution/amenity

- Vehicle traffic would result in serious damage to village amenity.
- Opening hours are not clear and would have many visitors arriving and leaving during all hours of the day.
- Significant adverse impact from new visitors upon the village and its residents.
- External lighting is already very bright and intrusive to neighbouring properties.
- Noise and disturbance from the café.
- Would negate any positive ecological impact through car travel.
- Elevated pollution from traffic fumes affecting entire village.

#### Biodiversity impact

- No consideration of external lighting required and impacts upon wildlife.
- Barn owls nest nearby – would be disturbed by the development.
- Removal of hedgerow is not sustainable.

#### Other Matters

- Restriction on equestrian access onto land which is a lawful right of access.
- Structural damage to listed properties.
- Concerns over existing rights of access to Rogues Lane

- The proposal would be in breach of existing planning conditions which sought to protect amenity of adjoining residents.

7.3 Those in support have given the following reasons:

On amended plans:

- Flow of traffic would likely be from the Cambourne direction.
- Village is in desperate need of more life and facilities.
- Will help to bring the rural life back to the village.

On the original submission:

- Will enhance what the village has lost over the passage of time. Over the last 40 years, Elsworth has lost two shops (including a butcher), its post office, an abattoir, a farm and several public houses. Lost its rural character and its connections with food production. Would bring a bit of life back to the village.
- Local produce, locally grown, craft and skill need an outlet that in keeping with its industry but also in keeping with the location.
- Believe that it can work with local businesses including the village shop.
- Fresh and freshly made goods might compete with supermarkets.
- Elsworth residents currently have to go further afield to obtain fresh produce. Important to have amenities nearby.
- Community shop is not well served for the type of produce available at the food hub.
- Traffic comments appear to have been inflated. Floor space does not compare to other sites.
- Will provide local employment, a social centre and a local shop for local produce. Will offer high quality local produce and provide a great education to our local school children.
- Would have a symbiotic relationship with the village shop.
- Will support the local community without having to drive.
- Similar ventures in other villages have thrived – and have not caused negative impact on road networks, homes, flora or fauna.
- Will provide a community hub where villagers can sit, with a cuppa tea and good quality foods to purchase and chat.
- The park is highly accessible without causing negative impact on village, its properties and wildlife there in.
- It will reduce car journeys to other shops as it can be reached by foot, more likely to use the community shop plus the food park and less likely to drive to supermarkets.

## 8.0 Member Representations

8.1 Cllr Howell (Local Ward Member) has requested determination by full Planning Committee if Officers are minded to grant permission.

- 8.2 Cllr McDonald (Lead Member for Economic Development and Infrastructure) supports the application.
- 8.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **9.0 Assessment**

### **Principle of Development**

- 9.1 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.
- 9.2 Policy E/14 (1) states that the change of use of existing employment sites to non-employment uses within or on the edge of development frameworks will be resisted unless certain criteria are met.
- 9.3 In this instance, the existing site is neither within nor on the edge/adjacent to the Elsworth development framework and therefore this part of Policy E/14 is not relevant in this instance.
- 9.4 Policy E/14 (2) states that redevelopment proposals which propose the loss of all employment uses will need to be accompanied by clear viability or other evidence as to why it is not possible to deliver an element of employment development as part of the scheme.
- 9.5 Third party comments are noted and whilst the proposal would result in a loss of existing office accommodation, the proposed retail use would retain an element of employment. The applicant has confirmed that before the current units became vacant, most units had a maximum of two people per unit i.e. approximately 18 employees. Given that an element of employment (at least 20 jobs created) would remain, there is no objection in policy terms for the change from office to retail use and therefore is compliant with Policy E/14 of the Local Plan 2018.

### *Re-use of the existing buildings*

- 9.6 The proposed development is for a change of use office buildings for a mixed use comprising retail and educational use (sui generis).
- 9.7 Policy E/17 states that the use or adaptation of buildings in the countryside for employment use will be permitted provided the following apply:
- (1) a. The buildings are structurally sound, not makeshift in nature and are of permanent, substantial construction;
  - b. The buildings are capable of re-use without materially changing

their existing character or impact upon the surrounding countryside;  
c. The form, bulk and general design of the buildings are in keeping with their surroundings.

- 9.8 Supporting text paragraph 8.61 states that the NPPF requires that Local Plans support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
- 9.9 Third party comments regarding the location of development are noted. In this instance, the existing buildings are of permanent construction, until recently being used as office accommodation. The floor plans and elevations of each unit would remain unaltered. Given the nature of the development, it is considered that the proposed development would meet the requirements of criterion (1) a-c of Policy E/17 of the Local Plan 2018.
- 9.10 Policy E/17 continues by stating that (4) incidental uses such as car parking and storage should be accommodated within the group of buildings, or on well related land where landscaping can reduce the visual impact of the new site. Car parking will be discussed in section 'Cycle and car parking provision' of this report.
- 9.11 Finally, E/17 states that (5) employment generated must be in scale with the rural location. Developments resulting in significant numbers of employees or visitors must only be located near to larger settlements or accessible by public transport, cycling, or walking. Proposals which would have a significant adverse impact in terms of the amount or nature of traffic generated will be refused.
- 9.12 The agent has confirmed that potentially 20 new jobs would be created as a result of the proposed development, compared to approximately 18 employees when the offices were occupied prior to them becoming vacant. Third party comments concerning numbers employed previously on site are acknowledged. It is envisaged that the number of people employed within the retail units would be significantly less than those currently employed in the business park. However, it is considered that the proposed employment generated is in the scale within the rural location.
- 9.13 The submitted transport statement calculates that there would be fewer total trips generated at peak times of the day (8am-9am and 5pm-6pm). Although given the nature of retail use it is expected that there would be a general increase in the number of people travelling to/from the site over the course of the day which would total approximately 53 arrivals per day, there would be an increase in only 16 per day over the current office use of the site Monday to Friday. It is acknowledged that traffic movements would increase at weekends, however, there are no conditions on the previous planning consent (S/1040/94/F) to restrict the hours of use and therefore potentially the lawful uses of the units (office use, research and development or industrial processes) could be in operation during weekends and during unsociable hours during the week. On this basis, it is

considered that the nature of development is small scale, would be in-keeping with the size of Elsworth and would not detract from the amenity or character of the local area.

- 9.14 It is acknowledged that the proposed development is located outside the development framework and in close proximity to the group village of Elsworth which contains few services and facilities, including a community shop and primary school. In addition, the site is currently poorly connected to Elsworth village centre which includes a lane connecting Smith Street to the north and the access road connecting Brockley Road to the south. Both these routes have no pedestrian footpath until the other side of Smith Street and until after 50 metres along Brockley Road. The Local Highway Authority comments are acknowledged and if this application is granted planning consent, it is recommended that a 2 metre footpath and an uncontrolled pedestrian crossing to connect with the existing footway. Subject to this Grampian condition, to encourage walking to the site, it is considered that the proposal would meet the criterion within Policy E/17 of the Local Plan 2018.
- 9.15 An assessment in terms of the nature and amount of traffic generated will be discussed in a later section of this report, however on the basis of minimal increase in traffic movements over the course of the day compared to the existing office use, it is considered that the proposal would not have a significant adverse impact on the area in terms of the amount and nature of traffic generated as a result of this proposal in accordance with Policy E/17 of the Local Plan 2018.

*Retail development in the countryside*

- 9.16 Policy E/22 states that for (2) proposals involving additional retail floorspace in excess of 250m<sup>2</sup> (gross) outside of rural centre village centres should be accompanied by a retail impact assessment. (4) Where impact assessments indicate significant adverse impacts on an existing town or village centre, development will be refused.
- 9.17 Supporting text paragraph 8.71 states that the Council will, wherever possible, support provision of new shops and facilities of an appropriate scale to the village. Wherever possible retail uses will be encouraged to locate in close proximity to each other in order to allow for easier access and provide for greater convenience, thereby strengthening existing provision.
- 9.18 Policy E/23 states that planning permission for the sale of goods in the countryside will not be granted except for:
- a. Sales from farms and nurseries of produce and/or craft goods, where the majority of goods are produced on the farm or in the locality; or
  - b. Exceptionally, the sale of convenience goods, ancillary to other uses, where proposals, either individually or cumulatively, do not

have a significant adverse impact on the viability of surrounding village shops, or the vitality of Rural Centres or other village centres.

Where permission is granted, conditions may be imposed on the types of goods that may be sold.

- 9.19 Supporting text paragraph 8.75 states that sporadic development for retail uses in the countryside could result in unsustainable patterns of development, and could harm the vitality and viability of village centres.
- 9.20 Paragraph 84 of the National Planning Policy Framework (NPPF) 2021 states that planning policies and decisions should enable (amongst others): the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings; and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 9.21 Paragraph 85 of the NPPF 2021 states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 9.22 The proposed development would comprise a change of use of 438 sq metres floor space and is therefore accompanied by a retail impact assessment.
- 9.23 As set out within the Retail Impact Assessment, the proposed development would provide services to the community of Elsworth including a butchers, bakery and deli. The site is within the catchment of several other villages including Hilton, Connington, Boxworth, Knapwell, Caxton, Bourn, Dry Drayton, Eltisley, Hardwick, Caldecote, Papworth Everard and Cambourne.
- 9.24 The applicant's retail impact assessment is noted. Whilst Officers consider that Papworth Everard and Cambourne have good retail provision, it is noted that the provision of a café and artisan retail units is likely to attract customers from within these areas in addition to villages surrounding Elsworth.

- 9.25 The proposal would comprise shops selling artisan goods such as coffee, beer, bread and cakes. No convenience goods would be sold. Third party comments regarding the impact on the existing village shop are noted. Further information has been provided as part of the application within the 'Elsworth' document and it is understood that shops will source goods as much as possible from the locality initially with the prospect of sourcing goods from the applicant's farm holding and other land to rear livestock and grow vegetables in the future. A condition is also recommended to ensure that the type of goods sold are compatible with the rural location and in accordance with Policy E/23 of the South Cambridgeshire Local Plan 2018.
- 9.26 In addition to the retail business, the retail units would provide educational classes on food production. A café would also be provided which aims to be an additional meeting place for the village. Third party comments concerning Policy E/18 (Farm Diversification) are acknowledged, however, given the existing use of the site is as office use and other farmland is a separate planning unit, this policy is not engaged. Nevertheless, it is intended that the proposed businesses would, over time, develop a link with the applicant's agricultural holding by using goods sourced from this holding to sell in the retail units. Although the scale of development would comprise a floor space of approximately 438 sq metres, this would be split between 7 retail units all offering different goods which would enable customers to obtain via linked trips. It is therefore considered that the scale of development is acceptable in this location.
- 9.27 Whilst third party comments regarding the need for retail in this location are noted, on the evidence submitted as part of the application, it is considered that the proposed development would meet the requirements of criterion (a) of Policy E/23. As noted above conditions are recommended to be attached to ensure that the type of food goods for sale are agreed and another that ensures the units remain small and do not become amalgamated into larger units to ensure that the scale of development is appropriate to the size of the village. It is anticipated that in time and with the potential diversification of the surrounding land within the applicants' control, food goods could be sourced from adjacent farmland.
- 9.28 The submitted retail impact assessment concludes by following a sequential approach that there are no other locations suitable for the proposed development. Given that the units would serve the community of Elsworth, the area of search was confined to this village itself. Given the nature of the use and its long-term ambition to source food from farmland in close proximity to the application site, this was another requirement of this site search. Other criteria used included the presence of existing buildings that could be converted, car parking, ground floor access and availability. Given that the proposal would utilise existing buildings and make sustainable use of surrounding land for food production in the longer term, taking the development plan policies into account, it is agreed that there are no alternative available sites in the Elsworth area that would be more appropriate for the proposed development.

- 9.29 The proposed development would be located close to the development framework of Elsworth. Whilst serving the residents within this village by catering for localised shopping needs, it is recognised that the proposed development would attract trips from the wider catchment area including from surrounding villages. Whilst this is the case and the location of the site would attract visitors from elsewhere via car, the proposed development would support linked trips for a range of locally sourced goods.
- 9.30 The submitted retail impact assessment includes a retail impact test. This test details that the current retail facility within the village, a community shop, stocks convenience goods such as newspapers, milk, beer, wine, cakes, frozen meat and ready meals, as well as tinned produce and is used by locals as an emergency restock.
- 9.31 The applicant has advised that they will provide the community shop with fresh produce to improve its viability and states that the proposed development would have no adverse impact on this community shop. However, this is outside of the realms of planning considerations and whilst if this is agreed as the case, it would be unreasonable and unenforceable to require this is secured via condition.
- 9.32 In addition, comments from the Elsworth Community Shop Committee have been received which questions how in reality this could be undertaken given that the occupiers of the units would be responsible for pricing and not the applicant themselves.
- 9.33 The type of goods sold as stated within submitted retail impact assessment are noted. It is recognised that the community shop sells predominantly essentials as opposed to the artisan food goods proposed at the food park, however, it is noted from the Officer site visit that there is a small degree of overlap in goods sold including local cakes, bread and meat which could be impacted.
- 9.34 The community shop is a designated community asset which under Policy SC/3 of the Local Plan 2018 is afforded protection. The shop is operated as a 'not for profit' facility which ensures that goods are sold at the lowest possible prices and therefore is more sensitive to any impacts. This means that any negative impact on the profitability of the community shop could make this facility potentially unviable.
- 9.35 Third party comments regarding the lack of detailed retail impact assessment are noted. Whilst there is a risk that the proposed development could affect the viability of the community shop in the future, on the evidence of the goods sold, these would be very different enterprises and it is considered that the community shop would continue to sell essential items for local residents and therefore the proposal would complement rather than detract from this facility.



- 9.36 Whilst the impact upon other independent shops in other villages have not been assessed, taking into account the distance of these facilities and small scale nature of the proposed development, it is not considered that it would detract from these alternative facilities.
- 9.37 Therefore, on this basis, it is considered that the proposed development would not have a significant adverse impact upon the existing village centre, in accordance with Policy E/22 of the Local Plan 2018.

### **Design, Layout, Scale and Landscaping**

- 9.38 The application falls within the Elsworth Conservation Area. The application site is a considerable distance from Listed Buildings to the north and east.
- 9.39 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 9.40 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets.
- 9.41 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.42 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 9.43 The proposal would not consist of any external alterations to the existing buildings and thus retain the character and appearance of these units. Given that this is the case, following a formal consultation with the Council's Conservation Officer, the proposal would not result in harm to character and appearance of the Conservation Area nor the setting and significance of Listed Buildings and is compliant with policies HQ/1 and NH/14 of the Local Plan 2018, and the provisions of the Planning (LBCA) Act 1990, and the NPPF 2021.
- 9.44 The application proposes new parking for 24 cars to the south of the units. Whilst this parking arrangement is situated on undeveloped land and third

party comments are noted relating to the visual harm from the additional car parking, its construction would comprise a grid system to minimise its countryside impact and work around existing tree constraints. In addition, hedging and additional trees would provide a good level of screening that will mitigate the visual impacts of the proposed scheme. Further details of planting/soft landscaping could be conditioned on any planning consent granted. Therefore, it is considered that the proposal is in accordance with policies HQ/1 (h), NH/14 and E/17 of the Local Plan 2018.

### **Trees**

- 9.45 Although several trees bound the access road within the site, no trees would be removed as a result of the proposed development, nor would there be any impact from the proposed parking area upon these existing trees. There is no objection from the Council's Trees Officer. Therefore, the proposal is in accordance with Policy NH/4 of the Local Plan 2018.

### **Biodiversity**

- 9.46 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.47 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that any residual risk of harm or disturbance to protected and priority species can be mitigated. Following a formal consultation with the Council's Ecology Officer, it is considered that no further surveys are required, and the proposed development is acceptable subject to compliance with the ecological measures recommended in the submitted report and a scheme of ecology enhancement prior to development above slab level. These conditions are recommended to be attached if planning consent is granted in accordance with Policy NH/4 of the Local Plan and the Biodiversity SPD 2022.
- 9.48 Whilst no biodiversity net gain plan has been submitted as part of the application, the report states that native hedgerows and two new ponds would be created on the site. On this basis, following a formal consultation with the Council's Ecology Officer, it is considered that biodiversity net gain within the site is achievable and further details can be conditioned on any planning consent granted in accordance with Policy NH/4 of the Local Plan and the Biodiversity SPD 2022.
- 9.49 Officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

- 9.50 In terms of potential lighting impacts on protected species, it is considered that details of external lighting could be conditioned on any planning consent granted in accordance with Policy NH//14 to ensure that protected species are not adversely impacted.

### **Water Management and Flood Risk**

- 9.51 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 9.52 The site is in Flood Zone 1 and is therefore considered at low risk of fluvial flooding. However, the site is located within an area of low to high surface water flood risk.
- 9.53 The applicants have submitted a Flood Risk Assessment (FRA) which states that there would be no increase in impermeable areas as a result of the proposed development. Whilst third party comments concerning existing drainage and flood issues on the site and concerns with errors and missing information within the submitted FRA are noted, further advice has been obtained from the Council's Drainage Officer and given that the proposal involves no external changes to the existing buildings and the car parking area would comprise a permeable grassed area, it is not considered that the proposed development would increase the risk of surface water drainage issues on the site nor elsewhere in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

### **Highway Safety and Transport Impacts**

- 9.54 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 9.55 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 9.56 Paragraph 111 of the NPPF 2021 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.57 During the course of the application, the proposed development has been amended to remove the access to Rogues Lane. There are no objections to the amendment from the Definitive Mapping Officer and third party comments concerning this have been addressed.

- 9.58 The application is supported by a Transport Statement which demonstrates that there would be less additional trips to the proposed development (-7 arrivals and -6 departures) compared to the existing use in the peak AM and PM hours of the day.
- 9.59 These vehicular trips from outside the village would predominately be via private car given the limited public bus service available. Third party comments concerning the environmental impact of the reliance on private car are noted, however, given the location of the food hub close to residential properties within village, it is considered that the food hub would be within walking distance to the majority of residential properties within Elsworth and therefore would provide good access to locals via sustainable forms of travel.
- 9.60 Whilst third party comments concerning the increase in traffic movements during the remainder of the day, weekends and evenings are noted, this is an amenity consideration which is discussed in a subsequent section of this report. Third party comments concerning heavy delivery vehicles and the direction of traffic from nearby villages are noted, however, given the small-scale nature of development, transport movements are not considered to be substantial and given the type of products and size of units, lighter vehicles could be used to be compatible with the local roads.
- 9.61 Pedestrian visibility along Smith Street particularly for school children attending the food hub are acknowledged, however, subject to improvements to pedestrian linkages with the food hub, it is considered that this could be mitigated via this alternative route. Notwithstanding this, any potential school trips would have to be subject to appropriate risk assessments which are outside of this planning assessment.
- 9.62 Third party comments are noted, however, in terms of traffic movements from a highway safety perspective, following a formal consultation with the Local Highway Authority, given that there would be less trip generation at peak times, there would be no adverse impacts upon the transport network.
- 9.63 Third party concerns have been raised with regards the cumulative impact of additional road users generated from this development and the Black Cat/Caxton Gibbet development. The proposed food hub comprises a minor development that in highway terms would not generate significant volumes of traffic. The Black Cat/A428 development has been subject to a development consent order by the Secretary of State for Transport which granted consent subject to traffic mitigation measures. Taking this into consideration, the proposed development is not considered to result in significantly adverse highway safety or traffic generation to warrant refusal of the scheme.
- 9.64 Third party comments concerning the lack of independent review of this transport statement data are acknowledged, however, the trip rates are

based on previous consents and surveys and therefore provides a good evidence basis in which the Local Highways Authority has no objection. Therefore, subject to improvements to pedestrian connectivity as recommended to promote walking from within the village itself which could be attached on any planning consent granted, the proposal is in accordance with the objectives of policy TI/2 of the Local Plan 2018 and is compliant with NPPF advice.

### **Cycle and Car Parking Provision**

- 9.65 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.

#### **Cycle Parking**

- 9.66 According to the Transport Statement, the proposal plans to accommodate a total of 14 cycle spaces (7 additional Sheffield hoops).
- 9.67 TI/3 requires 1 space per 25 sq metres floor space for retail (food) premises and 1 space per 10 sq metres floor space for cafes. It is noted that within this policy's indicative figures, no figure is suggested for community educational use and therefore it is agreed that 1 space per 25 sq metres is appropriate. Therefore, a total of 21 cycle spaces are required.
- 9.68 In this instance, no details have been provided for the location of these Sheffield stands, however, it is considered that there is sufficient space within the site adjacent to the existing buildings to accommodate cycle provision and details for 21 cycle spaces can be conditioned on any planning consent granted in accordance with Policy TI/3 of the Local Plan 2018. This is to encourage both employees and customers within or close to village to use more sustainable forms of travel.

#### **Car Parking**

- 9.69 TI/3 requires 1 car parking space per 14 sq (approximately 23 spaces) metres floor space for retail (food) premises and 1 space per 5 sq metres (approximately 14 spaces) floor space for cafes. It is noted that within this policy's indicative figures, no figure is suggested for community educational use and therefore it is agreed that 1 space per 10 sq metres (approximately 7 spaces) is appropriate. An indicative car parking figure of 44 spaces is therefore required.
- 9.70 Following amended plans showing a reduction in overall car parking, the application proposes to retain 20 car spaces (including 4 EV charging spaces and blue badge space) within existing hardstanding. The area of additional car parking within the grassed area would comprise an additional 24 spaces (including 2 blue badge spaces) to the south. The

total car parking provision within the food hub would therefore be 44 spaces and it is considered that this would be appropriate in this instance in accordance with Policy TI/3 of the Local Plan 2018.

- 9.71 With regards event days for the café, there is considered sufficient car parking within the site for such events.
- 9.72 The number of EV charging points for the proposed development is compatible with Policy TI/3 of the Local Plan which encourages innovative solutions including car charging points.
- 9.73 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan 2018..

### **Amenity**

- 9.74 Policy HQ/1 (n), sets out that proposals must 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.

### Neighbouring Properties

- 9.75 Given the nature of the proposed development, there is not considered to be any significant adverse impact upon neighbouring residential amenity on account of overbearing, overlooking or loss of light impacts.
- 9.76 Third party comments concerning noise, disturbance and pollution / fumes to nearby amenities and within the village itself are acknowledged. Whilst there is no formal objection from the Council's Environmental Health Officer regarding the development, it is noted that the proposal will undoubtedly lead to more vehicular traffic entering and leaving the village.
- 9.77 However, based on the data obtained within the transport statement, the addition of approximately 53 arrivals and 53 departures per day would be spread across the day and early evening and would have minimal impact upon the amenity of the village, particularly as there would only be a minimal increase in traffic movements compared to the existing use during the week, noting that there would be increased traffic movements during weekends. Moreover, due to the road access and parking being located a reasonable distance from the nearest residential dwelling, it is unlikely that the proposed vehicle movements would result in significantly adverse noise and disturbance upon this neighbour's amenity nor unacceptable air pollution. Subject to conditioning opening/delivery hours including for special events, external amplified music and external lighting via condition, it is considered that the proposed development would have minimal impact upon residential amenities and the immediate surroundings accordance with policies S/9 and HQ/1 of the Local Plan 2018.

## Construction and Environmental Health Impacts

- 9.78 The Council's Environmental Health Team have assessed the application and recommended that the application be approved subject to construction hours and construction management plan conditions in addition to informatives. Given that the only external works would be to the car parking area which will require minimal works, it is not considered necessary or reasonable that these conditions be attached to any planning consent granted in accordance with Policy CC/6 of the Local Plan 2018.
- 9.79 The recommended informative regarding noise and dust complaints in addition to food business informative could be attached to any consent granted.

### Summary

- 9.80 The proposal adequately respects the amenity of its neighbours. Subject to conditions, the proposal is compliant with Policy HQ/1 of the Local Plan 2018. The associated construction and environmental impacts would be acceptable in accordance with Policy CC/6 of the Local Plan 2018.

### Third Party Representations

- 9.81 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Damage to listed properties	Given the nature of development, it is unlikely that damage through traffic generation upon heritage assets would occur.
Covenants/existing rights of access	A planning permission would not override covenants and private rights of access. These are civil matters between different landowners and not a material planning consideration.
Information to interested parties and lack of consultation on amendments	Clarification was sought from the agent regarding daily traffic movements. Clarification of opening hours/special events can be agreed via condition and this has been discussed with the agent and in line with usually recommended opening hours of something of this nature. It is not considered that the additional information provided by the agent warrants a formal re-consultation to interested parties.
Compliance with planning policy	This report has assessed the application in detail against planning policy and provides a balanced assessment.

Proposed Polyunnel	No polyunnel is proposed to be erected within this application submission. Any structure of this nature will likely require planning consent in its own right.
Removal of large section of hedgerow	No hedgerow is proposed to be removed. There are no objections from the Council's Trees Officer.
Development has already started	The bakery and cakery are already in operation. Although the bakery operates a click and collect service at present and the cakery is used to host teaching classes and sells online, these are not permitted within the conditions imposed on previous consent S/1040/94/F. Refusal of this application may be subject to enforcement action.
New proposal would breach conditions placed on previous permissions	Each planning application is determined on its own merits. It has been recommended that subject to planning consent being granted, this be subject to several conditions restricting its use and opening hours.
Validity of commercial enterprise	The applicant envisages that the scheme will be successful and has several operators on board. Notwithstanding this, the success or otherwise of a commercial venture is not a material planning consideration.

### **Other Matters**

- 9.82 Waste collection will continue to utilise the existing access road as per the existing arrangement, and will be made via private commercial collection.
- 9.83 Third party comments in support of the application are noted. Local Member comments received are also acknowledged.

### **Planning Balance**

- 9.84 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 9.85 The proposed development would result in retail, educational and community use that would be situated within the countryside. The proposed development would offer locally sourced food and employment to small businesses which would boost the rural economy in accordance with the Paragraph 85 of the NPPF 2021.



- 9.86 The proposed change of use would allow the conversion and adaptation of a vacant building within the countryside in accordance with Policy E/17 of the Local Plan 2018.
- 9.87 Artisan type retail is supported in accordance with Policy E/23 and the submitted retail impact assessment states that the proposed development would not have a negative impact upon the nearby community asset of the community shop. Taking into account the difference in food types on offer, it is unlikely that the proposed development would have significantly harm the vitality and viability of the community shop and therefore of the local centre, in accordance with Policy E/22.
- 9.88 In terms of sustainable development as outlined within Paragraph 8 of the NPPF 2021, the proposed development would offer less employment opportunities than its existing use as office accommodation but would nevertheless help build a strong rural economy through some retail employment. Other lawful uses within this use class (E(g)) that could operate on site include research and development of products and services and industrial processes could potentially offer less employment opportunities depending on the tenants which would occupy these units. Therefore, it is considered that the proposal would have a beneficial economic impact through employment in addition to social impact through the creation of educational classes and a café social hub.
- 9.89 Whilst the proposal would inevitably attract customers from outside the village which would predominantly make use of private car the proposed development would build a strong, vibrant community by providing accessible facilities including shops, café and community education for the village's residents. In addition, the proposal would make effective use of redundant buildings, improve biodiversity within the site and source food locally, helping the Council move towards a low carbon economy.
- 9.90 On balance, whilst there are factors that weigh against the development including the potential long term impact on the community shop, it is considered that the economic and social benefits of proposed development would outweigh any of the identified harms.
- 9.91 Therefore, on balance, the proposal is in accordance with local and national policies and guidance.
- 9.92 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.
- 9.93 Recommendation**
- 9.94 **Approve** subject to:

The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

## 9.95 Planning 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 units, hereby approved, shall be limited to use classes falling within retail (Class E(a)), sale of food and drink (Class E(b)), industrial processes (Class E(g(iii))) and non-institutional education (Class F1(a)) and shall be used for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 4) The individual units, hereby approved, with the exception of units 2, 3 and 4 shall not be amalgamated into larger sized units than is indicated within these approved drawings reference PPS22-3858-ULP1 Rev E without expressed planning consent from the local planning authority.

Reason: To ensure that the use remains small scale in keeping with its rural location in accordance with policies E/17 and E/23 of the South Cambridgeshire Local Plan 2018.

- 5) Unless otherwise agreed in writing with the Local Planning Authority, the type of goods sold by the retail units hereby permitted shall be limited to those outlined within the Elsworth food supply

statement submitted (received 20<sup>th</sup> March 2023). No convenience goods shall be sold within the units hereby permitted.

Reason: To ensure that the type of goods sold are compatible with the rural location in accordance with Policy E/23 of the South Cambridgeshire Local Plan 2018.

- 6) Within 6 months of the date of this decision notice, details of a 2-metre wide pedestrian footway link from the application site's entrance to the existing footway fronting No.29 Brockley Road in addition to a pedestrian dropped kerb to facilitate pedestrians crossing Brockley Road shall be submitted to and agreed in writing with the Local Planning Authority. The footway and dropped kerb shall be installed in accordance with the approved plans and within a suitable timeframe agreed in writing with the Local Planning Authority.

Reason: To promote sustainable transport methods and ensure satisfactory access to the site in accordance with policies E/17 and TI/2 of the South Cambridgeshire Local Plan 2018.

- 7) All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Skilled Ecology, March 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

- 8) Within 3 months of the date of this decision notice, a Biodiversity Net Gain (BNG) Plan shall be submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:
- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
  - ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the latest appropriate DEFRA metric;
  - iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
  - iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the latest appropriate DEFRA metric;

v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with the latest DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 9) Within 3 months of the date of this decision notice, a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing

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

- 10) No new external lighting shall be provided or installed other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried as approved and shall be retained as such.

Reason: To minimise the effects of light pollution on the surrounding area and to protect biodiversity interests in accordance with Policies SC/9 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 11) Within 3 months of the date of this decision notice, details of facilities for the secure parking of 21 cycles for use in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type and layout. The facilities shall be provided within 6 months of the development hereby approved and in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

- 12) The electric vehicle charge points and associated infrastructure as detailed in and as shown on drawing PPS22-3858-ULP1 Rev E shall be fully installed and operational within 3 months of this decision notice unless otherwise agreed in writing with the local planning authority and shall be retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, policy TI/3 of the South Cambridgeshire Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021.

- 13) The opening hours of the units hereby permitted shall take place only between the hours of 09:00-18:00 each day Monday to Saturday and 10:00-16:00 on Sundays, Bank Holidays and Public Holidays. The café use only (Unit 2/3/4) shall operate between the hours of 08:00-18:00 each day Monday to Saturday and 10:00-16:00 on Sundays, Bank Holidays and Public Holidays with the exception of special events (up to 12 per calendar year) where said event shall only take place between the hours of 08:00-22:00 on any day.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 14) Deliveries to the site shall take place only between the hours of 07:00-19:00 Monday to Saturday and 07:00-17:00 on Sundays, Bank Holidays and Public Holidays.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 15) There shall be no external playing of any amplified music, voice or sound outside the units, hereby approved, without expressed planning consent from the local planning authority.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 16) Within 3 months of the date of this decision notice, details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include: 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.

All soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out in accordance with a programme agreed in writing with the Local Planning Authority.

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.

### **Informatives**

- 1) In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- 2) 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 satisfactory and any defects remedied to ensure that the noise levels do not increase over time.

- 3) The applicant should contact the Commercial and Licensing Team, South Cambridgeshire District Council, for advice concerning the proposed premises design/layout, Food and Occupational Safety/Welfare Regulations/requirements and Food Premises Registration, Commercial.Envhealth@scambs.gov.uk prior to development coming into operation.
  - 4) 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. For further information please contact the Environment Planning Team.
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#### 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 Local Development Framework SPDs

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# Agenda Item 8



<b>Planning Committee Date</b>	14 <sup>th</sup> June 2023
<b>Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/04834/REM
<b>Site</b>	95 Bannold Road Waterbeach Cambridgeshire CB25 9LQ
<b>Ward / Parish</b>	Waterbeach
<b>Proposal</b>	Application for the approval of all reserved matters (appearance, landscaping, layout and scale) for 5 no. dwellings pursuant to outline planning permission ref: 20/03370/OUT (Outline planning permission with some matters reserved except for access for the demolition of the existing house and the erection of five dwellings).
<b>Applicant</b>	Artisan UK Developments Limited
<b>Presenting Officer</b>	Alice Young
<b>Reason Reported to Committee</b>	Called-in by Cllr Rippeth
<b>Member Site Visit Date</b>	12 <sup>th</sup> June 2023
<b>Key Issues</b>	1. Character 2. Amenity
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The reserved matters application seeks approval of all reserved matters (appearance, landscaping, layout and scale) for 5 no. dwellings pursuant to outline planning permission ref: 20/03370/OUT (Outline planning permission with some matters reserved except for access for the demolition of the existing house and the erection of five dwellings).
- 1.2 Given the nature of the application, being a reserved matters application, there are fewer planning considerations - because only those which fall under the definition of layout, landscaping, scale and appearance as defined by the Development Management Procedure can be assessed. Access arrangements have already been considered and approved at Outline application stage.
- 1.3 The proposed building line is set back from Bannold Road, maintaining a spacious and verdant frontage, a key characteristic of the area. By virtue of the similar scale, massing, design and materials, the proposal responds to domestically scaled, simply designed, well landscaped context; whilst being of an appropriate density and utilising the existing landscape features to soften the appearance of the built form and maintain the sites suburban and verdant character. For these reasons, the proposal would respond to the suburban context, create a high-quality development with an attractive appearance.
- 1.4 The proposed dwellings exceed the internal and garden space standards for new dwellings as set out in H/12 and the District Design Guide. Given the proposed separation distances alongside the modest scale and design officers do not consider that the proposed dwellings would result in a materially harmful impact on the amenity of neighbouring residents.
- 1.5 The development would respond to the suburban context, create a high-quality development with an attractive appearance and a good standard of amenity for future occupiers while preserving the amenity of surrounding properties. Therefore, officers recommend that the Planning Committee approve the development subject to the recommended conditions.

## 2.0 Site Description and Context

None relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	1
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	

Local Neighbourhood and District Centre		Article 4 Direction	
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\*X indicates relevance

- 2.1 The application site is located just outside of the development framework boundary of Waterbeach, with the framework boundary abutting the southern boundary of the application site. The site lies predominately within Flood Zone 1 (low risk) while a small northern section of the site is identified as an area of surface water flooding of 1 in 1,000. Over 350 metres from the site is the edge of Waterbeach Conservation Area and no listed buildings are located within the vicinity.
- 2.2 The site is surrounded by existing residential development. To the south of the site, within the development framework boundary, are properties along Bannold Road. To the north, east and west of the site, areas outside of the development framework boundary, are residential properties on Star Drive (north), Barnfield Close (east) and Bannold Road and Mason Road (west).

### 3.0 The Proposal

- 3.1 The reserved matters application seeks approval of all of the reserved matters (appearance, landscaping, layout and scale) for 5 no. dwellings pursuant to outline planning permission ref: 20/03370/OUT (Outline planning permission with some matters reserved except for access for the demolition of the existing house and the erection of five dwellings).
- 3.2 Access arrangements have already been approved under the outline application 20/03370/OUT; the proposed dwellings would be accessed via Bannold Road, with the front three dwellings sited over 19.5m from Bannold Road behind a landscaped frontage and the last two dwellings located to the north of the site. All dwellings would have two parking spaces and there would be two visitor spaces situated to the west of plot 2 adjacent to the communal bin collection point.
- 3.3 The site plan has been amended since the application was submitted to match the outline consent and further consultations have been carried out as appropriate. No other changes to the overall design and layout have been made.

### 4.0 Relevant Site History

Reference	Description	Outcome
20/03770/OUT	Outline planning permission with all matters reserved except for access for the demolition of the existing house and the erection of five dwellings	Approved at Planning Committee 13.04.2021

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

### **5.2 South Cambridgeshire Local Plan 2018**

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/7 – Development Frameworks

S/9 – Minor Rural Centres

CC/1 – Mitigation and Adaption 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

NH/4 – Biodiversity

NH/6 – Green Infrastructure

H/8 – Housing Density  
H/9 – Housing Mix  
H/12 – Residential Space Standards  
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/10 – Broadband

### 5.3 **Neighbourhood Plan**

Waterbeach Neighbourhood Plan (made 23 March 2022)

### 5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016

5.5 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Health Impact Assessment SPD – Adopted March 2011  
Landscape in New Developments SPD – Adopted March 2010  
District Design Guide SPD – Adopted March 2010  
Trees and Development Sites SPD – Adopted January 2009

### 5.6 **Other Guidance**

5.7 Greater Cambridge Housing Strategy 2019 – 2023

## 6.0 **Consultations**

### 6.1 **Parish Council – Object**

- Support the comments raised by the IDB. Concerned about the drainage arrangement and management of the drainage system that has been proposed. Can management be enforced?
- Support the comments made by the Highway Authority regarding access arrangements, dropped kerbs and visibility splays.
- Overdevelopment of the site which will be out of character with the Waterbeach street scene, contrary to WAT15. No front gardens which is a requirement of WLP6.

- Does not meet WAT 20
- COND18 was refused and if this planning application is approved, there will be a loss of neighbour amenity.

6.2 **County Highways Development Management – No Objection**

6.3 1<sup>st</sup> comment: Objection and should be refused for the following reasons:

- Access does not accord with 20/03770/OUT.

6.4 2<sup>nd</sup> comment: No objection. The LHA note that the pedestrian visibility splays are incorrectly drawn on KMC22032/003 REV C. as such this plan should not form part of the approved plans listed on the decision notice. Recommends a highway licence informative.

6.5 **Sustainable Drainage Officer – No Objection**

6.6 Not possible to comment. The drainage conditions are in place under 20/03370/OUT and we have no further comment.

6.7 **Internal Drainage Board – No Objection**

6.8 1<sup>st</sup> comment: Ambiguity in the discharge figures quoted. The main report refers to a discharge rate of 1L/second and the conclusion refers to 51L/second which would be unacceptable to the Board.

6.9 2<sup>nd</sup> comment: A revised drainage report has been provided which now confirms that the discharge from site is to be limited to 1.01L/s. this rate is above the greenfield rate but below the existing brownfield discharge rate. Given the proposed rate is a minimum which can be realistically be achieved without significant risk to blockage occurring at the restriction (hydrobrake or similar) it is suggested that this is accepted by the IDB on the basis of a contribution being paid to the IDB for acceptance of the discharge rate above the greenfield rate.

6.10 **Ecology Officer – No Objection**

6.11 *1<sup>st</sup> comment:* Insufficient information. The Construction Ecological Management Plan and the Landscape and Ecology Management Plan have been dealt with through the outline. However, the planting plan does not show the types of grassland to be established within the plots.

6.12 2<sup>nd</sup> comment: No objection. The submitted documents provide sufficient information to discharge condition 7 and 8 of the outline. They will remove any residual risk of harm or disturbance to protected and priority species, provide ecological enhancements and ongoing management that will maintain the site in good condition.

6.13 **Tree Officer – No Objection**

6.14 All tree related matters were dealt with under 20/03770/OUT. A tree after care schedule showing the committed timeline of watering, weeding, mulching, support maintenance and tree replacement should be provided.

#### 6.15 **Environmental Health – No Objection**

6.16 *Noise*: No objection.

6.17 *Contaminated Land*: No objection. Conditions 4-6 require investigation of potential contamination and thus no further conditions are required.

### 7.0 **Third Party Representations**

7.1 3 representations have been received raising objections to the proposed development raising the following issues:

- Character
  - Visually intrusive from the street scene as the east elevation will be significantly higher than the hedge
- Residential amenity impact
  - Plot 5 would be overbearing, intrusive and oppressive to Barnfield Close properties. No. 5 and 6 have a living room window directly opposite within two metres of the pertinent boundary which have a visually overbearing impact
  - Loss of light to living room and bedroom at no. 5 and 6
  - Overlooking to no. 3 Barnfield Close's kitchen
  - Tree removal
- Drainage and flooding
  - Increase the impermeable area
  - Several occasions where large pools of standing rain water formed in the existing garden of 95 Bannold Road. This will worsen with an increased impermeable area.
  - Discharge rates unacceptable to IDB because of the scale of the development.
  - Ongoing maintenance concerns for the underground rain storage
  - No way to force residents to maintain the rain storage
- Waterbeach GP surgery is already over capacity
- Overprovision of car parking, increasing use of motor vehicles which is a safety concern for Bannold Road which is busy particularly during school peak times. Additional emissions.
- Piecemeal development against policy DP/5.
- Trees removed before the outline got consent, which has already caused a loss of habitat. Greenspace should therefore be preserved to prevent further loss of habitat.

### 8.0 **Member Representations**

8.1 Cllr Rippeth has made a representation objecting to the application on the following grounds:

- Overshadowing and overlooking to Barnfield Close properties. The size, scale and positioning of plot 5 is of particular concern.
- Flooding.
- The application should go to planning committee as there was a detailed debate when the outline consent was taken to committee resulting in a 6 – 5 marginally in favour vote to approve the application. Therefore, Cllr Rippeth considers that many of the key issues would merit further debate and scrutiny at reserved matters stage.

## **9.0 Assessment**

### **Planning Background**

9.1 The application comprises the submission of the matters that were reserved when outline planning permission for the development of the site was granted. The reserved matters are set out in condition 1 of outline consent 20/03370/OUT and form details of the:

- Layout of the site.
- Scale of buildings.
- Appearance of buildings.
- Landscaping.

9.2 The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides a definition of what each of the above matters means in practice:

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

“scale” means the height, width and length of each building proposed within the development in relation to its surroundings.

“appearance” means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

“landscaping” means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes; (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.

9.3 Only matters that fall under these definitions can be considered and assessed as part of this REM application.



## **Principle of Development**

- 9.4 The principle of residential development on this site for 5 dwellings was established through granting of the outline consent 20/03370/OUT on 13 April 2021.
- 9.5 The principle of the development is therefore acceptable and in accordance with the Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **Reserved Matters: Layout, Scale, Appearance and Landscaping**

- 9.6 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 9.7 WAT 14 of the Waterbeach Neighbourhood Plan supports design-led development in accordance with the specific Waterbeach design principles. These principles include the use of high-quality materials, strong attention to architectural detailing complementary to the distinctive character of Waterbeach (WDP1), responding to the prevailing plot widths, proportions, building lies, roof lines, heights, scale, massing and boundary treatments (WDP4), minimising the loss of trees and hedgerows (WDP7) and lastly, be set back from the street with boundary planting (WDP8).

## **Layout**

- 9.8 The proposal sites three dwellings, one detached and a semi-detached pair, fronting Bannold Road set back approximately 19.5m from Bannold Road behind a landscaped frontage come parking area. Due to the angle of the building line, this set back is larger to the east at 21m. Two further detached dwellings are located to the north of the site behind the frontage dwellings and a landscaped frontage. While development to the north of Bannold Road has been piecemeal, a distinctive characteristic is the set back from Bannold Road. This stepping back in frontage creates an area of landscaping which softens the built form and creates a spacious suburban character.
- 9.9 The proposed layout adopts a large set back in built form behind the neighbouring site to the west. While this is forward of the building line at Barnfield Close to the east, the northern building line along Bannold Road is slightly staggered and curves towards Bannold Road further to the west into the village. Two dwellings behind the frontage are not considered to

be contrary to the pattern of development noting the surrounding development behind the frontage of Bannold Road.

- 9.10 It is acknowledged that the layout creates a back to front relationship internally within the site as opposed to the typical back to side relationship seen in the surrounding context. However, officers note that typically this relationship is borne from the piecemeal nature of the development of the long thin sites along the northern side of Bannold Road and the site constraints of each site.
- 9.11 Policy H/8 of the Local Plan details that housing developments will achieve an average net density of 30 dwellings per hectare in Minor Rural Centre villages but that the net density on a site may vary from the above where justified by the character of the locality, the scale of the development, or other local circumstances.
- 9.12 The overall site measures approximately 0.23 hectares in area. The development of 5 dwellings on the site would equate to a density of approximately 18 dwellings per hectare, comparable to the surrounding density and complying with policy H/8.
- 9.13 The siting of the dwellings is such that the density is spread throughout the site while maintaining a large set back from Bannold Road and meaningful gaps between dwellings for the existing hedging and further planting, responding to the surrounding pattern of development. This balanced density and siting of the rearmost dwellings allows for vistas through the site to the landscaped frontages, single storey side garages and landscaped boundary hedging behind, creating a spacious feel. For these reasons, officers do not consider that the proposed layout would harm the spacious layout which is integral to the character of the area. The general layout and arrangements of the site are therefore acceptable and compatible with its location and surrounding development, according with policy HQ/1 of the Local Plan and WAT 14 of the Waterbeach Neighbourhood Plan.

#### Scale

- 9.14 The proposed dwellings would all be two storey in scale, matching that of the surrounding dwellings. While the ridge heights of the front dwellings would be marginally higher than the neighbouring properties, the eaves heights would be lower and the properties would be set back from Bannold Road, as such this marginally higher ridge height would not be prominent from street level. It is for these reasons, that officers consider that the overall scale of the development is appropriate and responsive to the context of the area in accordance with Policy HQ/1 of the Local Plan and WAT 14 of the Waterbeach Neighbourhood Plan..

#### Appearance

- 9.15 The appearance of the dwellings are akin to the surrounding dwellings adopting a similar simple architectural language, with porches and brick lintel detailing and utilising a similar material palette. Grey concrete slates and red blend multi brickwork are proposed for the three front properties and red concrete plain tiles and buff brickwork for the houses to the rear. By the distinction in materials between the dwellings at the front and rear of the site, alongside the layout and hipped roofs of the two dwellings to the rear, the two dwellings would appear more subordinate and reinforcing an openness throughout the site. To ensure the materials are high quality and appear cohesive with the surrounding environment, officers recommend a condition requiring full details of the materials to be submitted to and approved by the LPA.

#### Landscaping

- 9.16 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 9.17 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 9.18 The proposal retains the existing trees along the western and northern boundaries and the existing hedging on all of the boundaries. While officers note that several trees are proposed to be removed, those trees to be removed are small fledgling trees and the mature trees which have a higher amenity value will be retained. As the existing hedging and mature trees are to be retained, the well landscaped nature of the site will be retained. The landscaping plan shows that these landscape features will be used to shield car parking and soften the built form from surrounding viewpoints such as neighbouring gardens and in vistas from Bannold Road, maintaining the suburban verdant character of the site.
- 9.19 The hard landscaping plan details hard close boarded fencing along the central access road. Officers recommend to soften the appearance, and ensure a well landscaped character is maintained, this fencing is set behind a grass verge. This can be secured via the hard and soft landscape condition on the outline consent.
- 9.20 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policies NH/2, NH/6 and SC/9, the NPPF and WAT 14 of the Waterbeach Neighbourhood Plan.

#### **Other Matters**

## **Housing Mix**

- 9.21 Condition 18 of the outline consent requires the reserved matters application to include details of the mix of housing in accordance with policies H/8 and H/9 of the adopted Local Plan. Policy H/9 'Housing Mix' requires a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community and for sites of 9 or fewer homes, local circumstances should be taken into account.
- 9.22 The proposal comprises two x two-bedroom, one x three-bedroom and two x four-bedroom dwellings. Policy WAT21 (Housing Mix) of the Waterbeach Neighbourhood Plan (2022) states that development proposals will be expected to deliver at least 40% of units as 1 or 2 bedroom homes. The proposal would meet this by delivering two x two-bedroom properties (40%) as well as providing an intermediate three-bedroom property, providing a range of dwelling sizes and meeting locally identified needs for smaller properties.
- 9.23 Officers therefore conclude that the proposal provides a balanced mix of housing which meets locally identified need in accordance with H/9 of the South Cambridgeshire Local Plan (2018) and WAT21 of the Waterbeach Neighbourhood Plan (2022).

## **Carbon Reduction and Sustainable Design**

- 9.24 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change as required by policy CC/1.
- 9.25 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m<sup>2</sup> or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 9.26 Condition 22 (carbon emissions) of the outline consent requires the submission and approval of a carbon reduction scheme. This condition has not been discharged yet but will have to be prior to works above slab level commencing.
- 9.27 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.

- 9.28 Condition 25 (water efficiency) of the outline consent requires the water consumption of the proposed dwellings to be 110 litres use per person per day, in accordance with Part G of the Building Regulations 2010 (as amended 2016). Condition 25 has been discharged and the works will proceed in accordance with these details.
- 9.29 The applicants have suitably addressed the issue of sustainability and renewable energy and subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **Biodiversity**

- 9.30 The NPPF, Environment Act 2021 and the Councils' Biodiversity SPD (2022) require development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.31 An Ecological Assessment (including bat surveys) was submitted as part of the outline consent. Condition 7 (Construction Ecological Management Plan) and condition 8 (Landscape and Ecological Management Plan) of outline consent ensure that protected habitats and species are protected during construction and enhanced overall.
- 9.32 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal. Both a Construction Ecological Management Plan and Landscape and Ecological Management Plan have been submitted as part of the REM application. The Ecology Officer considers that these are acceptable and recommends discharge of condition 7 and 8. However, officers note that these conditions cannot be discharged through the REM application. Nonetheless an informative will be added to the decision notice to advise the applicant that these details are considered acceptable and should be secured via the discharge of these conditions.
- 9.33 The outline consent does not secure biodiversity net gain via a separate condition, however, it would be covered within the submission of a Landscape and Ecological Management Plan. This approach was recommended by the Ecology Officer at the time. Officers cannot secure 10% biodiversity net gain via a separate condition as a recent appeal decision (S/3290/19/RM – Land at Teversham Road, Fulbourn) confirmed - biodiversity is not a reserved matter and can only be considered at outline application stage, with the Inspector stating that it cannot be revisited at reserved matters stage. Nonetheless, officers are confident that an ecological enhancement will be secured via the Landscape and Ecological Management Plan, particularly as the Ecology Officer supports the submitted Landscape and Ecological Management Plan.

- 9.34 In consultation with the Council's Ecology Officer, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

### **Water Management and Flood Risk**

- 9.35 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 9.36 As the application site is in Flood Zone 1, the site is considered as having low probability of flooding. A small northern section of the site is identified as an area prone of surface water flooding.
- 9.37 Flood risk is a matter dealt with at outline stage when establishing the principle of development. The principle of developing the site for 5 dwellings has been established through the grant of outline planning permission. Reserved matters applications require supporting details to demonstrate that surface water drainage arrangements could be provided appropriately within the proposed layout of the site, being linked to matters of layout and landscaping and in the context of planning conditions regarding surface water drainage. Outline consents typically impose a condition requiring a detailed surface water drainage scheme for the site, along with details of its maintenance. A discharge of conditions application then provides the full technical details, calculations, maintenance details etc., as required by the condition, to discharge the relevant requirements and approve an appropriate drainage scheme for a development in full.
- 9.38 In reference to this application, Condition 18 of the outline consent required submission of a surface and foul water drainage scheme. Under 20/03370/CONDB this condition was refused as the details were unacceptable. A revised surface and foul water drainage strategy is currently being considered under 20/03370/CONDD. Only if the scheme is acceptable will this condition be discharged. Officers are therefore satisfied that the applicant will suitably address the issues of water management and flood risk through the discharge of this condition.
- 9.39 Officers note the consultation response from the Internal Drainage Board (IDB) and have consulted the IDB as part of the discharge of condition application.
- 9.40 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

### **Highway Safety and Transport Impacts**

- 9.41 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 9.42 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 9.43 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.44 The access to the site was a matter for consideration at outline stage. The revised location plan submitted with this reserved matters application now matches that approved at outline stage and the access details remain the same. The Highway Authority have no objections to the proposal but highlight that drawing KMC22032/003 REV C incorrectly shows the pedestrian visibility splays. This will not be an approved drawing as part of this REM.
- 9.45 Subject to conditions, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

### **Cycle and Car Parking Provision**

- 9.46 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.

#### **Cycle Parking**

- 9.47 TI/3 requires 1 cycle space per bedroom. The supporting text advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.
- 9.48 The proposal includes cycle stores in the rear gardens for the front three dwellings and proposes that the garages to be used to store cycles for the other two dwellings. Officers have concerns that when a car is parked on the driveway that there would be insufficient width to wheel a cycle between the parked cars/ the proposed dwellings. Therefore, storing the cycles in the garages would not be practical or convenient for users. As such, purpose built cycle stores should be provided for plots 4 and 5 to the

front of the dwellings to ensure convenient and functional use and prevent pruning pressure on the boundary hedging. While full details of the cycle stores for plots 1-3 have not been submitted, officers are satisfied that high quality convenient safe and secure cycle parking can be provided without an encroachment of the garden space. It is recommended that full details of cycle parking arrangements are therefore secured via condition.

#### Car Parking

- 9.49 TI/3 requires 2 spaces per dwelling – 1 space to be allocated within the curtilage.
- 9.50 All five dwellings have two off street car parking spaces which are 2.5 by 5m. Sufficient space has been provided for turning of vehicles within the site to ensure safe ingress and egress. Two further car parking spaces are provided within the site for visitors, which is considered acceptable.
- 9.51 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future. No details have been provided with regards to the provision of electric charging points and so this will be secured via condition.
- 9.52 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

#### Amenity

- 9.53 Policy HQ/1 (n), sets out that proposals must 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.
- 9.54 The District Design Guide 2010 advises 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 25m should be provided between rear or side building faces containing habitable rooms, which should be increased to 30m for 3 storey residential properties. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.

#### *Neighbouring Properties*

Impact on Mason Road properties to the west (plots 14-17 of S/4744/18/FL)



- 9.55 The side elevation of proposed plot 4 would be located approximately 15.3m away from plots 14-15 and 16.5m away from plots 16-17. Given this separation distance alongside the modest scale and hipped roof design of plot 4, officers do not consider that the proposal would significantly overshadow the rear habitable rooms of these neighbouring properties. This is reflected in the development not breaching the BRE daylight sunlight guidance 25-degree line from the midpoint of adjacent habitable windows. As such, it is concluded that the proposed development would maintain acceptable daylight and sunlight to these habitable rooms and would not trigger the need for a daylight sunlight assessment. For the same reasons, the side elevation of plot 4 would not appear oppressive or unduly overbearing, particularly when set behind the retained hedging and trees which will further soften the impression of the built form. As there are no windows proposed at first floor on plot 4, no direct overlooking to the neighbours on Mason Road would result.

#### Impact to 5-6 Barnfield Close

- 9.56 5-6 Barnfield Close are a semi-detached pair located 15.2m to the east of the application site and these properties face west. Proposed plot 5 would be located approximately 16.5m- 17m (as the dwelling is sat at an angle) from these properties' front elevations and habitable rooms. Officers note there is a slight decrease in the ground level for 5-6 Barnfield Close compared to the application site. However, officers have used the BRE daylight sunlight guidance and, as the proposal would not breach the 25-degree plane from the mid-point of the ground floor habitable windows, the proposal would not lead to a significant loss of daylight sunlight to no. 5-6 Barnfield Road's ground floor front living room. The daylight sunlight impact to the first-floor bedroom would be significantly less given it's elevated positioning in relation to the development.
- 9.57 The separation distance between proposed plot 5 and 5-6 Barnfield Road is over 16m which alongside the hipped roof form maintain the feeling of space from these ground floor habitable rooms. For these reasons alongside the retained hedging along the boundary, officers consider that the development would not create an oppressive outlook from 5-6 Barnfield Road's ground floor living room. It is acknowledged that the development will alter the existing outlook, nonetheless officers do not consider that it will do so to a harmful degree.

#### No. 17 Star Drive

- 9.58 The side elevation of 17 Star Drive is located 18.5m north of the plot 4 and is orientated to the west. Considering this distance alongside the massing and hipped roof form, officers do not consider a harmful overshadowing or overbearing impact would arise from the development.

#### Overlooking

9.59 Overlooking has been minimized so far as possible by orientating the proposed dwellings to face north-south and not including any first floor windows on the east or western (side) elevations. Officers acknowledge that a degree of oblique overlooking would result from the development to neighbours such as the rear garden of 4 Barnfield Close from the first floor rear habitable rooms at proposed plots 2-3. However, all of the oblique overlooking which would result from the development would be mutual, for example 4 Barnfield Close would overlook proposed plots 2-3 and vice versa. This relationship is considered acceptable. Plot 4 is located 18.5m south of 17 Star Drive and is orientated at right angles to the rear of 17 Star Drive. For these reasons, officers consider that the distance between the properties and their orientation would mitigate against a harmful level of overlooking to 17 Star Drive's rear garden and habitable rooms.

*Future Occupants*

9.60 Policy H/12 of the Local Plan states that new residential units will be permitted where their gross internal floor areas meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standard (2015) or successor document.

9.61 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size	Garden size
1	3	5	2	93	107	+14	172
2	2	4	2	79	104	+25	101
3	2	4	2	79	104	+25	111
4	4	8	2	124	164	+40	208
5	4	8	2	124	164	+40	192

9.62 All properties would exceed the minimum stated in the National Space Standards and policy H/12 and all habitable rooms would receive good outlooks and ventilation. Plots 1-3 are sited approximately 19.5m from the front of plots 4-5, given this separation distance alongside the scale and massing of the proposed dwellings, the respective rear or front habitable rooms would not breach the BRE 25 degree line. Therefore, officers consider that the proposed habitable rooms would receive good light levels.

9.63 The District Design Guide 2010 advises that each one or two-bedroom house should have private garden space of 50m<sup>2</sup> in rural settings; whilst each house with 3 bedrooms or more should have private garden space of 80m<sup>2</sup> in rural settings. Each property would benefit from a generous private garden area which would significantly exceed the recommendations of the Council's District Design Guide.

## Construction and Environmental Health Impacts

- 9.64 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant. The Council's Environmental Health Team have assessed the application and have no objections to the proposal. Conditions 4-6 of the outline consent required further information regarding contaminated land. Condition 15 restricted construction works to reasonable hours. Condition 16 required details of piling and site manager details.
- 9.65 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

### Third Party Representations

- 9.66 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment	Officer Response
Waterbeach GP surgery is already over capacity	This is a matter which was considered at outline stage and it was concluded that given the minor increase in population this development would cause, the development would not overwhelm the existing services to a significant degree.
Piecemeal development against policy DP/5	Again, this was a matter considered at outline stage where the Council stated that Policy DP/5 was an adopted policy under the Local Development Framework (2007) and is not a current adopted policy as part of the South Cambridgeshire Local Plan 2018. Therefore, this carries no weight.
Loss of trees	While officers note that several trees are proposed to be removed, those trees to be removed are small fledgling trees and the mature trees which have a higher amenity value will be retained. The proposal also retains all of the existing hedging.

### Other Matters

### *Bins*

- 9.67 Refuse stores are proposed in each dwellings rear garden and there is sufficient space to accommodate a bin store of adequate size. A bin collection point is located centrally within the site which is 25-26m from the highway, this is considered an acceptable distance for collection given the requirements of 25m drag distance as set out within the RECAP Waste Management Design Guide. In terms of the distance between the individual stores and the bin collection point, officers consider that these distances are also acceptable. Full detail of the refuse store will be secured via condition.

### *Broadband*

- 9.68 LP policy TI/10 'Broadband' requires new development to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the District. While this is may not strictly fall under the remit of the reserved matters, it is practical for the applicant to provide adequate broadband for the proposed development and therefore, a condition is proposed to ensure this provision.

### **Planning Balance**

- 9.69 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 9.70 The proposal seeks approval of the reserved matters (layout, landscaping, scale and appearance) in relation to 20/03370/OUT. Given the nature of the application, there are less planning considerations as only those which fall under the definition of layout, landscaping, scale and appearance as defined by the Development Management Procedure can be assessed.

### *Summary of harm*

- 9.71 Officers consider that the proposal would not result in harm.

### *Summary of benefits*

- 9.72 Officers consider that the proposal is responsive to the surrounding pattern of development, scale and character of the area whilst being of an appropriate density and providing sufficient relief from the built form by creating a large, landscaped frontage to Bannold Road. Existing landscape features such as the hedgerow encircling the site and multiple trees have been retained to soften the appearance of the built form and maintain the sites suburban and verdant character. The architectural detailing has been kept simple while adopting a similar pallet of materials to blend into the surrounding context. For these reasons, the proposal

would respond to the suburban context, create a high-quality development with an attractive appearance and a good standard of amenity for future occupiers while preserving the amenity of surrounding properties.

9.73 Having taken into account the provisions of the development plan, the neighbourhood plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

## **10.0 Recommendation**

10.1 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

## **11.0 Planning Conditions**

1 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.

2 No development shall take place above ground level, other than demolition, until full details of the materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

4 The development shall not be occupied or the permitted use commenced, until full details of the refuse facilities for use in connection with the development have been submitted to and approved in writing by

the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the bin stores. A bin store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The bin store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the storage of waste, to encourage biodiversity and slow surface water run-off (South Cambridgeshire Local Plan 2018 policy HQ/1).

- 5 Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for at least 1 active charge point(s) for each house. The active charge points should have a minimum power rating output of 3.5kW. All other spaces should have passive provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for all remaining car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required, and this should be demonstrated in the submitted detail.

The approved electric vehicle charge points shall be installed prior to first occupation of the relevant dwelling and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, policy TI/3 of the South Cambridgeshire Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021

### **Informatives**

- 1 While the Ecology Officer recommends discharge of condition 7 and 8 of 20/03370/OUT, these conditions cannot be discharged through the reserved matters application. These conditions can only be discharged through the submission of a discharge of condition application.
- 2 The Applicant is required to make a Bye Law consent application to the IDB to permit the proposed development to discharge surface water run off into the IDB system.
- 3 The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of,

or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.

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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 Local Development Framework SPDs

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# Agenda Item 9



<b>Planning Committee Date</b>	14 June 2023
<b>Report to</b>	South Cambridgeshire District Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	23/01426/CL2PD
<b>Site</b>	9 Station Road, Oakington and Westwick, Cambridge
<b>Ward / Parish</b>	Oakington
<b>Proposal</b>	Certificate of lawfulness under S192 for the construction of a home office in the rear garden with additional hard paving
<b>Applicant</b>	Cllr Thomas Bygott
<b>Presenting Officer</b>	Alice Young, Senior Planner
<b>Reason Reported to Committee</b>	Application submitted by a member or officer of the Council
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Whether it meets Schedule 2, Part 1, Class E and Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
<b>Recommendation</b>	<b>GRANT CERTIFICATE</b>

## 1.0 Executive Summary

- 1.1 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) (England) Order 2015 (as amended).
- 1.2 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) (England) Order 2015 (as amended) and that the Planning Committee should grant the certificate of lawfulness.

## 2.0 Site Description and Context

None relevant		Tree Preservation Order	x
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

\*X indicates relevance

- 2.1 The site is located on the north-western side of Station Road, approximately 90m north of Mill Road and comprises a two storey semi-detached dwelling which has been extended at two storey to the rear, has a long west facing garden with several outbuildings within its curtilage. The site falls within the development framework, outside of the conservation area. A Tree Preservation Order (TPO) area is located to the west of the site includes the western end section of the dwellings garden.

## 3.0 The Proposal

- 3.1 Certificate of lawfulness under S192 for the construction of a home office in the rear garden with additional hard paving

## 4.0 Relevant Site History

Reference	Description	Outcome
21/03443/CL2PD	Certificate of lawfulness under S192 for the construction of a home	Withdrawn

	office in the rear garden with additional hard paving	
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
S/2397/14/NM	Non material amendment to application S/0454/11 (Extensions) to widen approved chimney and build it in brick	Approved
S/0454/11	Extensions	Approved
S/0116/11	Two-Storey Side & Rear Extensions	Refused
S/1700/10	Extension	Refused

4.1 No planning application has removed permitted development rights for Schedule 2, Part 1, Class E or F (outbuildings or hard paving).

4.2 A previous CL2PD application was withdrawn due to difficulties with internal head heights at the proposed flat roof height. This revised certificate application now proposes a pitched roof on the outbuilding to overcome this issue.

## 5.0 Policy

### 5.1 National

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

## 6.0 Consultations

6.1 Parish Council – No comment.

## 7.0 Assessment

7.1 Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class E and F.

7.2 *Class E*

(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%	The proposal would not exceed 50% of the total area excluding the original dwelling.

of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	
(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 2m away from the boundary and would have a dual pitch roof with an eaves height of 2.5m and a ridge height of 3.5m. Therefore the proposal conforms with part (i).
(f) the height of the eaves of the building would exceed 2.5 metres;	The proposed outbuilding would have an eaves height of 2.5m 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 (It is assumed the hard paved area would be less than 30cm in height).
(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—	Not applicable, the site does not fall within

<p>(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.</p>	<p>an Area of Outstanding Natural Beauty, the Broads, a National Park or a World Heritage Site.</p>
<p>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.  Interpretation of Class E</p>	<p>Not applicable, the site does not fall within the Conservation Area.</p>
<p>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.</p>	<p>The proposed home office would be incidental to the enjoyment of the dwellinghouse as confirmed in the application form.</p>

### 7.3 Class F

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

the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse	
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#### **7.4 Conclusion**

7.5 It appears to the Local Planning Authority that the proposed development complies with Schedule 2, Part 1 Class E and Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) thereby falling within the scope of permitted development. Having regard to applicable national planning policies, and having taken all relevant material considerations into account, it is considered that the certificate of lawfulness should be granted in this instance.

#### **8.0 Recommendation**

8.1 **Grant certificate.**

# Agenda Item 10

## **REPORT TO:**

**Planning Committee June 2023**

## **LEAD OFFICER:**

**Joint Director of Planning and Economic Development**

## **Compliance Report**

### **Executive Summary**

1. On 31<sup>st</sup> May 2023 there were 145 open cases in South Cambridgeshire, compared with 139 cases compared to the month beforehand.
2. Details of all compliance 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 attached to this report.
4. Data relates to the end of May statistical information as June information was not available in full at the time of the report.

### **Updates to Service Delivery**

The Planning Compliance Team is part of the Development Management service of the Greater Cambridge Shared Planning Service.

The service has interviewed for the post of Planning Compliance Officer or Senior Planning Compliance Officer and an offer has been made to a candidate following those interviews. The applicant has accepted, and a start date is awaited.

Neil Langley, Senior Planning Compliance Officer has left the Council and that post is currently being recruited to.

Work has finished on automatic acknowledgement to be sent to complainants when a new case is raised on the system, the acknowledgement includes the case officer name, reference number of the case and the direct email address of the case officer. The system is now working where a complainant has provided a valid email address for a acknowledgement to be sent to.

Following a question on reporting compliance complaints using the webform at the April 2023 committee, I have raised the matter of including advice on the compliance pages of the website to include information about persons who wish to remain anonymous, how they can contact their elected Ward Member or Parish Council to raise a complaint on their behalf, along with information as to how they find the contact details of ward Members. These amendments as well as information about acknowledgement for compliance referrals should be live on the website by week commencing 19 June.

Since 1 January 2023 the compliance team have received 376 enforcement referrals (South Cambridgeshire and Cambridge City), 216 of those were made by e-form.

Since 1 January 2023 the Compliance team have closed 274 cases (South Cambridgeshire and Cambridge City).

### **Updates on significant cases**

Should Members wish for specific updates on cases they have involvement in, or have been made aware of then please feel free to contact the Principal Planning Compliance Manager who will be able to update you or advise you of the case officer and request that the officer contacts you.

### **Background Papers**

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

### **Appendices**

Appendix 1: Compliance Cases Received and Closed.

Appendix 2: Notices Served.

### **Report Author:**

Chris Braybrooke – Principal Planning Compliance Manager Date: 31/05/2023



## Appendix 1

### Enforcement Cases Received and Closed.

Month	South Cambridgeshire						
	Received	No Breach	Resolved	Not Expedient	Application Approved	Other	LPA Total
May 2023	26	11	0	6	1	8	<b>26</b>
April 2023	22	4	0	2	0	4	<b>10</b>
March 2023	22	6	0	1	2	4	<b>13</b>

### Quarterly Totals for Past 2 Years

Quarter	South Cambridgeshire						
	Received	No Breach	Resolved	Not Expedient	Application Approved	Other	LPA Total
Qtr 1 2022	85	26	0	19	1	21	<b>67</b>
Qtr 2 2022	42	33	0	12	3	18	<b>66</b>
Qtr 3 2022	59	22	0	9	7	6	<b>44</b>
Qtr 4 2022	94	41	0	7	3	36	<b>87</b>
Qtr 2 2021	132	24	25	12	16	40	<b>117</b>
Qtr 3 2021	91	46	47	14	13	32	<b>152</b>
Qtr 4 2021	113	59	20	15	9	29	<b>132</b>

## Appendix 2

### Public Enforcement Notices served

#### May 2023

Reference	Ward	Parish	Address	Notice Issued
EN/0166/18	Romsey		Land At 348 Mill Road Cambridge Cambridgeshire CB1 3NN	Operational Development Notice

#### April 2023

Reference	Ward	Parish	Address	Notice Issued
*** No Notices Issued ***				

#### March 2023

Reference	Ward	Parish	Address	Notice Issued
EN/00326/22	Foxton	Great And Little Chishill CP	Bridgefoot Farm Kennels Barley Road Flint Cross Great And Little Chishill Royston Cambridgeshire SG8 7PU	Change of Use and Operational Development Notice.  Temporary Stop Notice  Stop Notice.

#### February 2023

Reference	Ward	Parish	Address	Notice Issued
*** No Notices Issued ***				

#### January 2023

Reference	Ward	Parish	Address	Notice Issued
EN/00004/23	Harston & Comberton	Harston CP	Byeways Station Road Harston Cambridgeshire CB22 7NY	Operational Development Notice

# Agenda Item 11



**South  
Cambridgeshire**  
District Council

**Report to:** Planning Committee

14 June 2023

**Lead Officer:** Joint Director of Planning and Economic Development

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## **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 1 June 2023. 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

Appendix 4: Appeals Awaiting Decision from Inspectorate

Appendix 5: Appeals Pending Statement

### **Report Author:**

Ian Papworth  
Telephone Number:

Technical Support Officer (Appeals)  
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## Appendix 1

### Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
21/02117/FUL	The Jolly Millers 73 High Street Cottenham	Change of use of public house (SG) with flat to dwelling (C3), demolition of existing annex/outbuildings, erection of detached dwelling and creation of amenity space, bin storage and parking and manoeuvring for 2 dwellings	Dismissed	2/5/2023	Refused <b>(Committee Decision)</b>
21/00629/S73	Land To The North And South Of Bartlow Road Linton	S73 Variation of condition 11 (Foul water drainage) of outline planning permission S/1963/15/OL (Residential development for up to 55 dwellings with landscape buffer and new vehicular accesses from Bartlow Road) for revised wording to refer to the foul drainage design.	Allowed with award of costs	2/5/2023	Refused <b>(Committee Decision)</b>
21/04473/FUL	Warren Lodge Fowlmere Road Fowlmere	Erection of a machinery and store building.	Dismissed	4/5/2023	Refused (Delegated Decision)

## Appendix 1

22/00664/FUL	25 Station Road Over	Subdivision of existing garden plot and the erection of a detached dwellinghouse including the stopping up of the existing driveway access and creation of new vehicular access to station road.	Dismissed	18/5/2023	Refused (Delegated Decision)
22/01470/FUL	135 Hereward Close Impington	Erection of 1no 1bed single storey 1-bed dwelling.	Dismissed	18/5/2023	Refused (Delegated Decision)
EN/00362/21	Cherry Trees Priest Lane Willingham	Without planning permission, the change of use of the land from agricultural use to the use of the land for the running of a dog rescue organisation and the erection of associated kennels	Withdrawn	25/5/2023	Enforcement Notice
S/1940/17/NMA1	Anstey Hall 32 Ickleton Road Duxford	Non material amendment on application S/1940/17/FL for alteration to plan of single storey rear element to create inner courtyard.	Turned away	30/5/2023	Refused (Delegated Decision)

Appeals Received

Reference	Address	Details	Date Appeal lodged
22/05367/FUL	Land South Off Horseheath Green Horseheath	Conversion of existing buildings to 2 No. residential dwellings. (Resubmission of 22/02566/FUL)	24/4/2023
22/04908/PRIOR	Network House St Neots Road Caldecote	Erection of a 2.5 storey block of 8 No. flats following the demolition of the existing office block.	24/4/2023
23/00471/PRIOR	Network House St Neots Road Caldecote	Demolition of buildings and construction of 7 No. new dwellinghouses	24/4/2023
22/02947/FUL	Land At The Back Of 29 Frog End Great Wilbraham	Construction of a detached one and a half storey two bedroom dwelling.	24/4/2023
EN/00326/22	Bridgefoot Farm Kennels Barley Road Flint Cross Great And Little Chishill	Extension of agricultural buildings, laying of hardstanding, widening of access, siting and occupation of mobile home on site and change of use to a warehouse and distribution centre.	25/4/2023
S/1940/17/NMA1	Anstey Hall 32 Ickleton Road Duxford	Non material amendment on application S/1940/17/FL for alteration to plan of single storey rear element to create inner courtyard.	9/5/2023

## Appendix 2

21/01173/FUL	Land To The East Of 2 Moor Drove Histon	Retrospective change of use of land to use as a residential caravan site for 12 caravans including erection of 6no. amenity buildings and laying of hardstanding	15/5/2023
21/01172/FUL	Land To The East Of 5 Moor Drove Histon	Retrospective change of use of land to use as a residential caravan site for 6 caravans including no more than 1 static caravan/mobile home, together with erection of 3no. amenity buildings and laying of hardstanding	16/5/2023
22/04039/FUL	Quy Hall Station Road Stow Cum Quy	Use of the grounds of Quy Hall for the provision of private events (including wedding use) and the associated erection of a marquee, on a temporary basis for up to 12 weekends per year (allowing one event per weekend)	16/5/2023
23/00618/HFUL	1 Moss Drive Haslingfield	First floor side and rear extension.	17/5/2023
22/03497/OUT	Land South Of Willingham Green Willingham Green Road Carlton	Outline application for the erection of 1 no. dwelling together with access	22/5/2023
22/04153/OUT	Land South Of The Causeway Bassingbourn Cum Kneesworth	Outline Application for the erection of nine self-build dwellings, associated infrastructure and landscaping, with all matters reserved except for means of access and road alignment.	23/05/2023



## Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

<b>Reference</b>	<b>Name</b>	<b>Address</b>	<b>Planning decision or Enforcement?</b>	<b>Date confirmed/ proposed</b>
22/02771/OUT	Brookgate Land Ltd on behalf of The Chesterton Partnership	Land North Of Cambridge North Station Milton Avenue Cambridge	Non Determination	6/6/2023 12 day Inquiry

- **Informal Hearings**

<b>Reference</b>	<b>Name</b>	<b>Address</b>	<b>Planning decision or Enforcement?</b>	<b>Date confirmed/ proposed</b>
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
21/01618/FUL	Mr William Connors	Land At Moor Drove Histon	Planning Decision	20/6/2023
22/01733/FUL	Mr and Ms Ricky and Lucy Crotty and Girling	146 Cambridge Road Wimpole	Planning decision	18/7/2023

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Appeals Awaiting Decision from Inspectorate

Reference	Address	Description	Reason for appeal
EN/00216/21	Land To The North Of The Old Coal Yard Chesterton Fen Road Milton	Mobile homes sited on land without planning permission.	Appeal against enforcement notice
ENF/0214/18	22 Cambridge Road Foxton	Without planning permission: 1. The material change of use of the land hatched in blue on the attached plan to a coach depot including the parking and storage of coaches, and 2. The creation of an area of hardstanding for use as a coach depot on the land hatched in blue on the attached plan.	Appeal against enforcement notice
22/00455/CLUED	Blackberry Barn 4 Over Mereway Willingham	Certificate of lawfulness under S191 for the continued use of land as domestic garden.	Against Refusal of Permission (Delegated Decision)
21/00298/FUL	Green Fox Farm Fowlmere Road Melbourn	Farmland diversification, ecological enhancements and erection of 1no. residential dwelling with an associated change of use in land from agricultural to residential.	Non-determined within 8 weeks

## Appendix 4

EN/00063/22	The Land And Property Situated And Comprising Willow Grange Farm Ely Road Chittering	Without planning permission: a) The undertaking of works to facilitate a weddings and events venue business at Willow Grange Farm including the erection of a marquee, bell tents, shepherd huts, toilet facilities and safari tents together with hard standings, decking and pathways; b) A Material Change of Use of the land from Agriculture to a weddings and events venue.	Appeal against enforcement notice
EN/00208/22	10 Shirley Close Milton	Without planning permission, the creation of a new dwelling	Appeal against enforcement notice
EN/01566/20	Whines Lane Farm Track Over	Without planning permission, the change of use of the land from agricultural to a mixed use of open-air storage and residential use. To include the siting of a caravan used for residential purposes, the storage of motor vehicles and associated paraphernalia, storage of building materials and the construction of a wooden structure.	Appeal against enforcement notice
21/05101/HFUL	3 Ravensdale Landbeach	Erection of glazed porch	Against Refusal of Permission (Delegated Decision)

## Appendix 4

21/04971/PRIOR	Mill Lane Histon	Installation of a 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works	Against Refusal of Permission (Delegated Decision)
EN/00394/21A	Land adjoining 16 Chalky Road Great Abington	Without planning permission, the erection of a building (edged in black on attached plan for identification purposes only).	Appeal against enforcement notice
20/01564/FUL	Land To The South East Of Burton End West Wickham	Mixed use of agricultural and solar farm	Against Refusal of Permission <b>(Committee Decision)</b>
21/00953/FUL	Former Hotel Felix Whitehouse Lane Cambridge	Demolition of existing buildings and erection of a care home (Use Class C2) with external amenity space, access, parking, landscaping and other associated works	Against Refusal of Permission <b>(Committee Decision)</b>
21/05641/OUT	Land To The South Of 86 Chrishall Road Fowlmere	Outline planning application for 15no self-build dwellings, with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval.	Against Refusal of Permission (Delegated Decision)
EN/00184/22	Land At Acre Orwell Road Barrington	Alleged change of use of the land from agricultural to living in a caravan without permission	Appeal against enforcement notice
21/03039/FUL	Bancroft Farm Church Lane Little Abington	Demolition of existing dilapidated agricultural buildings and hardstandings. Erection of five dwellings and the conversion of two redundant barns to form a detached dwelling and an office	Against Refusal of Permission <b>(Committee Decision)</b>

## Appendix 4

22/01027/FUL	Land To The Rear Of The Rose And Crown 2 Glebe Way Impington	Erection of a single dwelling	Against Refusal of Permission (Delegated Decision)
22/02870/OUT	Land To The South Of 86 Chrishall Road Fowlmere	Outline planning application for 15 No. self-build dwellings, with details pursuant to access and layout, and all other matters including appearance, scale and landscaping reserved for subsequent approval	Against Refusal of Permission (Delegated Decision)
21/03980/FUL	38 Station Road (West) Whittlesford	Demolition of garage and rear extension of existing dwelling, new single storey rear extension, new loft dormer windows to front and replacement windows and doors along with the erection of a new detached dwelling and vehicular access at 38 Station Road	Against Refusal of Permission (Delegated Decision)
22/01331/FUL	Land To The South- west Of Grain Stores Valley Farm Road West Wrating	Change of use of an existing compound area into a self storage facility and the positioning of 90 shipping containers	Against Refusal of Permission (Delegated Decision)
22/03406/OUT	Land North Of Field Side Thriplow Road Fowlmere	Outline application for the development of up to 9 self and custom build dwellings, with all matters reserved except access, along with all ancillary works	Against Refusal of Permission (Delegated Decision)
EN/00492/21	Moat Farmhouse Moat Farm Park Lane Castle Camps	Without planning permission, an engineering operation comprising the excavation and formation of two lakes and the creation of earth bunds associated with the excavation of a lakes	Appeal against enforcement notice

## Appendix 4

22/01574/CL2PD	Land To The South Of Chear Fen Boat Club Twentyence Road Cottenham	Certificate of lawfulness under S192 for the stationing of 2 mobile homes for residential purposes	Against Refusal of Permission (Delegated Decision)
22/01703/FUL	Land To The South Of Chear Fen Boat Club Twentyence Road Cottenham	Change of use of land through intensification to the stationing of caravans for residential purposes, nine dayrooms and the formation of hardstanding ancillary to that use	Against Refusal of Permission (Delegated Decision)
22/02771/OUT	Land North Of Cambridge North Station Milton Avenue Cambridge	A hybrid planning application for: a) An outline application (all matters reserved apart from access and landscaping) for the construction of: three new residential blocks providing for up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), and two commercial buildings for Use Classes E(g) i(offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)),together with the construction of basements for parking and building services, car and cycle parking and infrastructure works. b) A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)) with associated car and cycle parking, the construction of a multi storey car and cycle park building, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures.	Non-determined within 8 weeks

## Appendix 4

22/01507/HFUL	215 Wimpole Road Barton	Demolition of conservatory and shed. Erection of two storey side extension, single storey rear extension, first floor rear extension, freestanding private gym and interconnecting undercover areas	Non-determined within 8 weeks
22/01126/HFUL	Byeways Station Road Harston	part single, part two storey rear extensions including erection of a front boundary wall and gated entrance (part retrospective) - variation to planning permission 21/02100/HFUL	Against Refusal of Permission (Delegated Decision)
EN/00004/23	Byeways Station Road Harston	Unauthorised operational development following refusal of retrospective planning application ref 22/01126/HFUL	Appeal against enforcement notice
21/01066/FUL	Land East Of Unit 2 Caxton Gibbet Services Site Ermine Street Cambourne	Erection of 4 industrial units (Use Classes B2 (general industrial) and/or E(g) (office)) with associated access and parking	Against Refusal of Permission (Delegated Decision)
21/01618/FUL	Land At Moor Drove Histon	Change of use of land to create 4 No. pitches comprising the siting of 4 mobile homes, 4 touring caravans, and installation of 4 cesspits	Against Refusal of Permission (Delegated Decision)
21/03616/FUL	Land Rear Of 90 High Street Melbourn	Construction of a new dwelling & associated alterations to the existing site entrance	Against Refusal of Permission <b>(Committee Decision)</b>



Appeals Pending Statement

Reference	Address	Details	Date Statement due
20/04263/FUL	Plot A1 Moor Drove Histon	Change of use from disused land to single site for one static caravan, day room and parking	19/6/2023
22/01733/FUL	146 Cambridge Road Wimpole	Retrospective change of use of land from former builder's yard to a residential caravan site for one gypsy family including stationing of 2 caravans, hardstanding and existing amenity building.	20/6/2023
22/04932/FUL	The Brambles Green End Landbeach	Retrospective application for holiday let accommodation and conversion of existing barn to form holiday let accommodation.	26/6/2023
22/01131/S73	Avalon Eco Farm Meadow Road Willingham	S73 removal of condition 8 (Passing place) of prior approval application 21/01820/PRI03Q (Prior approval for change of use of agricultural building to 2 No. dwellinghouses (Class C3))	27/6/2023

## Appendix 5

EN/00326/22	Bridgefoot Farm Kennels Barley Road Flint Cross Great And Little Chishill	Extension of agricultural buildings, laying of hardstanding, widening of access, siting and occupation of mobile home on site and change of use to a warehouse and distribution centre.	6/7/2023
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