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5th May 2017

FAO Karen Pell-Coggins
Planning & New Communities
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge,
CB23 6EA

Dear Karen

Planning Application S/1606/OL - Development off Oakingon Road, Cottenham

Cottenham Parish Council has considered the “corrected” Carter Jonas Heritage Statement and, having sought independent expert advice from Beacon Planning Limited, an award-winning independent planning and heritage consultancy, offers these comments to supplement those we offered on 24th February 2017:

1. We believe neither Persimmon nor SCDC has paid sufficient attention to the assessment of the impact of the proposed roadworks and other measures, necessary to mitigate the additional traffic from the development on the Moreton Almshouses and their setting.
2. The Committee Report is both inconsistent and over-simplistic, failing to recognize the contribution of the setting to the significance of the Listed Buildings as required by paragraph 129 of the NPPF and compromising any assessment of the full impact of the roadworks. The report, despite concluding incorrectly that there is a neutral impact, acknowledges that there is existing harm and potential for further harm. It goes further (at paragraph 149) by stating “this limited harm is not considered to be outweighed by the benefits of the scheme”.
3. The Committee Report clearly acknowledges that the granting of this outline application would generate the potential for harm to be caused to the significance of this heritage asset. The full nature of these impacts cannot yet be known. It is unclear how, in the light of these identified impacts, the conclusion of a neutral impact has been reached.
4. There are a number of errors in the Heritage Statement, which imply a lack of appropriate experience being applied. These include citing the incorrect statutory test with regards to the LPA’s duty to pay special regard to the desirability of preserving listed buildings and their settings when exercising planning functions. The assessment of significance is cursory and does not assess the contribution made by the setting of the heritage assets. It does not follow the methodology set out in the Historic England ‘Good Practice in Planning Note 3: The Setting of Heritage Assets’, and nor

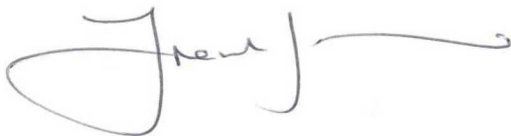
does it facilitate a full and informed assessment of impact. It also leaves open (e.g. at 4.18) the possibility of the highway works materially affecting the setting of the Moreton's Almshouse. It is unclear how, in the light of these identified impacts, the conclusion of a neutral impact has been reached.

5. With regards to the future use of the almshouses, there is a need to consider whether or not the proposed works jeopardise their ongoing use as accommodation for elderly residents as this is the optimum viable use of the designated asset and makes an important contribution to their significance. The loss of this use – the use for which they were originally designed and intended – would result in a significant degree of harm. This is a matter of concern to The Almshouse Association who have made a representation to this effect.
6. In addition, there is a “public sector equality duty” under section 149 of the Equalities Act 2010 which ensures due regard is made to eliminate discrimination against those with protected characteristics, including age. The approximately four-fold increase in traffic noise effected by the larger roundabout design cannot, due to planning restrictions and limited performance of multiple glazing, be brought back to that currently enjoyed by the occupants of the Listed Buildings.
7. It was a lack of provenance on the Heritage Impact Assessment and lack of proper attention to the assessment itself which, among other issues, led the Planning Inspector to adjourn the Gladman Appeal APP/W0530/W/16/3151609 (see extract from his adjournment report as Appendix 1).
8. Cottenham Parish Council has now applied for Rule 6 status when that Inquiry resumes in September. We have commissioned an independent Heritage Assessment by a recognized expert in planning matters related to heritage assets. We ask, as part of that study, that SCDC makes available to us the draft Conservation Area Assessment prepared by SCDC's Conservation team.
9. We suggest that there is insufficient information available at this time to permit an informed assessment of the heritage impacts and by extension to undertake the planning balance as required by paragraph 134 of the NPPF.

In the light of the statutory duty set out in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the ‘considerable weight’ that must be given to the preservation of listed buildings and their settings as interpreted in recent case law, these omissions and oversights make it impossible, we believe, for SCDC to make an informed assessment of the heritage impacts and thereby discharge their statutory duty under the Act.

All other points we have previously raised continue to apply. Permission should be refused, or consideration adjourned until further details are provided to facilitate this exercise.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Frank Morris', with a long horizontal flourish extending to the right.

Frank Morris

Chair

12. In the light of the above, I decided to adjourn the Inquiry for the following actions to take place:

- i. The appellant to produce a Proof of Evidence on the effect of the scheme on heritage assets. This Proof should specifically focus on the impact of the improved road junction at Oakington Road & Rampton Road in terms of the Grade II Moreton Almshouses.**
- ii. Allow the opportunity for Rule 6 Status to be sought by the Parish Council, at the earliest opportunity, and no later than 5 weeks from the date of this note. The Parish Council must then produce a Statement of Case, and Proof of Evidence, within a timescale to be agreed.**
- iii. A full consultation exercise, to be undertaken by the Council, in respect of amended 200 unit scheme that I am now being asked to consider. This consultation exercise should ensure that the relevant regulations¹ in respect of planning applications affecting the setting of listed buildings are fully and properly complied with. This process can occur immediately. The Council should provide the appellant, any Rule 6 party, and the Case Officer at PINS with details of the consultation exercise and all responses received, once it has concluded.**
- iv. Should Rule 6 Status be sought and granted in respect of the Parish Council, the appellant should provide hard copies (as well electronic versions) of the Proofs of Evidence it intends to rely on to the Parish Council. Core Documents can be provided electronically.**