

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 August 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0039/15/FL

Parish: Cottenham

Proposal: Closure of existing access to barns and creation of a new access to the south to serve the barns and holiday units.

Site address: The Lakes, Twentypence Road

Applicant(s): Mr and Mrs G Clandillon

Recommendation: Approval

Key material considerations:

- The extent to which the application accords with the provisions of the development plan
- Highway safety
- Flooding
- Contamination.

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Julie Ayre

Application brought to Committee because: The recommendation of officers conflicts with that of the Parish Council.

Date by which decision due: 21 April 2015

Planning History

1. **S/0099/06/LDC** - Existing use as 3 dwellings - Refused
2. **S/1534/06/FL** - Relocation of access - Refused
3. **S/1535/06/OL and S/1536/06/OL** Two separate applications for 3 residential units - Refused
4. **S/1502/07/F** - Part demolition and conversion of house to 4 dwellings - Withdrawn
5. **S/0386/08/F** - Part demolition and conversion of house to 4 dwellings (retrospective) - Refused

6. **S/0919/08/F** - New Access - Withdrawn
7. **S/1979/08/F** - Alterations and change of use of dwelling to form 4 holiday lets and replacement access - Refused
8. **S/1048/09/F** - Alterations and change of use to form 4 holiday lets and replacement access - Refused
9. **S/2379/12/LD** - Certificate of lawfulness for existing development comprising the conversion of single dwelling to six dwellings - Approved
10. **S/2702/13** - Replacement 2 bedroom flat and extension - Approved
11. **S/0512/15/F** - Extension to 1 Twentypence Road - Approved

Planning Policies

12. **National Policy**
National Planning Policy Framework 2012
13. **South Cambridgeshire Local Development Framework Core Strategy 2007**
ST/5 Minor Rural Centres
14. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
NE/11 Flood Risk
15. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD – Adopted March 2010
Landscape in New Developments SPD – Adopted March 2010
16. **Proposed Submission Local Plan (July 2013)**
S/7 Development Frameworks
S/9 Minor Rural Centres
HQ/1 Design Principles
CC/9 Managing Flood Risk

Consultations

17. **Cottenham Parish Council** – Recommends refusal: As they have grave concerns about moving the access closer towards a bend on the B1049. This is a very busy road and the proposed access would appear contrary to DP3 1b (it would compromise safety to/from the public highway).
18. **Local Highway Authority** – Comments that if the submitted application is for the permanent closure of the access to the dis-used access to the barn site including the

removal of the bridges over the ditch then, in principle, the Local Highway Authority would welcome the proposal. Subject to conditions regarding the internal track linking the new access to the fishing lakes is removed, the access to the barns is permanently closed, visibility splays are provided each side of the new access, no private water drains onto the highway and the access is constructed in bound material.

19. **Environmental Health Contaminated Land Officer** – Comments that this area of land was formerly occupied by gravel pits which have been infilled. Recommends a condition to ensure any contaminates on site are suitably dealt with.
20. **Old Weste Internal Drainage Board** – Comments that as the proposal is for the culverting of a watercourse within the Board's district, the consent of this Board is required under the Land Drainage Act. Details of how to apply for consent can be found at the website of the Ely Group of Drainage Boards.

Representations

21. None

Planning Comments

- 22.. The Lakes is located outside the village framework and within the countryside between the villages of Cottenham to the south and Wilburton to the north. The lakes is accessed off the B1049 a fast moving road, the application site is an open parcel of land that appears to have undergone incremental stages of development. To the north western corner of the application site are 6 dwellings and to its southern end a series of man - made lakes.
23. The site is accessed via two access points set mid- way along Twenty pence Road, within the site are a number of internal track ways connecting the northern and southern corner.
24. This application is for the creation of a new access from B1049 Twentypence Road to serve existing dwellings. Existing access retained for fishing only.

Principal of Development

25. The main issues in this application are:
 - The extent to which the application accords with the provisions of the development plan;
 - The extent to which the application accords with the provisions of the development plan taking into account: access and infrastructure.
26. The site lies in the countryside, well outside the defined village framework for Cottenham. Policy DP/7, which relates to development in the countryside locations, states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located within the countryside will be permitted. This application is to provide a new access to 6 residential units, which currently enjoy access to the south via a lane which historically only provided access to fishing lakes.
27. It is intended that a new access is created to facilitate access to the residential and barns. The original access will not be closed as part of this development but limited to use by the lakes only. However, the submitted plans indicate an internal link is still

possible. A condition is recommended to ensure that no possible link between the fishing lakes and the residential can be achieved. The proposal also indicates the permanent closure of an access to the north which serves the barns. As a result this development does not result in an unacceptable impact on the character of the area as the number of access to the site does not increase.

Highway Safety

28. The existing access to the site is narrow, visibility splays cannot be achieved in full, it is concealed and located on a national speed stretch of road. The access to the houses were given permission as a Lawful Use Certificate, for 6 units in January 2013, with the existing access therefore in use. Subsequent applications recommended the closure of the original access and the creation of an access to the north. The current application suggests an access similar to that previously recommended. The proposed access is supported by the Local Highways Authority subject to conditions, therefore the development is considered acceptable in highway safety terms.
29. The permanent closure of the access to the north of the new access will remove any potential highway safety issues associated with the barn as the access would be via the new proposed access which has the appropriate visibility splays.

Flood Risk

30. The site lies within Flood Zone 1 (low risk) and on an island surrounded by Flood Zone 2 and 3 (high risk). The proposal is therefore considered acceptable from a flood risk perspective. The Old West Internal Drainage Board have been consulted and recommends that any culverting to the entrance as proposed requires its formal consent and this can be added as an informative to any decision.

Contaminated Land

31. Part of the site was previously used as a gravel pit which has been infilled, therefore during construction of the new access/driveway it is recommended that checks be made on the material on site to ensure there are no human health issues. The Environmental Health Officer recommends an informative, but a condition is proposed to ensure accurate monitoring is maintained throughout construction. Therefore the application is considered to be acceptable.

Conclusion

32. The application proposal does not detract from the nature and character of the countryside, is an improvement on the existing access arrangements and does not result in serious flooding issues, it is therefore recommended for approval subject to conditions

Recommendation

33. Approval, subject to the following conditions:
 - (a) Time limit
 - (b) Approved plans
 - (c) Notwithstanding the approved plans the access between the lake and the new access will be permanently removed.

- (d) Visibility splays
- (e) Contaminated
- (f) Permanent closure of the barn access and land reinstated
- (g) No water on the highway
- (h) No unbound material

34. Informatives

- (a) Granting of planning permission does not constitute a permission or licence to a developers to carry out any works within the highway, separate permission should be sought from the Highway Authority, prior to any works
- (b) Granting of planning permission does not constitute permission/guarantee the Old West Internal Drainage Board's consent, the applicant is recommended to liaise direct with that body.

Background Papers

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

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

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

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Proposed Local Plan
- National Planning Policy Framework 2012

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