

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB3 6EA

t: 08450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



30 March 2004

To: Chairman – Councillor Mrs JM Healey
Vice-Chairman – Councillor JH Stewart
All Members of the Development and Conservation Control Committee

Dear Councillor

You are invited to attend the next meeting of **DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE**, which will be held in the **COUNCIL CHAMBER** at South Cambridgeshire Hall on **WEDNESDAY, 7 APRIL 2004** at **10.00 a.m.**

Yours faithfully
GJ HARLOCK
Finance and Resources Director

AGENDA

Members should declare any interests immediately prior to the relevant item on the agenda.

Should Members wish to declare an interest in an item discussed after they have left the meeting, and wish also that that declaration be recorded in the Minutes, they should make their declarations clear to the Committee. (Members need only declare an interest in circumstances where there is an item on the agenda that may cause a conflict of interest.)

	PAGES
PROCEDURAL ITEMS	
1. Apologies	
2. Minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 3 rd March 2004 as a correct record.	1 - 8
PRESENTATION	
3. Local Development Framework - Update	
OPERATIONAL ITEMS	
4. Planning Applications and Associated Matters	
4 (a) Index and Planning Applications	9 - 144
4 (b) Appeals Against Planning Decisions and Enforcement Action	145 - 156
4 (c) Enforcement Action Progress Report	157 - 200

- 5. Public Footpaths
- 5 (a) Proposed Diversion of Footpath 7 (Part) in Gamlingay **201 - 206**
To respond to consultation by Cambridgeshire County Council.
- 5 (b) Reorganisation of Footpath Network in West Wrattling **207 - 210**
- 6. Cambourne Section 106 Legal Agreement - Facilities and Timing of Provision **211 - 214**
To review compliance with the 1994 Planning Obligation.

PLEASE NOTE

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 Planning Director.

DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

At a meeting held on Wednesday, 3 March 2004 at 10.00 a.m..

PRESENT: Councillor Mrs JM Healey – Chairman
Councillor JH Stewart – Vice-Chairman

Councillors	Dr DR Bard	CC Barker
	RE Barrett	JD Batchelor
	RF Bryant	R Driver
	CJ Gravatt	Mrs SA Hatton
	Mrs J Hughes	SGM Kindersley
	LCA Manning JP	JA Nicholas
	CR Nightingale	Dr JPR Orme
	Mrs DP Roberts	NJ Scarr
	RGR Smith	Mrs DSK Spink MBE
	LJ Wilson	AW Wyatt MBE

Councillors RF Collinson, WH Saberton and J Shepperson attended the meeting by invitation.

Apologies for absence were received from Councillors G Elsbury, R Hall, Mrs JA Muncey and Mrs CAED Murfitt.

1. OFFICER STATEMENT ABOUT CAMBOURNE AND OTHER NEW SETTLEMENTS

At the request of the Chief Executive, the Chairman made the following statement to Members:

“The Head of Legal Services stands by all his advice given to this Committee in connection with Cambourne and the other new settlement applications. Contrary to Councillor R Page’s assertion at the Council meeting on 26th February [2004], Mr Taylor believes his advice to have been correct throughout. It has not been challenged in any other quarter.”

2. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 4th February 2004, copies of which had been published with the agenda for full Council on 26th February 2004 and made available electronically.

3. PLANNING APPLICATIONS

The Committee **RESOLVED** that the following applications be determined as recommended in the report from the Director of Development Services, or otherwise as stated below, and that, in all cases, the Director of Development Services be given delegated authority to finalise details of Conditions and reasons for approval or refusal consistent with such determinations.

(1) S/0133/04/F - HARSTON

Removal of Condition 6 of planning permission S/0984/03/F to allow unrestricted access to the site at 140-146 High Street for Lancaster PLC

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to all Conditions previously applied to planning consent reference no. S/0984/03/F excluding Condition 6 therein. Members asked officers to re-apply any time restrictions for delivery vehicles relating to previous permissions.

(2) S/0029/04/O - HASLINGFIELD

Residential development (2 dwellings) following demolition of existing bungalow at 1 Butler Way for Mrs K Griffiths

DELEGATED APPROVAL, having noted the relevant policies contained in paragraph 3 of the report from the Director of Development Services, subject to standard Outline Conditions on the submission of Reserved Matters. Having noted comments from the Environment Agency, Members asked officers to consider attaching a Condition requiring that a scheme of foul water drainage be submitted, approved and implemented.

(3) S/2486/03/F - HISTON

Dwelling adjacent to 8 Farmstead Close for Alan Collinson

APPROVAL for the reasons set out in the report from the Director of Development Services, and subject to the Conditions referred to therein, and to an additional standard Condition requiring the use of matching materials.

(4) S/2445/03/F - LINTON

Demolition of existing dwellings and erection of 10 flats at 6-8 Cambridge Road for Moore Associates

DELEGATED APPROVAL, as amended by plans date stamped 4th February 2004, for the reasons set out in the report from the Director of Development Services, and subject to the Conditions contained therein and to comments awaited from the Local Highways Authority.

(5) S/0044/04/F - LITTLE SHELFORD

Extension, 10 Church Street for Mr and Mrs Christodoulou

APPROVAL, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site and given due consideration to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies EN/30 and HG/12 of the South Cambridgeshire Local Plan 2004, Members considered that the proposed development would not harm the street scene or character of the Conservation Area, and would not have an adverse impact on the amenity of no. 8 Church Street.

(6) S/0026/04/F - MELBOURN

Extension, 10 Greenbanks for P Karner

DELEGATED APPROVAL, following the receipt of a further amended plan setting back the lean-to ground floor extension on the front of the proposed side extension by one metre, thus negating any adverse visual impact on the street scene, which would have been contrary to Policy HG/12 of the South Cambridgeshire Local Plan 2004.

(7) S/0040/04/F - LITTLE EVERSDEN

Extension at Meridian, Finch's Field for Mr P Mallows And Ms C Revell

DEFERRED for a site visit.

(8) S/0124/04/F - SAWSTON

Bungalow on land to the rear of 7 Church Lane for R Cullum

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to comments awaited from the Council's Trees and Landscape Officer, to the Conditions contained in the report, and to an additional Condition requiring that improvements be made to the pedestrian visibility splay onto the adjacent footpath to the east of the proposed development.

(Councillors Dr DR Bard and Mrs SA Hatton declared personal interests in this item, but contributed to the debate.)

(9) S/1711/03/RM - SAWSTON

Erection of buildings for business use (classes B1 (A), (B) and (C)), parts of Dales Manor Business Park, Babraham Road, Sawston

DELEGATED APPROVAL of siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site, as amended by plans date stamped 11th December 2003 and 3rd February 2004, and for the reasons set out in the report from the Director of Development Services, Planning Conditions would be as set out in the report, subject to the inclusion, in Condition 2 therein, of the words "...and foul water..." between the words "...water..." and "...drainage...".

(10) S/1745/03/F - SAWSTON

Two dwellings and garage on land adjacent to no. 2 Granta Road for Camwest Ltd
DELEGATED APPROVAL, having taken advice from the Environment Agency, as amended by drawing nos. 01C, 02B and 04B date stamped 18th November 2003 and drawing no. 03D date stamped 23rd January 2004 subject to no objections being raised by the Chief Environmental Health Officer in connection with groundwater pollution and to the Conditions set out in the report from the Director of Development Services
(Councillor Mrs DP Roberts abstained from voting.)

(11) S/2554/03/F - SWAVESEY

Erection of house and garage; land adjacent to no. 33 Station Road
APPROVAL for the reasons set out in the report from the Director of Development Services, as amended, subject to Conditions referred to therein. Members asked officers to attach an additional Condition, seeking reinstatement and retention of the Causeway. (An amendment seeking a gable end as opposed to a hipped roof was put to a vote and was defeated.)

(12) S/0116/04/F - STOW-CUM-QUY

Erection of workshop and offices following demolition of existing building and canopy, former A1303 Service Station, Newmarket Road, Bottisham for B Mckay
The Committee was Minded to **APPROVE** the application, contrary to the recommendation contained in the report from the Director of Development Services, subject to it being advertised as a Departure from the Development Plan, being referred to the Secretary of State and not being called in by him for determination. Members considered that the redevelopment reflected the very special circumstances brought about by a change in business operations, and presented a good use of a brownfield site. As such, they considered that it would not be contrary to the aims of PPG2 'Green Belts', PPG7, 'Rural Economy', policies P1/2, P2/6, P7/4 and P9/2a) of the Cambridgeshire and Peterborough Structure Plan 2003, and policies GB1 and GB2 of the South Cambridgeshire Local Plan 2004.

(13) S/0829/03/F - WATERBEACH

Erection of dwelling and store/office and construction of access following part demolition of existing premises at 6 Greenside, for A Hardingham
APPROVAL, as amended on 12th January 2004, for the reasons set out in the report from the Director of Development Services, and subject to the Conditions set out therein.

(14) S/2089/03/F - WATERBEACH

Erection of eight houses, 12 Pieces Lane for Heddon Management Ltd
REFUSED, as amended by letter dated 6th February 2004 and plans date stamped 12th February 2004, for the reasons set out in the report from the Director of Development Services.

(Councillor SGM Kindersley declared a prejudicial interest in this item and withdrew from the Chamber.)

(15) S/2545/03/F - WATERBEACH

Two dwellings to the rear of no. 17 High Street for D Cooper

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions set out therein and to an additional Condition removing permitted development rights.

(16) S/1219/01/O - THRIFLOW

Residential development on land north of the A505, Heathfield for Landmatch Ltd **DELEGATED APPROVAL**, for the reasons set out in the report from the Director of Development Services, subject to no new material objections being received from residents living along the north-western boundary of the site, the prior completion of a Section 106 Legal Agreement requiring a community contribution, public open space provision, and public open space establishment sum, to the Conditions set out in the report, and to additional Conditions relating to the hours of construction and a land contamination survey (if substantiated by the Chief Environmental Health Officer). (Councillor RGR Smith declared a prejudicial interest in this item and withdrew from the Chamber.)

(17) S/2447/03/LB - WILLINGHAM

Internal and external alterations- conversion of existing toilets to bathroom and existing kitchen to bedroom with blocking of external door and enlargement of window for French doors. Installation of WC in cupboard and conversion of vestry to kitchen with replacement window and enlarged opening for French doors. Partial enclosure of 1st floor balcony for bathroom, former Methodist chapel, 65 Church Street, Willingham For S Hall **APPROVAL** of the bathroom (with the other alterations subject to the agreement of the Local Planning Authority), contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposed alterations to insert the bathroom into the balcony reflected the need for practical living conditions and would not result in the loss of historic fabric or have a detrimental impact on the character of either the interior or exterior appearance of the former chapel. Accordingly, they felt that the proposal did not contravene Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 or Policy EN/26 of the South Cambridgeshire Local Plan 2004.

(18) S/0037/04/F - LITTLE ABINGTON

Extension, 10 Hildersham Road for Mr Howe

Members noted that this application would be determined under delegated powers and that, therefore, it had been **WITHDRAWN** from the agenda.

(19) S/0047/03/F - CROYDON

Extensions, 21 High Street, Croydon for Mr and Mrs Martin

APPROVAL, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the scale and mass of the extension would not be such as to be overbearing on the amenity of nos. 20 and 22 High Street and that, accordingly, the proposal did not contravene Policy HG/12 of the South Cambridgeshire Local Plan 2004.

(Councillor LJ Wilson declared a personal interest in this item, but remained in the Chamber.)

(20) S/2237/03/F - WEST WRATTING

Dwelling and garage to the rear of no. 2 Viking Close (fronting Honey Hill) for B Pettit

DELEGATED APPROVAL as amended by drawings date stamped 23rd January 2004, for the reasons set out in the report from the Director of Development Services, subject to the receipt of satisfactory further amendments showing the provision of visibility splays and revised chimney design, to the Conditions set out in the report and to an additional Condition relating to finished floor levels.

(21) S/2403/03/F - OAKINGTON

Erection of 35 dwellings following demolition of existing buildings, former South Cambridgeshire District Council depot, 118 Water Lane for J S Bloor (Sudbury) Ltd
DELEGATED APPROVAL, as amended by plans dated 10th February 2004, subject to the prior completion of a Section 106 Legal Agreement requiring maintenance of public open space, an educational contribution, and the provision of affordable housing, to the Conditions referred to in the report from the Director of Development Services, and to any additional Conditions proposed by the Local Highways Authority and Environment Agency. Members noted that the proposal did not contravene any of the Cambridgeshire and Peterborough Structure Plan 2003 or South Cambridgeshire Local Plan 2004 policies referred to in paragraphs 8 and 9 of the report.

(22) S/2301/03/F - BASSINGBOURN-CUM-KNEESWORTH

Change of use to plant and tool hire business and erection of workshop at 36 Old North Road for Simon Warboys

REFUSED for the reason set out in the report from the Director of Development Services. Members noted that, in paragraph 1.04 of the report, the Grade II Listed Building referred to was no. 40 (and not no. 42 as stated in both that paragraph and in paragraph 7.02).

(23) S/0032/04/F - BOURN

Change of use from Greenkeeper's building to storage unit (retrospective application), The Camp, Toft Road for Mr P Crow and Mr S Hull

APPROVAL for a temporary period of two years, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

(24) S/6231/03/F - CAMBOURNE

Change of use from Information Centre to temporary Community building, and ancillary storage container – Concept Centre, Cambourne Road, Cambourne (in the Parish of Caxton)

APPROVAL, for a temporary period up to 31st January 2005, subject to the Conditions referred to in the report from the Director of Development Services.

(25) S/2198/03/F - COTTENHAM

House and garage, land to the rear of and adjacent to no. 31 Denmark Road for Co-Operative Group (CWS) Ltd

APPROVAL, as amended by letter and plans dated 17th February 2004, subject to safeguarding Conditions. Members noted that the proposal did not contravene the policies referred to in paragraphs 7 to 10 of the report from the Director of Development Services.

(26) S/0126/04/O - RAMPTON

Two dwellings adjacent to Fenways, 38 Cow Lane for Mr and Mrs Margetts

REFUSED for the reasons set out in the report from the Director of Development Services.

(27) S/2414/03/F - ELSWORTH

Erection of two dwellings on land off The Drift and to the rear of nos. 4 and 5 Cowdell End for W Gaskin

APPROVAL, as amended by plans date-stamped 29th January 2004, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

(28) S/2522/03/F - FEN DRAYTON

Erection of house and garage on land to the rear of Manor Farmhouse, High Street for Mr and Mrs K G Newport

APPROVAL for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

(29) S/2561/03/F - FULBOURN

Erection of an extension and outbuilding, Hind Lodgers House for Mr and Mrs Mason
REFUSED for the reasons set out in the report from the Director of Development Services.

(30) S/0145/04/F - GAMLINGAY

Erection of bungalow to replace mobile home, Fountain Farm, Park Lane, for Mr G Taylor
The Committee was minded to **APPROVE** the application, contrary to the recommendation contained in the report from the Director of Development Services, subject to it being advertised as a departure from the Development Plan,. Subsequent to such advertisement, officers would liaise with the local Member to determine whether or not the application should be referred to the Secretary of State. Members took into account the fact that there was no requirement to remove the existing mobile home from the site, and also the personal circumstances of the applicant's mother, who would occupy the bungalow, and considered that a bungalow on this site was preferable to a mobile home, despite Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE/8 and HG/14 of the South Cambridgeshire Local Plan 2004. Members asked officers to attach a Condition requiring suitable landscaping, and to withdraw permitted development rights for extensions. A further drawing should be obtained prior to granting consent showing the internal layout of the proposed bungalow designed to meet the needs of the applicant's mother.

(31) S/2539/03/F - GIRTON

17 metre high monopole telecommunications mast and associated development on land off Wellbrook Court, Wellbrook Way for Orange PCS
REFUSED for the reasons set out in the report from the Director of Development Services.

4. UPDATE ON APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee noted the following from the report prepared by the Director of Development Services:

- Decisions notified by the Secretary of State
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting of the Committee on 7th April 2004
- Appeals withdrawn or postponed
- Advance notification of future local inquiry and Informal Hearing dates (subject to postponement or cancellation)

5. CAMBOURNE SECTION 106 LEGAL AGREEMENT - FACILITIES AND TIMING OF PROVISION

This item had not been on the agenda, but the Chairman agreed that it should be considered in view of its importance.

The Committee noted a further report on the lack of provision, in Cambourne, of a series of facilities required under the terms of the Section 106 Legal Agreement dated 20th April 1994.

The Leader of the Council welcomed progress being made with the Community Centre, and urged Members to re-affirm the Council's stance in relation to withholding planning

permission for any more market housing until the community facilities required by the Section 106 Agreement had been provided to the satisfaction of the Local Planning Authority.

The Development Control Quality Manager informed Members that development of the Burial Ground had started, and that officers would be seeking assurances from the developers that other community facilities, particularly the allotments and playing fields, would be progressed soon. He understood that as much planting as possible would be undertaken during the current planting season. Members endorsed that approach.

The Deputy Director of Development Services informed Members that the Council was currently seeking tenders for lawyers to represent South Cambridgeshire District Council at the Inquiry into Cambourne Enhanced.

It was **RESOLVED** that the Council's stance be maintained for the time being, and a further report to be received at the next meeting.

The Meeting ended at 5.35 p.m.

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCILDEVELOPMENT SERVICES AND CONSERVATION CONTROL COMMITTEE 7th APRIL 2004PLANNING APPLICATIONS AND ASSOCIATED MATTERSREPORT OF THE DEVELOPMENT SERVICES DIRECTOR**INDEX (with hyperlinks)**

<u>Item</u>	<u>Parish</u>	<u>App. No.</u>	<u>Page</u>
1	WHITTLESFORD	S/1254/03/F	1
2	WHITTLESFORD	S/2444/03/F	19
3	THRILOW	S/0173/04/LB & S/0174/04/F	21
4	WILLINGHAM	S/0075/04/F	24
5	WILLINGHAM	S/2551/03/O	27
6	HATLEY	S/0267/04/RM	30
7	SHEPRETH	S/0220/04/O	33
8	GRANTCHESTER	S/0259/04/F	36
9	GRANTCHESTER	S/2433/03/F	38
10	CAXTON	S/2570/03/F	41
11	CAMBOURNE	S/1371/92/O	43
12	CAMBOURNE	S/6177/02/F	45
13	CAMBOURNE	S/6233/04/F	50
14	CAMBOURNE	S/6229/03/RM	53
15	COTTENHAM	S/0211/04/F	55
16	BOXWORTH	S/0323/04/F	57
17	FOXTON	S/0292/04/F	59
18	GIRTON	S/0073/04/F	61
19	GREAT SHELFORD	S/0214/04/F	65
20	HARSTON	S/0446/04/F	67
21	HASLINGFIELD	S/0170/04/F	70
22	HISTON	S/0252/04/F	72
23	HISTON	S/2415/03/F	74
24	GREAT & LITTLE CHISHILL	S/0282/04/F	77
25	LINTON	S/2383/03/F	79
26	LITTLE SHELFORD	S/0241/04/F	82
27	LONGSTANTON	S/0256/04/F	85
28	WHADDON	S/0329/04/F	87
29	LITTLE EVERS DEN	S/0040/04/F	88
30	OVER	S/0057/04/F	89
31	OVER	S/0087/04/F	92
32	GRAVELEY	S/2171/00/F	95

33	PAPWORTH EVERARD	S/0056/04/F	98
34	SAWSTON	S/0178/04/F	100
35	SAWSTON	S/0196/04/F	102
36	SAWSTON	S/0313/04/F	104
37	SWAVESEY	S/0251/04/F	107
38	HORNINGSEA	S/0255/04/F	109
39	HORNINGSEA	S/2247/03/F	112
40	STEEPLE MORDEN	S/0164/04/F	115
41	STEEPLE MORDEN	S/1287/03/F	119
42	GREAT WILBRAHAM	S/0072/04/F	121
43	GREAT WILBRAHAM	S/0074/04/F	125
44	LANDBEACH	S/0148/04/F	127
45	LANDBEACH	S/0370/04/F	129
46	LANDBEACH	S/0532/04/F	131
47	WATERBEACH	S/0085/04/F	132

1. **S/1254/03/F - WHITTLESFORD**
S/1363/03/LB
CHANGE OF USE AND EXTENSIONS TO OFFICERS MESS (BUILDING 45) TO FORM HOTEL. DEMOLITION, RESITING AND RECONSTRUCTION OF SQUASH COURT (BUILDING 46), OFFICERS MESS, IMPERIAL WAR MUSEUM FOR PEDERSON (DUXFORD) LTD

DEPARTURE APPLICATION

Members will visit the site on Monday 5th April 2004.

SITE

1. The 3.2 hectare site is located on the north side of the A505 and is part of the Imperial War Museum (IWM) complex. Opposite is Duxford Airfield. Beyond the boundaries of the IWM to the west and east is housing and to the north, agricultural land.
2. On the site are three Listed Buildings Grade II.
3. Building 45 is the Officers Mess. This is a broad-fronted 'H' plan with symmetrical front, the central single-storey range set back from two storey wings. It dates from 1935 and is of neo-Georgian style. It became part of the IWM in 1978 and has been used for several years for conferences and social events.
4. Building 46 is a squash court, also from 1935. It is constructed of brickwork under a corrugated asbestos – cement roof.
5. Building 147 is a First World War barracks of rendered brick under asbestos-cement slating. It is in use as a store.
6. In the list description of these buildings Duxford is described as “the finest and best-preserved example of a fighter base representative of the period up to 1945 in Britain, with an exceptionally

complete group of First World War technical buildings in addition to technical and domestic buildings typical of both inter-war expansion periods of the RAF.

7. Between the A505 and the Officers Mess in an area of parking (approximately 80 marked spaces) accessed from the west, a lawn and lines of Lime, Poplar and mixed broadleaf trees. At the rear of the existing buildings is open grassland with scattered trees.

PROPOSAL

8. The applications, originally received on 6th and 19th June 2003, propose the change of use, alterations and extensions to The Officers Mess to form a 120 bedroom hotel, the demolition of the squash court (building 46), the re-siting and reconstruction of the squash court and the re-opening of the historic central access to the A505 for both vehicular and pedestrian use. The existing access to the North site would be closed.
9. Following the initial round of consultations and negotiations, the applications were amended by letter and drawings received on 16th January 2004.
10. The principal changes are:
 - a) The leisure facilities (swimming pool, changing rooms and Jacuzzi) are removed from the east wing and are proposed to be located in the west wing.
 - b) The Barrack Building (147) will be brought back in to use for leisure (gymnasium and health and beauty suite), and will involve internal refurbishment and connection with the main hotel building.
 - c) The replication of the squash court is moved from east to west.
 - d) The IWM service road has been moved off the east boundary westwards ranging from 10m to 25m away from residential properties at 29, 30 and 31 Ledo Road.
 - e) The service yard has been reduced in size, and 19 car parking spaces removed from land between the east wing and No 31 Ledo Road.
 - f) Increased car parking from 156 to 168 spaces and redistribution to relate to the re-sited leisure facilities.
 - g) Bedrooms are now proposed to the rear of the hotel linking, at two floors, the two wings to compensate for rooms lost elsewhere by the changes.
 - h) In response to two detailed highway design issues following the Safety Audit, the lane widths have been changed and the traffic islands improved on the A505 junction.
11. To support the application, as amended, the following additional items have been submitted:
 - a) Design Statement and case for the demolition and replication of the Grade II listed squash-court;
 - b) Landscape design statement;
 - c) Report on the need for additional hotel provision in the area; (Appendix 1)
 - d) Travel Assessment Report;
 - e) Archaeological Desk Study;
 - f) Letter of support from the Trustees of the IWM and setting out aspirations for the remainder of the site to the north of the A505. (Appendix 2)

- g) IWM Heritage Assessment dated 6th February 2004.
 - h) PPG15 – Issues arising from the Listed Building Consent Application; (Appendix 3)
 - i) PPG6 – Sequential Test (Appendix 4)
 - j) Letter dated 15th March 2004 from the Director of the IWM setting the proposal in the context of the overall development of the museum. (Appendix 5)
12. Existing buildings to be re-used, namely Officers Mess and barrack building, comprise some 1755 sq. metre footprint.
13. New build, excluding the proposed re-sited squash court, comprises some 3,941 sq. metre footprint.

HISTORY

14. S/0990/89/F – Planning Permission granted in July 1989 for the change of use of The Officers Mess to a “Conference and Management Training Centre with overnight residential accommodation and associated car parking.”
15. S/0590/92/F – Planning Permission granted in August 1992 for, “Extension and refurbishment of Officers Mess to provide leisure and overnight accommodation for conference centre and establishment of a private fitness club.”
16. This permission related to a total gross floorspace of 3,136 sq. metres (net 2,884m²) after development and refurbishment and included 48 en-suite bedrooms in the east and west wings. New floorspace (555 sq. metres gross) in the rear central area proposed a dining room, exercise, fitness and aerobics area, kitchen and swimming pool.
17. The new build has not been implemented.

POLICY

County Structure Plan 2003

18. Policy P1/3 requires a high standard of design and sustainability for all new development.
19. Policy P3/2 requires proposals for leisure and sporting facilities, shopping and other uses which attract large numbers of people to be focused in existing city and town centres. Out –of-centre locations should only be considered where no suitable city, town or edge-of-centre sites are available.
20. Policy P4/1 states:
“New or improved tourism, recreation and leisure development should:
- Maintain or increase employment opportunities
 - Meet the needs of local communities as well as visitors
 - Be accessible by a choice of sustainable transport modes
 - Protect or improve the local environment, landscape and residential amenity
 - Strengthen and diversify the local economy, particularly in Peterborough and North Cambridgeshire
21. Tourism will be actively promoted in Peterborough, the Market Towns and surrounding areas. In Cambridge the impact of tourism will be carefully managed.”
22. Policy P7/6 requires Local Planning Authorities to protect and enhance the quality and distinctiveness of the historic built environment.

23. Policy P8/2 requires new development to increase the ability to move by cycle, public transport and on foot. Travel plans will be required for new and expansion of non residential developments.
24. South Cambridgeshire Local Plan 2004
Policy RT1 requires the Council to have regard to the need for tourist facilities and the benefits which might accrue. Nine criteria are identified against which tourist related development is to be judged.
25. Policy RT9 states (in part):
26. “The Imperial War Museum site at Duxford Airfield will be treated as a special case as a major tourist/recreation facility. Proposals will be considered with regard to the particular needs and opportunities of the site, the criteria in Policy RT1, and the following specific criteria:
- 1) Any proposal must be associated with the continued use of the site as a museum of aviation and twentieth century conflict;
 - 2) The District Council will require additional details concerning the scale, form and design to accompany any outline application.”
27. The application site is within the area to which Policy RT9 applies.
28. Supporting text at Para 9.29 states:
“Much of the open land on the northern edge of the policy area defined in the Inset Map 91A is important to the setting of the former air force base. Any development proposals in this area will be required to conserve the essential nature of this setting.”
29. Policy RT10 supports the conversion of buildings of holiday accommodation, which conform to the criteria in Policy RT1 and where:
- “1) The building is in sound condition and is capable of being re-used without significant extensive rebuilding, extension or alteration.
 - 2) The building itself and the proposal are of an appropriate scale, environmentally acceptable and in keeping with the character of the area and any surrounding buildings.
 - 3) Together with the cumulative effect of neighbouring proposals, development would have an acceptable impact on character and amenity of the locality.
- Where applicable, the proposal should not conflict with the architectural, ecological or historic interest of the building and the surrounding area.”
30. Policy TP1 aims to promote more sustainable transport choices. Developments likely to give rise to more than a small-scale increase in travel demands will not be supported unless the site has (or will attain) a sufficient standard of accessibility by non-car travel modes. A Transport Assessment and a Travel Plan will be required where a proposal is likely to have “significant transport implications.”
31. Policy EN20 states:
“The District Council will refuse planning permission, where it is required, for extensions to Listed Buildings which:
- 1) are not necessary to ensure the continuing use of the building;
 - 2) would dominate or detract from the Listed Building in scale, form, massing or appearance;
 - 3) would imply the loss of building fabric of architectural or historic interest;
 - 4) would damage archaeological remains of importance, or,
 - 5) would harm the well-being or setting of adjacent Listed Buildings.”
32. Policy EN18 presumes against the demolition of Listed Buildings other than in exceptional circumstances. When assessing applications for demolition, the Council will consider:

- a) The intrinsic interest of the building;
 - b) The condition of the building; and
 - c) The efforts made to keep the building in use or find a new use, if necessary, by putting the building for sale on the open market.
33. Policy ES6 indicates that the Council will seek, by means of conditions, to minimise the impact of noise on noise-sensitive development arising from any new commercial or recreational activities.
 34. Government Planning Policy Guidance (PPGs) of relevance is incorporated in PPG6, "Town Centres and Retail Developments" PPG13, 'Transport', PPG15, "Planning and the Historic Environment" and PPG 21, 'Tourism' (Annex A 'Hotels').
 35. PPG6 sets out the need for a sequential approach to development. Preferred locations are city and town centre sites, followed by edge-of centre sites, district and local centres, and finally out-of-centre sites.
 36. PPG13 aims to promote more sustainable transport choices, accessibility to leisure facilities by non-car modes and to reduce the need to travel, especially by car. If tourism development is proposed near to existing buildings and is not well served by public transport, local planning authorities should consider the extent to which the proposal needs to be in the proposed location, including whether the development has a meaningful link with the particular location or attraction; pay particular attention to the scale, layout, parking and access arrangements; and seek measures to increase access to the site by sustainable transport modes, and the use of traffic management and appropriate parking policies near to the site. (Para 37).
 37. PPG15 sets out Government policies for the protection of historic buildings and conservation areas.
 38. Annex A of PPG 21 recognises that, outside Green Belts, a well conceived hotel development can bring economic, employment and amenity benefits. It should fit well with its surroundings, having regard to its siting, scale, design, materials and landscaping and be in harmony with the local environment (taking account of noise, traffic and parking in the vicinity.)
 39. Para 11 of Annex A relates to use of historic buildings as hotels. It states:
"If carefully designed, additions can be achieved without adversely affecting the historic fabric or character and maintain the historic building in viable use. But large-scale buildings in a small-scale setting, buildings which break prominently into the skyline, and those which by their design, materials, illumination or building line are out of sympathy with neighbouring historic buildings will normally be unacceptable."

CONSULTATIONS (AMENDED SCHEME)

40. Whittlesford Parish Council welcomes the new proposals but is still concerned:
 1. 'The style and appearance of the proposed extensions are not at all sympathetic to the existing buildings on this site, which is considered to be the finest and best preserved ex-fighter station in Britain;
 2. The number of bedrooms is still in excess of what we would consider to be desirable – 90.
41. It should also be pointed out that the new extensions with their curved roofs and objectionable wall claddings will still be visible from the A505 particularly where there are single storey links at the front of the building which connect with the public rooms of the present Officers' Mess with the accommodation blocks on each side.'

42. Thriplow Parish Council states:
'.....are pleased to see that two of the main areas of concern have been addressed ie the A505 access and the impact on residents of Ledo Road. We are also happy with the landscaping design.
43. We are, however, concerned that placing the hotel signage in the gateway where there is surrounding tree and hedge cover will necessitate more signage on the A505 itself to warn approaching vehicles and prevent sudden braking when the entrance is reached. We are also extremely disappointed that the brash design of the new building has not been amended. This Parish Council feels that the proposed building is extremely ugly and insensitive to the design of the existing listed building. Whilst not objecting in principle to a hotel complex, we strongly recommend that this application is refused on grounds of design and would suggest that a new design is submitted which is more in keeping with, and compliments, the existing surrounding buildings.'
44. Duxford Parish Council recommends approval with the following comments:
1. The speed limit on the A505 is reduced to 30mph from the roundabout at Junction 10 on the M11 to the end of the IWM airfield site.
 2. That there is no right turn from the central axial entrance onto the A505.'
45. Local Highways Authority confirms that the amended access drawing is satisfactory from the highways point of view. It is also content with the conclusions drawn in the Travel Assessment Report. The highway works should be carried out before the opening of the development. So far as the two comments of Duxford Parish Council are concerned, the following response has been received:
46. 'The junction improvements proposed have been through safety audit and are considered appropriate by the County Council mindful of the scale of development. It is not considered appropriate or necessary to ban the right turn movement out of the site. Similarly, the current 40mph is appropriate for the stretch of road, mindful of the level of frontage development and the number of accesses served off the road. The development proposals and junction works proposed do not necessitate any change to the speed limit.'
47. Environment Agency has no objections.
48. Anglian Water no comments received
49. County Archaeology no archaeological investigation is considered necessary.
50. County Fire and Rescue Service comments that the site is currently served by a number of 'private' fire hydrants. Prior to construction, consideration should be given to the location of any existing or proposed fire hydrants.
51. Police Architectural Liaison Officer recommends that car park security is enhanced by column mounted white down-lighters, appropriate CCTV and limitations on height (no more than 1 metre) of ground cover planting and of tree canopies (2 metre clearance above ground level).
52. East of England Tourist Board indicates that the 2002 occupancy survey shows that South Cambridgeshire District achieved an average annual occupancy of 63% indicating a need for additional accommodation in the area. This figure is 2% higher than the county average and 4% higher than the East of England average.
53. The Board concludes that, these 'statistics along with anecdotal evidence to show a need for additional accommodation in this area to meet current market demand, should help to make this venture a viable proposition. A number of nearby opportunities (IWM, Cambridge, expansion of business and science parks and other nearby tourist attractions) have been highlighted in both the business and leisure markets and the site is strategically well positioned to benefit from these.'

54. English Heritage's strict remit concerns the proposed demolition of the squash court. It objects and recommends the application for its demolition be refused. The argument is summarised as follows:
55. "In view of the special interest of the squash court as part of an exceptionally complete and well-preserved military aviation site, we cannot but consider that its demolition would be a serious loss, and we cannot agree to it in the absence of persuasive arguments to justify it. I do not find the arguments advanced by the applicants' agents persuasive..."
56. Given the nature of the site, however, I see no compelling reason that requires the design to take the form that it does presently; and I would have expected the applicants' architects to accept the presence of the Listed squash court as a constraint that their designs would have to accommodate.

57. The applicants propose to build a replica of the squash court should they be permitted to demolish it. I see no merit in this. If the case for demolition were established, so be it, the court would be lost. A replica would have little, if any, historic interest, particularly were it to stand on a different site.”
58. Although a hotel use of the Mess is an appropriate use, it does not justify the demolition of the squash court nor does it accord with the relevant tests of PPG15.
59. English Heritage does seriously question the scale of the proposed additions, which would alter the present character (neo-Georgian buildings arranged at right angles to one another and separated by macadamised ground or lawn).
60. “These structures would obscure much of the Officers Mess from sight and would so enlarge it that the balance between the buildings and landscape would be disturbed. The scale of the enlarged building would be far larger than that of anything else on the domestic side of the site, and consequently it would detract from the way the historic buildings relate to each other and to the landscape.”
61. Finally it did suggest that, were the hotel to be divided into two parts, the character of the Mess could be retained and the squash court preserved. On the other hand the development would encroach further onto the playing fields.
62. Ancient Monuments Society has no objections save for the demolition of the squash court: “The building is listed in its own right. Its historical associations are strongest where it is. Its removal to another site would damage those associations and its must be doubted whether any rebuilt squash court would be much more than a replica.
63. The applicants’ statement notes that ‘despite considerable design effort it has been concluded that any viable hotel development cannot incorporate the squash court building in its present location.’ Our Sub-Committee could not accept that statement at face value, for there was no evidence of the relevant criteria by which the viability of the hotel development would be assessed or the efforts made to meet them.”
64. Council for British Archaeology has no objections in principle to the use but the proposed demolition and resiting of the squash court does cause serious concerns.
65. “There seems little justification for this action which would see the building lose its all important association with the Officers Mess (see List description which clearly highlights this factor as being significant).
66. Our primary concerns therefore are with what is seen to be over development of the site (there appears to be an element of facadism) and the proposed demolition of the squash court.
67. In para 2.3 of the Chairman’s letter of 27th May, the Chief Executive of the museum wrote to the Planning Authority “We note that the museum lies outside of the area of this application, any developments therefore will be:
- A. Sympathetic to the historic nature of the site,
 - B. Respectful of the curtilage of the listed buildings,
 - C. Pay due regard to the openness of the former playing field area as identified in the Local Plan, and be of the high quality which would be expected of a national museum.”
68. The CBA Casework Panel was of the view that in the submitted plans we have not seen these criteria applied to the application site. On the evidence submitted, we must therefore ask that you refuse consent for the application in its present form.”
69. The Architects Panel complemented the well-conceived design, which maintains the original south elevation of the Officers’ Mess. The rhythm and appearance of the extensions was considered to

be in keeping with the character of the original building. Use of modern materials was considered to be appropriate.

70. The Council's Conservation Manager supports the proposed use of the two Listed Buildings and certain elements of the architectural approach (height and modern design) but objects to the scale of the new extensions and the demolition of the squash court.
71. The detailed appraisal to support these conclusions is incorporated in the Heritage section of PLANNING COMMENTS below.
72. The Council's Chief Environmental Health Officer recommends conditions be imposed to limit the hours of use of power operated machinery, both during construction and thereafter once the hotel is in use (08.00 hours to 18.00 hours weekdays, 08.00 hours to 13.00 hours Saturdays and not at all on Sundays or Bank Holidays.)
73. I have referred letters from residents of Ledo Road to him to comment upon environmental issues which have been raised. Comments are awaited.
74. The Council's Trees and Landscape Officer has no objections in principle to the proposed planting of groups of trees to the rear of the site or to the outline principles for the courtyards and central roundabout.
75. It would be preferable for the existing line of Limes to be retained and enhanced on the frontage rather than removed as indicated, to provide a continual line rather than the Limes to one side of the entrance.
76. In the car park detailed comments are made upon species (perhaps more 'formal trees' rather than a predominance of fruit trees), provision of a greater variety of trees on the eastern side of the development and hedging in the western car park similar to that proposed at the front.
77. It is considered that the comments of the Police Architectural Liaison officer (see above) would detract from the intended landscape character.
78. The landscape proposals will not restrict views from the hotel to the car park.
79. Concern is expressed about the loss of a mature Lime on the site frontage and the proximity of a second Lime and Horse Chestnut to the footpath edge. Both will be compromised.
80. Car parking should be adjusted to afford more than 2 metre clearance to the majority of the young Poplar and mixed broadleaf. Similarly a Horse Chestnut should be afforded greater clearance in the vicinity of parking space 29.
81. The Council's Strategic Development Officer: No comments received.

REPRESENTATIONS

82. Councillor Quinlan considers a hotel is the most appropriate use of the Officers' Mess. Siting is acceptable and size appears to be necessary for the commercial viability of the scheme.
83. However, he considered the original submission to be unacceptable and likely to have an unacceptable impact upon the amenities of people living in Burma and Ledo Roads. On those matters he states:

84. "The first issue relates to the location of the Sports and Social Club on the eastern part of the site. The activity associated with the operation of this facility and its car park, which will be open to members of the public, will be gravely detrimental to the amenities of my constituents. The noise of manoeuvring vehicles and human jocularly associated with the use together with its intrusive lighting will, I believe make the living conditions of my constituents in Ledo Road intolerable. These problems can be entirely overcome by moving the facility to the other side of the site where there are no residents to disturb. It is possible in my view to take the northern half of the new bedroom wing and transpose this with the Sports and Social Club although effective steps will need to be taken to preclude overlooking of the Ledo Road houses but this should not be insuperable by design and planting.
85. The second issue relates to the rerouted service road that is proposed to run along the rear of the Ledo Road gardens on the east boundary of the site. Again the use of this road will adversely affect the amenities currently enjoyed by my constituents and must be rerouted around the front of the hotel although adjustments will need to be made to the Bailey Bridge ramp to allow this. There can be no justification for rerouting this road along the entire east and north boundaries of the Officer's Mess site.
86. The third issue relates to the design of the proposed hotel extensions and I have two principal concerns:
1. The scale and massing of the proposed extensions are too great and conflict with the general form of the existing buildings. Although the elevations are, as always, deceptive as they ignore perspective the building shown seems to me to be rather too high and dominates the Listed Building adversely affecting its character and setting.
 2. The design of the proposed extension might be described as 'high tech modern'. Whilst the dilettante might eschew the use of pastiche I feel that in this particular case the design should reflect the scale, materials, and motifs of the original buildings although they need not be slavish replicas. There are circumstances where the use of good pastiche are appropriate and I think an excellent example is the work done by Quinlan Terry at Downing College Cambridge where he has designed new buildings in a scholarly pastiche to relate superbly to William Wilkin's original Greek Revival composition and Baker's designs for the Chapel and north range."
87. The Whittlesford Society objects to the plan:
"To greatly extend the present building with a most unsympathetic development."
88. The removal of the squash court is opposed. More should be done to explore alternative uses for the building or to build a new hotel elsewhere on the site.
89. Letters of objection were received from the occupiers of Nos 20, 22, 28, 29, 30 and 31 Ledo Road and 8 Burma Road to the original scheme. Nos 28, 30 and 31 Ledo Road have reiterated objections to the amended scheme. Two letters dated 4th August 2003 and 25th February 2004, objecting on behalf of the residents of No 31 Ledo Road are attached at Appendix 6.
90. The grounds of objection are summarised below:
- Conflict with Government advice, development plan policies (Local Plan RT1 and RT9) and listed status of the buildings. The proposals do not respect the listed buildings and their setting. English Heritage guidance states that the campus character of airfield sites such as Duxford derives from the open layout of the buildings, consistent use of materials and generous provision of trees and grassed areas. The proposal contravenes these considerations.
 - Although the leisure uses have moved from the east to west wing, meeting rooms and function suite (twice the size of the existing) in the east wing close to Ledo Road properties will cause serious noise and disturbance throughout the day and night.
 - Any hotel and leisure use on the site is unacceptable, given a location very badly served by public transport, traffic generation resulting in harm to the free and safe flow of traffic on the A505 and

inadequate on-site car parking which would lead to unacceptable over-spill parking on local roads. It is not a sustainable location and would be contrary to the advice in PPG13.

- Demolition and re-siting of the squash court will lose the very essence of its link with the Officers' Mess. Its existing location is considered by English Heritage to be a very important feature of the site and indeed of the history of the RAF. Demolition would be contrary to Policy EN18 of the Local Plan and to PPG15.
- The re-sited service road will still only be 0-19 metres from the boundary of No 31 Ledo Road and only 25 metres from the closest point of this house. Its anticipated usage (177 vehicle movements 7am to 7pm existing) will result in considerable noise disturbance to Nos 29, 30 and 31 Ledo Road.
- Service and Refuse Yard will cause noise and disturbance less than 15 metres from No 31 Ledo Road.
- 168 car parking spaces is inadequate for a 120 bedroom hotel (156 spaces required to meet Local Plan standards) with leisure facilities, meeting rooms and function bar and suite. The existing, much smaller conference and leisure facility on-site is advertised as able to accommodate in excess of 300 people.
- Bedrooms to the rear will swamp the original listed buildings even more and have a detrimental impact on the open character of the neighbouring Green Belt.
- The applicant's report on need suggests that the only 'local' demand is on Duxford Air Show days. Other demand is focused on a wide area covering most of the Cambridge region. Poor public transport accessibility renders the site unsuitable.
- An intensive use, such as a hotel, should not be located so close to the airfield with its potential for aircraft accidents.
- Proposal is a short-sighted approach to the re-use of the buildings given that the IWM Trustees have indicated the need for new development to provide accommodation for their reserve collections.
- IWM has not supported its claim that anything smaller than 120 rooms is not viable. Conversely, the evidence shows that hotels of quality can operate satisfactorily on a much smaller scale, and without the need for a leisure centre. Conversion of the Officers' Mess on a much more modest scale, and in keeping with the historic site, ought to be commercially viable.
- East and north elevation first floor bedroom windows, stairwell window and ground floor door, will overlook Ledo Road houses (Nos 30 and 31), lead to light pollution, noise when open and disturbance from movement of people.
- Use of the breakout area adjacent the function room, will exacerbate loss of residential amenity through noise and light pollution.
- Noise, smell and fumes from the kitchen, swimming pool plant room, and heating and ventilation system plant downwind of Ledo Road properties.
- Proximity of hotel access to junction of Ledo Road, the Texaco Garage and A505 will be a danger, as indeed will any new access onto the A505. Traffic emerging from the latter will not be able to see vehicles emerging from the former.

- Design, particularly the curved roofs and flat roofed linking sections; and finish of the extensions will not complement the existing building and the scale will be out of proportion with it (estimated to be 2.5 to 3 times greater). They are not visually appealing and will not be subservient to the host building. It would be contrary to Policy EN20 of the Local Plan and to English Heritage guidance.
- The occupiers of No 28 Ledo Road requests a hedge be planted on the whole length of the north and east side of the service road. They, and the occupiers of No 29 Ledo Road support Whittlesford Parish Council's suggested maximum 90 bedroom size.
- The proposed use will be a significant traffic generator (highways consultant's prediction of 1560 two-way trips per day, which appears to ignore the proposed leisure centre use) compared with the existing conference centre events (50% of the days less than 100 vehicle movements generated).
- Proposal will result in the loss of a significant amount of the historic interior fabric of the Officers' Mess.
- Substantial new hard surfacing, primarily for car parking, around the building will further detract from the appearance of the Listed Building.
- Proposal would be in conflict with criteria 2, 4, 6, 7 and 8 of Policy RT1 of the Local Plan in that the site is not well related to an established settlement, will be intrusive in surrounding area, will generate significant motorised traffic movements, will have inadequate parking provision and will be detrimental to neighbouring residential development and the countryside.
- Proposal is contrary to Policy RT9 since it is not related to the continued use of the site as a Museum of Aviation and 20th Century conflict.
- Proposed, coupled with possible future developments ('higher quality storage for archive material') contradicts Trustees recognition of the importance of open views across the former playing field and an aim not to encroach seriously upon it.

PLANNING COMMENTS

91. The principal issues to be considered are the:
- a) Use;
 - b) Heritage;
 - c) Need;
 - d) Location;
 - e) Transport and,
 - f) Impact on residential amenity.
92. The Development Plan is of relevance in each case. Section 54A of the Planning Act 1990 requires that, where the development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise.
- a) Use**
93. The site is within the special area identified by Policy RT9 of the Local Plan, being neither within the countryside nor within an identified village framework.
94. Despite the IWM being a major tourist attraction, the proposed use would be contrary to criteria 1) of that Policy as it would not be associated with the continued use of the site as a Museum of Aviation and twentieth century conflict.

95. Whilst it would provide accommodation for visitors to IWM and help to secure the financial sustainability of the Duxford site, including progressing the Air Space project, it is also aimed at remedying a shortage of supply, particularly at the four star level in the Cambridge area. This is unrelated to IWM.

96. In heritage terms, the principle of the hotel and leisure use of the Mess complex, including building 147, is acceptable. It best reflects its original purpose, and the nature of planning permissions in 1989 and 1992 (see History above) which have been partially implemented (conference and training centre).

b) Heritage

97. The revised scheme is considered in respect of the three Listed Buildings directly affected and the setting of the area that has been recommended by English Heritage as being designated as a Conservation Area.

i) The Officers' Mess

98. The main façade and side wings of the listed Officers' Mess are retained within the proposed development to provide the main entrance to the building complex. The proposed alterations to the access road will create a direct avenue and vista to the main portico of the Mess, giving a more direct and arguably a better approach to the building.

99. The rear section of the listed building is proposed for demolition. This part of the Mess comprises a later wing of the building, its demolition will remove a rather unattractive courtyard area between the front and rear buildings.

100. The proposed extension would be attached to the rear of the listed Mess building, creating a large, contrasting bulk with two new wings linking to a rear cross wing. Whilst the proposed new rear wings appear to follow the linear form of the existing Officers' Mess complex, by forming a courtyard, the bulk of the new structure will still be far greater than the residual elements of the listed building. The proposed main foyer area would, therefore, form a large new building mass to the rear of the more slender elements of the original Mess. The proposed new bedroom wings, extending from the central foyer, similarly contrast with the existing wings to the Mess by having a significantly greater depth and volume than the original structure.

101. The design of the proposed new extension will also contrast with the listed Mess in both style and form, as well as being of considerably greater mass. However, the consensus of opinion is that a modern design which echoes some of the design features of the original military building, such as the rhythm of the fenestration, is an appropriate architectural solution, rather than attempting to create a pastiche of the original 1930s architecture. The Council's advisory Architects Panel has supported this general approach and indeed had no objections to the (now superseded) original scheme. It is also to be noted that the use of contemporary architectural style has been successfully adapted elsewhere on the site for some of the modern buildings, notably the American Hanger.

102. It is noted that English Heritage's main concerns continue to focus on concerns with the scale of the additions and the resultant compromise of the grain of the site. They also raise the fundamental question of the *need* for a complex of this scale. They also raise the question that, if such a scale of new development can be justified as economically necessary, whether it should be physically divorced from the Mess or perhaps linked by more translucent glazed elements, rather than creating a large mass abutting the original Mess, in the way proposed. (Note: New build represents a 224% increase on the footprint of the retained Listed Buildings).

103. In summary, the areas in which I would support the architectural approach to the development are:

- The height of the proposed extension buildings being subservient to the original Mess building from the front elevation.

- The modern design concept of the extensions, contrasting with the existing building, but reflecting some its architectural characteristics.
- The reintroduction of a formal entrance to the front of the building.
- Making full use of the Officers' Mess building

104. However, in terms of the tests applied in the Local Plan, the proposal appears to fail to satisfactorily address Policy EN20 of the Local Plan. The principle areas of **concern** are the:

- failure to demonstrate the necessity for the scale of new development to ensure the continuing use of the listed building { EN20 (1)}.
- scale of the new extensions which would dominate the listed building from the rear, in massing and appearance { EN20 (2)}.
- currently unsatisfactory method of connecting the new extensions to the listed building, which will result in the loss of historic fabric and would be detrimental to its special character {EN20 (3)}.
- resultant spread of the hotel complex across the site and the contrast with the established grain of development on the site would affect the setting of the listed group {EN20 (5)}.
- alteration in the relationship with other buildings on the site, in particular by obscuring the fundamental, functional and visual connection of the Officers' Mess to the adjacent Officers' houses {EN20 (5)}.

ii. The Squash Court

105. The revised scheme still proposes the demolition of the squash court, which is listed in its own right. The squash court has been listed because it is a relatively rare survivor of a type of building which has important historical and functional associations with the RAF Officers' Mess building. The structure is also architecturally important for its 'group value' as a component of the military complex. It is proposed to mitigate the demolition by means of a reconstructed facsimile on the site. Clearly as a modern building this would not be listed.

106. It is unclear if the location on a central axis to the mess is coincidence or planned for some specific reason. However, it is known that squash courts were built in close proximity to RAF Mess buildings, to enable pilots to exercise their coordination between flights. The example at Duxford is a rare survival of this type of building. Its physical location, therefore, has an important functional reason, adding to its special historical interest.

107. As it is proposed to demolish the squash court to facilitate as a part of the wider development, the necessary Listed Building Consent application must be considered in terms of the tests for "exceptional circumstances" set out in Policy EN18 of the Local Plan, and derived from PPG15. These emphasise the need to consider:

- (i) *the intrinsic interest of the building* - the relative rarity of the building and its historical and architectural value are set out above in.
- (ii) *the condition of the building* - in this instance the building does not appear in a poor state of repair. Indeed the fact that the scheme included a proposal to rebuild and use the squash court as part of the leisure facility demonstrates that it could be reused for its original purpose.

- (iii) *The efforts made to keep the building in use or find a new use...* it has not been demonstrated that every option to retain the building in situ has been explored. The applicant's supporting evidence does not fully address this issue and there is no evidence that an alternative use of the building has been explored.
- (iv) PPG15 also indicates the need to consider the *merits of alternative proposals for the site*. The assumption underlying this test is that the building which might replace the site of the listed building will equally be of exceptional architectural quality. In this instance the reason for the removal (of what is by definition a building of national heritage importance) is that the squash court is inconveniently sited in terms of the particular redevelopment scheme. While the principle of the development might be generally supported, it is evident that alternative planning of the extensions to the proposed hotel could enable the squash court to be retained and incorporated into the complex, rather than simply being demolished.

Similarly, while the general design approach is widely supported, there has been no suggestion that the architectural result would be of such outstanding quality as to justify the loss of a nationally important and statutorily protected building.

The proposed construction of a facsimile squash court in a more convenient location is essentially irrelevant in terms of the demolition tests as the potential construction of a modern version will not mitigate against the loss of the original building.

108. Consequently, it is considered that the above Local Plan policy and PPG15 'listed building demolition tests' have not been fully or adequately addressed in the current proposal. It is clear that the restricted access to the site and the specialist nature of the building would tend to preclude a separate use of the building and therefore it should be incorporated into the redevelopment.

109. It will be noted that the LPA cannot on its own, grant Listed Building Consent for demolition of a Listed Building and may only make a recommendation to the Secretary of State. This recommendation will need to be on the basis of the above Local Plan policy and PPG15 tests, and should confirm the LPA's view that this is the only option for the building and that the advantages to the site outweigh the loss, neither of which have been established in this case.

iii) The Barrack Building.

110. It is a welcome step forward that this First World War building, which is also listed in its own right, is fully incorporated into the proposed scheme and a viable use has been found for it. The use as a health & beauty facility and gym, which involves minimal alteration to the building, is appropriate as a means to preserve both its historic fabric and architectural character.

111. The proposal to link the structure into the main complex and create an active use of the former barracks will overcome the concerns for the long-term viability of this building. The submission of a detailed building specification for the restoration and alteration works to this building will be required as a condition of any LBC granted for the site. This will include the means of treating the internal walls, floors and roof space, as well details of any external alteration, in order to ensure that the functional, military character of the barrack block is not entirely subsumed by the needs of its new use.

iv) The Overall Site

112. *The development as a component of the overall military complex.*
The overall character of the former RAF base is one of large complex of buildings set either side of the main road (A505). The buildings to the south of the A505 include the massive structures of the aircraft hangers which enclose the road and frame the ordered, functional open landscape of the airfield. The buildings to the north are smaller and more domestic in scale, and while similarly set in a distinctly military landscape, they also relate to the wider agricultural countryside.

One of the important considerations of the proposed development must, therefore, be how well the resultant new building would fit into the overall existing pattern of development. The immediate relationship with the Officers' Mess is clearly the principal issue of concern but the new building will need to be seen as a legitimate visual component of the entire complex. This will mean careful consideration of its impact on both the military complex and the agricultural hinterland.

113. *Impact on the wider landscape*

It will be evident that if the mass of the proposed new building were to be moved to the north it would potentially have a significantly greater impact on the open countryside and would raise concerns regarding the apparent sprawl of the complex into the agricultural and playing field landscape. However, this form of separation might better reflect the established grain of the site. This clearly creates a difficult balance of judgements which can only be addressed in the light of clear evidence that the proposed scale of the development is actually necessary to facilitate the use and compromise of the listed building. The Local Plan, at para 9.29, requires that any development proposals should conserve the essential nature of the setting of the former air base created by the open land to the north.

114. *Reflection of the established grain.*

It will be noted that the site has no pattern of linking individual buildings. The pattern of development is largely one of freestanding blocks, set in a very formal landscape setting, linked by an ordered road network. The creation of an enlarged block, with extensive linking components will, therefore, create a significant contrast to the character of the overall site's development pattern. The potential of separating the proposed new parts of the hotel complex from the Officers' Mess (or even using a low link/courtyard format) to reflect the established grain or pattern of development has not been satisfactorily explored, therefore making it difficult to justify the current option as the best and preferred solution.

115. *Relationship with adjoining complex components.*

The functional and visual relationship between the former military housing units, the recreational function of the grounds and the Officers' Mess building will be altered by the scheme. The main public views into the site are currently from the main road and the new structure will not be easily viewed from here. The main façade of the Officers' Mess will remain as the principal building when seen from this main public viewing point.

116. However, views from the former Officers' houses, particularly No 31 Ledo Road, will be substantially altered by the development, as the new extension will dominate views of the site from this eastern side, replacing views of the former recreational fields. The extension will also obscure views of the complex from the north back towards the Mess.

v) Conclusion

117. It is, therefore, considered that the applicants have yet to adequately justify either the: architectural design and form of the development; the need for a creating a hotel of this size and scale; or the case for demolishing substantial parts of the national heritage. On this analysis, it is considered that, as currently proposed, the scheme does not appear to positively enhance or complement the surrounding development on the site and results in significant compromise to both this important site and local material considerations.

118. Consequently, despite supporting the principle of the use of the Mess complex as a hotel, the proposal is considered to be fundamentally flawed, necessitating an objection to the scheme as currently submitted. It is suggested that the applicants are advised to further re-consider the scale, form and planning of the proposed development in order to address the above concerns.

c) Need

119. PPG6 aims to focus leisure uses which attract a lot of people within town and other existing centres. Applicants for proposals to develop out of centre locations which are not in accordance with an up to date development plan strategy must:

- Demonstrate that there is a need for the development;

- Having established a need adopt a sequential approach to site selection;
 - Consider the impact on nearby centres; and
 - Provide evidence on the site's accessibility by a choice of means of transport.
120. Since the proposal does not achieve the aims of PPG6 or Structure Plan Policy P3/2, the above tests have been applied.
121. The applicant's case of need is made up of a number of factors, including absence of international four star quality hotel in South Cambridgeshire, accessibility by road, complimentary links with IWM, satisfying demand for conference meetings and events, job creation (approximately 100) and creating a commercially viable re-use of historic buildings.
122. Whilst I accept that there is evidence of general need for high quality accommodation in South Cambridgeshire, the extent of need is less clear-cut. In Cambridge two hotels at the 'budget' end of the market are providing 220 rooms (Blue Circle and Cattle Market sites). In South Cambridgeshire there are three planning permission of note: Cambourne (120 rooms, 4 star); Great Shelford (99 rooms, 5 star); and Cambridge Research Park, Landbeach (details awaiting a reserved matter application). The Council has also resolved to approve a 100 room hotel at Cambridge Science Park.
123. It is unclear to what extent these commitments would satisfy the demand or whether the provision of the proposed 120 rooms, over and above a permitted but not implemented 48, is so critical as to outweigh other considerations, including the following statement from the Local Plan (para 9.25):
- “...there is an awareness by this Council that tourism can bring benefits to the rural area including greater spending on goods and services and the creation and support of jobs. The District Council in partnership with other Cambridgeshire Authorities seeks to promote Cambridgeshire through brochures and exhibitions to relieve some of the tourism pressure on the historic core of Cambridge.”
124. The links with the IWM are recognised but whether that need can only be satisfied by a 120 room hotel is unclear. In addition the building already hosts conferences and social events.
- d) Location**
125. If Members are persuaded that there is a need, a sequential test to find a suitable location should be considered.
126. The applicants believe that the need is so directly linked to the development of the IWM that any sequential test to find a suitable location should be centred on IWM/Duxford and not on existing urban centres.
127. This is debateable given the wider need that is argued in favour of the proposal.
128. In Cambridge there either appears to be a shortage of land, a provision at the 'budget' end of the market or commitments for other forms of development on the edge of the City to provide for the proposal.
129. In either the market towns of Saffron Walden and Royston or the rural centres of South Cambridgeshire there is argued to be a lack of suitable sites which meet the identified need.
130. However, there are commitments in South Cambridgeshire, albeit that travel between those sites and IWM for visitors is likely to be by car.
131. Given that this out of centre location is the least favoured, in terms of PPG6, Members would have to be satisfied that the visitor attraction levels of the IWM warrants such a location for proposal of this scale and nature. I am not totally convinced.
132. In terms of its impact on the vitality and viability of nearby centres, I consider it unlikely that the proposed uses will be detrimental.

e) Transport

133. The location is well suited to accessibility by the private car but less so by other means of transport, as evidenced by The Travel Assessment's comment that, in relation to existing conference events in 2002, 'almost all of these people arrived by car and taxi...'
134. Despite that, there are bus services calling at IWM, including a 20-minute frequency connection with Cambridge ('citi 7') and a one per day stop for the Kings Lynn-London coach. IWM also operates a free courtesy bus service between the site and Cambridge on a hourly frequency between 10am and 4pm.
135. Although the applicants propose a travel plan to encourage non-car travel and that this be confirmed by a planning condition, it must be recognised that a significant percentage of trips will be by car. This would not accord with Policy RT1 criteria 6 of the Local Plan.
136. Comparison with the Holiday Inn at Impington, which is a lot closer to Cambridge, suggests that during the peak hour between 79% and 86% of movements occurred by car. The 'worst case' prediction of trips, based on a database of trip rates, suggests up to 1,560 2-way trips per day from the proposal. It is not clear whether that includes trips generated by the leisure use.
137. I have no reason to doubt that this volume of traffic can be safely accommodated at the new access and junction.
138. Parking is provided at the maximum standard of 13 spaces for every 10 bedrooms (156), together with an additional 12 to compensate for the loss of parking adjacent to the leisure use in the original scheme. There is no justification in seeking additional spaces in excess of maximum standards or less, given the nature of the location of this site.

f) Residential Amenity

139. Three residential properties (Nos 29, 30 and 31 Ledo Road) abut the eastern boundary of the site. These houses are some 10 metres from the boundary, at their closest point.
140. The objections raised by those residents are understandable, given that the proposed extensions will be significantly closer to that boundary than the existing Officers' Mess, potentially disturbing uses (vehicle service area, meeting rooms and functions suite and IWM service road) will be closer than existing and first floor bedroom windows on the east elevation will be closer to and look towards, at distances ranging from 25 to 43 metres this eastern boundary.
141. In mitigation there is a thick hedge, approximately 2 metres high, on this boundary, a proposal to screen the service yard on the north and east sides by a 1.8metre high fence and hedge, potential for additional planting, a willingness to restrict delivery times to between 7am and 7pm and incorporation of a 2 metre wide corridor along the east side of the ground floor meeting rooms in the east wing to provide some form of noise buffer.
142. These measures, together with the ability to impose enforceable conditions regarding noise attenuation of the service yard and delivery times, will help reduce some potential impact, but it would be very difficult to adequately control activities arising from the use of the meeting rooms or function rooms and the re-sited IWM service road.
143. Overall the impact on residential properties is judged to be negative and therefore contrary to Policy RT1 criteria 8 of the Local Plan.

CONCLUSION

144. Whilst I consider that a hotel use, some degree of extension to The Officers' Mess and the modern approach to the design of an extension are appropriate, I do not consider that planning arguments or evidence are so beneficial as to outweigh the significant harm identified to the character of the site and the Listed Buildings, by reason of the scale and bulk of the extensions and the unsubstantiated case for demolition of the Listed squash court.
145. Indeed the location of the site, where car travel will dominate, and the negative impact on residential properties, add weight against the scale of the proposal.
146. A proposal which overcame these difficulties, whilst at the same time contributing to the viability and vitality of the IWM, could, in my opinion, enhance the site and therefore justify accepting a proposal which did not strictly accord with Policy RT9 of the Local Plan.

RECOMMENDATION

147. Refuse, for the following reasons:
1. The scale and bulk of the proposed extensions to the Officers Mess would dominate the Listed Building, result in loss of historic fabric, would detract from the setting of the Listed group, would obscure the functional and visual connection with the adjacent former Officers' houses and are not considered to be necessary to ensure the continuing use of the Listed Building. Consequently the proposal would be contrary to Policies SP7/6 of the Structure Plan 2003 and EN20 of the South Cambridgeshire Local Plan 2004 and to the objectives of PPG15.
 2. It is considered that the options for the retention of the squash court, a Listed Building in its own right, have not been fully explored and exhausted. The proposed demolition would therefore be contrary to Policies SP7/6 of the Structure Plan 2003 and EN18 of the Local Plan 2004 and to the criteria included in PPG15.
 3. Notwithstanding the ability to impose planning conditions to mitigate adverse impact upon residential properties to the east arising from the use of the service yard, it is considered that the scale of the proposal and its siting closer to these properties than the existing conference and event activities would have a negative impact upon the environment of those properties, contrary to Policy RT1 (8) of the Local Plan 2004.
 4. Having regard to the above heritage and residential amenity objections, no substantial case has been made to outweigh the approval of the use, or its scale, contrary to Policies RT9 or RT1 (6) of the Local Plan 2004, in terms of a use associated with a museum of aviation and twentieth century conflict or one which was better accessible by a choice of sustainable transport modes.

2. **S/2444/03/F - WHITTLESFORD**
EXTENSION, 38 NORTH ROAD FOR MR & MRS LAWRENCE

CONSERVATION AREA

SITE AND PROPOSAL

2. 38 North Road, Whittlesford is a 2 storey dwelling set at the end of a terrace of 4 houses. It is adjacent to the Bees in the Wall Public House, which is a Grade II Listed Building. It has an existing flat roofed single storey rear element which is identical to other three neighbouring terrace properties. There is a single garage and a shed to the rear of the garden and 1.5 metre high fence along the boundary with the Public House.
3. This full application, received 1st December 2003, proposes to erect a first floor side extension over a cover way for vehicular access and a single storey rear extension with a partial pitched roof. The application amended on 2nd March 2004, reduces the depth and height of the side extension and the pitched roof removed from the proposed rear extension.

HISTORY

5. S/0154/03/F – planning permission granted for single storey rear extension and detached garage.

POLICY

6. Policy EN30 of South Cambridgeshire Local Plan 2004 seek to ensure that all new development in Conservation Areas preserves or enhances the special character and appearance the Conservation Areas.
7. Policy HG13 of the South Cambridgeshire Local Plan 2004 permits extensions to dwellings in the countryside where (in part):
 - the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling;
 - it would be in scale and character with the existing dwelling and would not materially change the impact of the dwelling in its surroundings;
 - would be in keeping with local characteristics, would not seriously harm the amenities of neighbours through its design, layout, location or materials, etc., would not have an unacceptable visual impact on the street scene, or would have inappropriate boundary treatment (Policy HG12).
8. The site is within the Green Belt.
9. Policy GB 2 of the Local Plan 2004 states that planning permission will not be granted for extensions and alterations to dwellings in the Green Belt unless the criteria in Policy HG 13 are met and that the overall impact of any extension does not result in the dwelling having a materially greater impact on the openness of the Green Belt.

CONSULTATIONS

10. Whittlesford Parish Council recommends refusal. “The Parish Council objects on the grounds that the proposed extension is totally out of keeping with its surroundings and with the rural environment and the right of way is possibly still being infringed in a vertical dimensions.”

11. The Conservation Manager recommended an amended plan given the sensitive location of the site. The proposals required modification including the first floor extension should be constructed in a more traditional form, revised design for the front elevation ground floor opening, provision of pier adjacent to the gable on the rear opening, and the mono-pitched roof over the rear extension. No objections are raised to the revised proposal.
12. English Nature No comment.

REPRESENTATIONS

14. None

PLANNING COMMENTS

15. **Key Issues**
 1. Whether the proposal would have adverse impacts upon the design and character of the existing dwelling and its surroundings within the Conservation Area adjacent to a listed building.
 2. The scale of development and its effect on the openness of the Green Belt and countryside.
 3. Whether the proposal would harm seriously the amenities of neighbours.
16. The original proposal involved a side extension at the same height and depth as the existing house, which provides two additional bedrooms on the first floor and a cover way at ground floor for vehicular access and a right of way for accessing the rear of neighbouring properties. The gross internal floor area of the original property is 67.66m² and of the proposed extensions are 53.62m² which would result in an increase of 79.2% to the original property.
17. Revised scheme addresses the issues raised by the Conservation Manager and planning officers in terms of design details in relation to the appearance and character of a Conservation Area; and the impact of the development on the scale and character of the existing house and the Green Belt. The proposed side extension on the amended plan is set back from the front and rear building line of the existing property by 0.7 metre and the height is reduced by 0.5 metre. The side wall towards to the boundary with the Public House is replaced by a plain rendered gable which follows the comments made by the Conservation Manager. The proposed side extension and rear extension would result in an increase of 63% to the original property.
18. On balance, the design and size of the proposed extensions on the site is considered to be acceptable in terms of the character of the existing dwelling and the Conservation Area and adjacent to a listed building. Given the impact of the development in the street scene and the design/appearance of the resultant dwelling would be acceptable, I do not consider that the total increase in internal floor area of 63% to the original property would have an adverse impact upon the openness of the Green Belt and countryside.
19. To the south-east of the site is the Public House and there is a 1.5 metre high close boarded fence along the boundary. It is approximately 9m distance from the boundary fence to the side wall of the Public House. There are no first floor windows in the proposed side extension facing this adjoining property.
20. Regarding the concern of the right of way, the submitted plans indicate adequate access to the rear of adjoining properties and no objections have been received from the neighbour. The grant of planning permission does not override private access rights. There are public rights of way on the site. On balance, there would be no serious impact on the amenity of neighbours.
21. For the above considerations my recommendation is one of approval.

RECOMMENDATION

22. Approval as amended by drawing 0311/2/A date stamped 2nd March 2004.

1. Standard Condition A – Reason A.
2. Standard Condition 19 – Reason 19 – matching materials.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: None.
 - b) South Cambridgeshire Local Plan 2004:
 - EN30 Development in Conservation Area
 - HG12 Extensions to dwellings
 - HG13 Extensions to dwellings in the countryside
 - GB2 General principles in the Green Belt
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: appearance or character of a Conservation Area; inappropriateness in the Green Belt; visual impact in the locality; public right of way; and residential amenity interests.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

3. **S/0173/03/LB & S/0174/04/F - THRILOW
EXTENSION AND REPLACEMENT OF SINGLE STOREY BATHROOM AND LARDER
BY ENLARGED 2 STOREY EXTENSION COMPRISING HALL, BATHROOM WITH
FIRST FLOOR BEDROOM. CONVERSION OF EXISTING REAR BEDROOM TO
SHOWER ROOM - 34 LOWER STREET FOR MR & MRS N BAKER**

Members of Committee will visit the site on Monday 5th April 2004

CONSERVATION AREA

SITE AND PROPOSAL

1. The site is an early 19th century two storey, Grade II listed building, (listed as number 30), with generous rear and side garden area. The original form of the cottage currently survives despite existing extensions. It comprises a timber frame covered with a roughcast render and with a slate roof, symmetrical façade and end stacks. The five horizontal sliding sash windows on the front elevation, with patterned glazing bars, emphasise the symmetry of the front elevation and the modest, estate worker character of the cottage.
2. The modest scale and character of the cottage has been somewhat compromised by the unfortunate addition to the rear of a two storey flat roofed extension. This extends across the whole of the rear elevation, almost doubling the footprint of the original cottage and detracting from the originally well-balanced architectural form. In addition (apparently at a later date), a single storey flat roofed side extension has been added to the northwest corner further compromising the form and character of the original cottage.
3. The application site is prominently situated at the junction of Lower Street and Lodge Road; consequently despite being located to the rear and side, these detrimental extensions are visible from Lodge Road. The single storey extension is also visible from Lower Street.

4. The applications, which were received on 30th January 2004, seek to replace the existing single storey bathroom and larder extension with a two-storey extension for hall and bathroom on the ground floor and bedroom on the first floor. The applications also include the conversion of an existing first floor rear bedroom to a shower room and landing. The extension will be rendered to match the existing, with a slate pitched roof.

HISTORY

5. There has been no recent planning history. The age of the existing extensions is unknown but predates the 1986 listing.

POLICY

6. Policy P7/6 of the Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment.
7. Policy EN20 of South Cambridgeshire Local Plan 2004 states that planning permission will be refused where it is required for extensions to Listed Buildings which: (in part)
 - Are not necessary to ensure the continuing use of the building;
 - Would dominate or detract from the Listed Building in scale, form, massing or appearance; and
 - Would harm the wellbeing or setting of adjacent Listed Buildings.
8. Policy EN30 of the South Cambridgeshire Local Plan 2004 seeks to ensure that all new development in Conservation Areas preserves or enhances the special character and appearance of Conservation Areas.
9. Policy HG12 of the South Cambridgeshire Local Plan 2004 resists extensions to dwellings that would not be in keeping with local characteristics, would seriously harm the amenities of neighbours through undue loss of light etc., and would have an unacceptable visual impact on the street scene.
10. Planning Policy Guidance (PPG), 15 "Planning and the Historic Environment paragraph," 3.13 states that "Some listed buildings are the subject of successive applications for alteration or extension: in such cases it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest.

CONSULTATIONS

11. Thriplow Parish Council recommends approval.
12. The Conservation Manager notes that the existing extensions compromise the character and form of the cottage. However he objects to the current proposal in that the proposed additional extension is considered to fail to meet the tests in the local plan policy and is inappropriate and detracts from the special character of the cottage. The replacement of the single storey extension with a larger two-storey extension will significantly increase the impact on the listed building. It will therefore further unbalance the symmetry of the cottage and compromise its modest architectural form and historic interest. The result will neither preserve nor enhance its character and appearance nor that of the Conservation Area.

REPRESENTATIONS

13. Councillor Quinlan comments that the proposal “removes a ghastly flat roof single storey extension and closes off views of the existing two storey flat roofed extension and therefore represents a real improvement.”

PLANNING COMMENTS

14. **Key Issue:** The effect of the extension on the character and appearance of the listed building and the Conservation Area.
15. The existing house and the proposed extension is set away from the neighbouring properties. The first floor bedroom window facing Lodge Road and the private garden area of The Lodge would not seriously harm the amenities of neighbours.
16. The cottage has an attractive symmetrical front elevation of three bays with a central door and original windows with patterned glazing bars. The rear and side elevations have been compromised by the existing extensions, which predate the listing, by virtue of their scale, form and design which detracts from the simple plan and traditional appearance of the cottage.
17. The principle of a further extension on this part of the listed building to replace the existing single storey extension with a two storey extension with a pitched slate roof to match the main roof of the cottage is considered to be unacceptable as it would compound rather than reduce the impact of the existing extensions and would not improve the appearance of the building.
18. The floor plan does not indicate the use of the first floor rooms and the applicant has not demonstrated why works which would affect the character of the listed building are desirable or necessary as required by para.3.4 of PPG 15. It is however evident that the proposal is not considered necessary to ensure the continuing use or life of the historic building.
19. The justifications to Policy EN20 (para.10.59) states that the “alteration to historic buildings must not destroy the evidence of a building’s historical development by unnecessary change or over-restoration”. It is considered that the cumulative impact of this further extension will be to erode the special architectural character of the cottage. Consequently it fails to meet the measures set out in policies EN20 and EN30 of the local plan and the guidance offered in PPG15.

RECOMMENDATION

20. Refusal

The proposed replacement of the existing single storey flat roofed extension with a two storey extension would dominate the listed building by virtue of its scale, form and massing and have a detrimental effect on its character and appearance and is considered not to preserve or enhance the character of the Conservation Area. In addition the extension it is not considered necessary to ensure the continuing use of the building. The proposal is, therefore, contrary to Policy P7/6 of the Approved Structure Plan 2003 and Policies EN20 and EN30 of the South Cambridgeshire Local Plan 2004.

4. **S/0075/04/F - WILLINGHAM**
CHANGE OF USE FROM AGRICULTURAL TO CAR PARK AT LAND ADJACENT TO 2,
STATION ROAD FOR A R ASPINALL & SONS LTD.

SITE AND PROPOSAL

1. The proposal relates to an area of land 35m x 35m adjoining an existing builders yard with retail sales to the public. The land is currently not in use and is laid to rough grass, although formerly it has been used to grow Christmas trees. There is a substantial conifer tree belt within the site along its south eastern and south western boundaries where the land adjoins the rear gardens of dwellings fronting Station Road. The north western boundary is bounded by an open agricultural field.
2. Vehicular access is from Over Road through the builders yard. The yard has a small area for parking of vehicles adjacent to the entrance.
3. The application, received 15th January 2004, proposes the change of use for additional storage and also for the parking of up to 11 vehicles adjacent to the landscaped belt adjoining dwellings on Station Road. In a letter accompanying the application the agent states that at present customers to the builders yard find it difficult to park on site, resulting in parking taking place on the highway. In his opinion, the proposal will improve vehicle turning and access around the site and encourage customers to park off road. He says that this is a low key development that is not intended to increase the size of the business.

PLANNING HISTORY

4. S/1017/99/F – retrospective planning permission was granted for an extension to the concrete apron, to provide additional vehicle turning area. The permission also included the erection of replacement storage and aggregate storage bins.
5. S/0807/94/F – this application is similar to the current proposal. Permission was sought to change the use of an area 23m x 40m (which corresponds approximately to the current application site) to form an area of open storage behind the existing conifer belts. Planning permission was refused for the following reasons:

POLICY

6. The site lies outside but adjoining the village framework, whereas the existing builders yard lies within the framework boundary.
7. In the Cambridgeshire and Peterborough Structure Plan 2003 the following policies apply:

Policy P1/1 – Approach to Development: when assessing development proposals on the periphery of settlements previously developed land should be preferred over the use of land that has not been developed previously.

Policy P1/2 – Environmental Restrictions on Development: development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

Policy 2/6 – Rural Economy: Sensitive small-scale employment development in rural areas will be facilitated where it contributes to inter alia, the re-use of vacant, derelict or under-used land within villages.
8. In the South Cambridgeshire Local Plan 2004 the following policies apply:
Policy SE2 – Willingham is identified as a Rural Growth Settlement.
Policy EM6 – New Employment at Rural Growth Settlements: on suitable brownfield sites next to or very close to the village frameworks planning permission will be granted for small scale development in classes B1 – B8 provided that

- there would be no adverse impact upon residential amenity, traffic conditions, village character and other environmental factors, and
- the development would contribute to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise.

Policy EM7 – Expansion of Existing Firms at Villages: Development for the expansion of existing firms within village frameworks or on suitable brownfield sites next to or very close to the village frameworks will be permitted subject to the provisions of Policy EM3 (limits on occupation) and EM6.

CONSULTATIONS

9. Willingham Parish Council recommends that the application be approved subject to the following conditions:
 - double yellow lines to continue beyond the site;
 - no loading/ unloading of vehicles on the roadside;
 - Aspinalls' own vehicle to be parked on site not on the road;
 - signs to be erected for customers to use car park at rear of the site.
11. The Chief Environmental Health Officer has expressed concerns about the potential for noise disturbance to nearby residents or occupiers. He has put forward recommendations for conditions in the event of planning permission being granted in respect of:
 - exclusive use of the car park by customers only
 - no use of the car park for the loading/unloading of lorries
 - no use of the car park for the storage of skips, machinery and building materials
 - details of car park surfacing materials and surface water drainage to be submitted for approval
 - details of external lighting to be submitted for approval.
12. The Environment Agency has no objection to the proposal subject to further investigation prior to the installation of any soakaways.
13. The Highway Authority has indicated that it does not wish to comment upon the proposal.

REPRESENTATIONS

14. Objections have been received from the occupiers of nos 6, 8 and 10 Station Road. The grounds of concern are:
 - The growth of a small family business into a builders merchants yard, bringing with it the potential for noise and pollution from the proposed car park and open storage area;
 - Risk of flooding from additional surface water run-off. Incidents of previous flooding events have been cited;
 - The conifer screen is of concern as it is old;
 - Existing problems of dust pollution from the site will be made worse;
 - Attention has also been drawn to possible breaches of conditions attached to the 1999 planning permission.

PLANNING COMMENTS15. Key Issues

Members will wish to consider:

- the advantages of increased car parking capacity and storage area to the business and its customers;
 - the potential for noise disturbance to nearby residents;
 - any additional risk of flooding as a result of the development;
 - any harm to the appearance of the countryside from the siting of the development.
16. The issues raised by the proposal have been considered in previous applications and at appeal. The last refusal of planning permission was in 1994 – since then new Structure Plan and Local Plan policies have been adopted. Members will note that current policies do not impose a blanket prohibition on employment development adjoining the village framework, but only on brownfield sites that do not give rise to adverse impact upon residential amenity, traffic safety, village character and other environmental factors.
17. As the site has not been developed previously it does not fall to be considered as brownfield. The character of this part of the village would be changed significantly by its use for storage and car parking, which in my view would cause significant harm to its setting. In my opinion the use is just as likely to generate noise disturbance as in 1994, when the proposal was firmly rejected both by Members and the Planning Inspector at appeal. I do not consider that the option of the regulation of the development by the use of conditions would be likely to provide sufficient safeguard to the amenity of adjoining residents in this instance, given the continuing monitoring that would be necessary.
18. The risk of flooding from the development has not yet been demonstrated and, as the Environment Agency has not raised an objection, I do not consider this to be a reasonable ground for refusal. However, for the reasons given above, I consider that this proposal should be resisted.

RECOMMENDATION

Refusal for the following reasons:

1. The use of the site for the storage of building materials and the parking of vehicles would harm the character and appearance of this agricultural land which lies outside the village framework boundary as shown on the Inset Plan No.100 of the South Cambridgeshire Local Plan 2004. The proposal is unacceptable in that it conflicts with Policy 1/2 of the Cambridgeshire and Peterborough Structure Plan which seeks to restrict development in the countryside unless it can be demonstrated to be essential to that particular rural location.
2. Notwithstanding the provision of landscape screening on the south eastern and south western boundaries, the proposed development would be likely to give rise to unacceptable noise disturbance from vehicular activity and loading/unloading of building materials to residents of Nos 8,10 and 12 Station Road. The proposal therefore fails to comply with Policies EM6 and EM7 of the South Cambridgeshire Local Plan 2004.

5. **S/2551/03/O - WILLINGHAM**
DWELLING, REAR OF 41 CHURCH STREET, FOR MR AND MRS S NUNN

CONSERVATION AREA

SITE AND PROPOSAL

1. 41 Church Street is an Edwardian semi-detached house situated on the Church Street frontage. A garage has been added to the eastern elevation, and there is also a gravelled access to its side. The property has a long (approx. 250 metres) rear garden, characteristic of the properties on this side of the street.
2. To the East is a public house with a large outbuilding to the rear. To the west the site abuts land owned by Willingham Combined Charity.
3. The outline application received on the 18th December 2004, as amended by plans franked 9th March 2004, proposes the erection of a dwelling and garage to the rear of 41 Church Street, together with 2 replacement parking spaces for the existing dwelling. Access is proposed via the existing driveway on the eastern side of the site. Siting and design are matters reserved.
4. The site area is approximately 0.1ha, giving a density of 10 dwellings to the hectare.

SITE HISTORY

5. There is no relevant site history.

PLANNING POLICY

6. The site is within the village framework and partly in the Conservation Area. The following policies apply.

Cambridgeshire and Peterborough Structure Plan 2004

- Policy P1/3 Sustainable Design in Built Development
- Policy P5/3 Density
- Policy P5/5 Homes in Rural Areas
- Policy P7/6 Historic Built Environment

South Cambridgeshire Local Plan 2004

- Policy SE2 - Rural Growth Settlements
- Policy SE8 - Village Frameworks
- Policy HG11 - Backland Development
- Policy EN30 - Development in Conservation Areas

CONSULTATIONS (Amended Plans)7. Willingham Parish Council objects

“Poor access, bad visibility close to adjacent Public House. With the shared access proposed to No 41 there is no space to manoeuvre their vehicles on and off the site in forward gear.

As stated in the last Structure Plan there should be no additional access to Church Street.

Totally out of keeping with the area and our concerns re: the Conservation Area.”

8. The Local Highway Authority states that “following discussions with the agent, a reduced width of driveway between the buildings is acceptable providing the remainder is a minimum of 4.8m. To present a more acceptable alignment of drive and junction with Church Street, 1.5m x 1.5m pedestrian visibility splays each side of the access are acceptable.

The alteration to the existing parking space in front of the garage must be completed prior to the occupation of the new dwelling.”

9. Conservation Manager states

“As previously noted, in principle, I do not object to the principle of development of a low form of residential development on this site. However, I would emphasise the requirements of Policy EN30 which require details of development proposals for sites affecting Conservation areas to be submitted to enable appropriate assessment of such schemes, noting that, *“in most cases outline applications will not be acceptable”*.

10. I note that all matters with the exception of access are reserved. I would note that the potential impact of a development on this site can only be estimated by this scheme, and if we are to support this outline proposal, the applicants should be aware of the constraints of the site which may well temper their ambitions in terms of the scale, massing and design of the eventual development. While I welcome the suggestion in Scheme B that the scale and mass of the proposed development has been reduced applicants should be clearly advised that the footprint will not commit approval of the eventual reserved matters scheme. It will be essential to ensure that the eventual scheme does not:

- spread across the entire site and or visually dominate the frontage buildings to the detriment of the conservation area.
- will not have a significant impact on the adjoining residential amenity of the frontage properties by reason of its scale or mass.
- present a bulky, poorly proportioned form of building design on the main part of the proposed house (across the site).

11. I would, therefore, continue to emphasise that any development here needs to be of a form that retains the ‘ancillary’ characteristic of the site and creates some form of relationship with the frontage property. The eventual scheme should be essentially linear and of a low lying form, with materials reflecting the adjacent backland structures.

12. Consequently, while I do not object to the siting or means of access, I still would express reservation about the implicit scale of development indicated by Scheme B, although I note that these issues will be considered in the Reserve Matters applications.”

REPRESENTATIONS

13. The Willingham Combined Charity which owns the site which adjoins to the west does not object in principle to the application providing the proposal does not jeopardise the Charity's own planning application on its site. That proposal is to provide accommodation for elderly persons, who may not wish to be so closely overlooked by such a large dwelling or subject to excessive noise from near neighbours.

PLANNING COMMENTSKey Issues

- Impact on the Conservation Area
 - Impact on neighbouring properties
 - Highway safety
14. The principle of residential development to the rear of the properties on the north side of Church Street and with vehicular access from it has been accepted with the approval at the February 2004 meeting of 2 dwellings to the rear of 35-37 Church Street. In some ways the current application site has more to commend it because a wider vehicular access is available with better visibility and a public house is the neighbouring property, which will not be affected by additional vehicle movements in the same way as a private dwelling would be.
15. The Conservation Manager has no objections in principle. Although policy EN30 normally requires design details of development proposals to be submitted in conservation areas and in its amended form these are not included, it is the access that is primarily in the conservation area, the proposed dwelling abutting it. Therefore, I consider sufficient information has been submitted to determine the application. The Conservation Manager's comments concerning design and siting can be conveyed by covering letter.
16. Discussions have taken place with the Local Highway Authority to achieve a safer access. The existing garage on the side of the house will be converted to residential and its driveway soft landscaped. 2 parking spaces will be provided to the rear of the garden as an alternative, thereby improving the visibility on the western side which could have been blocked by parked cars.
17. The footprint of the proposed dwelling has been moved away from the western boundary with the Willingham Combined Charity's land, to improve the relationship with the two recently approved dwellings. The design and siting are reserved matters requiring the submission of further details, at which time further attention can be given to Conservation issues as well.

RECOMMENDATION

18. Approval, as amended by plan franked 9th March 2004, subject to the following conditions:
1. Standard Condition B – RCB
 2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:
 - (a) The siting of the building
 - (b) The design and external appearance of the building (RC1 outline only)
 3. Details of boundary treatment - SC60 (RC60) (RC1)
 4. The proposed alterations to the existing parking space in front of the garage at 41 Church Street shall be completed prior to the occupation of the dwelling hereby approved.
(Reason – In the interests of highway safety.)

Informatives

+ letter with Conservation Area officers comments.

Reasons for approval

1. (a) Cambridgeshire and Peterborough Structure Plan 2003
 - Policy P1/3 - Sustainable Design in Built Development
 - Policy P5/3 - Density
 - Policy P5/5 - Homes in Rural Areas
 - Policy P7/6 - Historic Built Environment
- (b) South Cambridgeshire Local Plan 2004
 - Policy SE2 - Rural Growth Settlements
 - Policy SE8 - Village Frameworks
 - Policy HG11 - Backland Development
 - Policy EN30 - Development in Conservation Areas
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Impact on the Conservation Area
 - Impact on neighbouring properties
 - Highway safety
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.
6. **S/0267/04/RM - HATLEY**
DWELLING, LAND ADJ 53 EAST HATLEY FOR JASPO LTD

SITE AND PROPOSAL

1. This application, registered on 12th February 2004, seeks reserved matters consent for the siting, design, means of access and landscaping of a dwelling on the former garden land of No53 East Hatley.
2. The application proposes the erection of a four-bedroom house with a ridge height of 7.1m. The proposed house has a frontage width of 11.5m and will be set back approximately 10m from the road with a single garage at the front of the site parallel to the road. The end elevation of the proposed house will be within 4.5m of the southern elevation of the house to the north, No53 East Hatley. This house has openings in its southern elevation, including a conservatory at first floor.
3. Materials proposed are render with concrete pantiles. The proposed house has garden land to the south as well as to the rear.
4. The outline site, which has a frontage of 13metres, is within, but on the edge of, the village framework.

HISTORY

5. Outline planning consent for the erection of a dwelling on this site was approved on 25th April 2001. All matters were reserved.
6. A reserved matters application for the erection of a dwelling was withdrawn in February 2003.
7. Planning consent for a replacement garage for No53 East Hatley was approved in February 2003.

POLICY

8. Policy SE5 of the South Cambridgeshire Local Plan 2004 identifies Hatley as an Infill-Only Village. The policy states that any development should be sympathetic to the historic interests, character and amenity of the locality.
9. Policy SE9 of the Local Plan 2004 states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

CONSULTATIONS

10. Hatley Parish Council comments "The Parish Council voted to approve the application but would like to see the removal of permitted development rights in order to monitor further expansion of the site and thereby protect the village envelope. The Council is concerned that future developments could breach the envelope.
11. The Chief Environmental Health Officer requests a condition restricting the hours of operation of power driven machinery during the construction period. Should driven pile foundations be proposed a statement of the method of construction should be submitted and agreed.

REPRESENTATIONS

12. Three letters have been received from local residents.
13. The occupier of No49 East Hatley comments as follows:
14. Siting

The proposal would extend the built form of East Hatley southwards right to the edge of the village, adversely affecting the local landscape

Downsizing of the garden of No53 which presently forms a soft edge to the village would have an adverse impact on the appearance (landscape) of this end of the village

The proposed buildings are unsympathetic to the local landscape and its amenity value

The subdivision of the garden of the existing cottage would have an adverse impact upon the amenity of occupiers of existing and proposed properties

Local building density would be unacceptably high

15. Design

The proposed house with its garage across the front would not match the design of the existing cottage and would be unattractive.

16. The size of the gardens of both existing cottage and proposed house would be unfittingly small for the dwellings.

17. Access

The addition of an extra dwelling in the hamlet would lead to an increase in local traffic

The proposed house would be uncomfortably close to the existing cottage and access to its 'back door' would be restricted by the narrowness of the passageway

Access to the garage to be rebuilt for the existing cottage would be awkward

Access to the site during construction would cause a serious nuisance to residents and the road verges are likely to be spoilt

18. Errors or uncertainties in the planning application:

The layout shows the garage by the side of the existing cottage as "to be demolished". The plans are incorrect. The garage was demolished in February and its proposed new position is not shown on the layout.

The layout shows several trees "to be removed". The plans are inaccurate. The trees were destroyed in February.

19. Conditions that should apply should the planning application be approved:

No further building(s) should be allowed on the site of the 'new' No53.

The speed limit on the road/trackway should be reduced from 30mph to 10 or 15 mph.

20. The occupier of No14 East Hatley objects on the following grounds:

21. The new buildings would extend the built form of East Hatley southwards towards the edge of the village framework, adversely affecting the soft edge to the village. What is now an attractive feature of the local scene would appear disproportionately cluttered with buildings.

22. The house and garage as proposed are not in keeping in terms of materials or design with the rural character of the buildings in the immediate area. Compared to rendering and wood, they look hard-edged and urban. It would be disproportionately close to No53 and access would be cramped.

23. The proposed subdivision of the garden results in two much smaller gardens, out of keeping with the character of this end of the village, and adversely affecting the amenity of residents of these two properties and their neighbours. The construction of sheds, greenhouses and the like, in the garden of the new house, would, by extending the built edge yet further south, damage this character and amenity still more.

24. A garage lying across the front of the house is out of keeping with adjacent properties, most notably No53 itself, a cottage lying parallel to the road. The house and garage would look what they are – an attempt to squeeze a quart into a pint pot.

25. Again concern is expressed about the removal of the existing garage and garden clearance.

26. The occupier of No45 East Hatley has written requesting that it is ensured that development of the site is 100% within the existing envelope. A restriction should be placed prohibiting the future erection of buildings outside the envelope without first requiring planning permission.

PLANNING COMMENTS

27. Outline consent exists for the erection of a dwelling on this site. The key issues to be considered with this application are therefore limited to the reserved matters and in particular the impact of

the proposed dwelling on the amenity of neighbouring residents and the street scene at the edge of the village. Comments concerning the principle of the erection of a dwelling are not material considerations.

28. The approved plot has a frontage of 13m. taking it to the edge of the village framework. The proposed dwelling does not extend beyond the framework. In my view the size and location of this proposed house is inappropriate. By proposing two-storey development within 4.5 metres of the south elevation of the existing house to the north, the proposed dwelling will have an unacceptable adverse effect on the amenity of the occupiers of that property.
29. Policy SE9 of the Local Plan 2004 requires that development at the edge of villages be sympathetically designed to minimise impact of the development on the countryside. Policy SE5 requires that development is sympathetic to the historic interest, character and amenities of the locality. The house proposed does not in my view meet these criteria, being higher than the cottage to the north and with a garage set parallel to the road at the front of the plot. The width of the dwelling at 11.5m, all two storey, is overdevelopment of the outline site. In my view the proposed dwelling and garage will be an alien feature at the edge of the village.
30. I cannot control the removal of the existing garage to No53 or the clearance to the existing land.

RECOMMENDATION

That reserved matters consent is refused for the following reasons:

1. The scale and form of the proposed dwelling and garage at the edge of the village is unacceptable as it would be unsympathetic to the, character and amenities of the locality and have an unacceptable impact on the surrounding countryside contrary to the aims of Policy SE5 and SE9 of the South Cambridgeshire Local Plan 2004.
2. The location of this two storey dwelling within 4.5m of the south elevation of the adjoining house to the north would have an unacceptable adverse impact on the amenity of the occupiers of that property through loss of light and overbearing, contrary to the aims of Policy SE5 of the South Cambridgeshire Local Plan 2004.
7. **S/0220/04/O - SHEPRETH
DWELLING AND GARAGE AT LAND AT BARONS FARM, 7 ANGLE LANE FOR
J SWANSON**

CONSERVATION AREA

SITE AND PROPOSAL

1. Barons Farm is situated to the North East in Shepreth. The site is on the edge of the village framework and inside the designated Conservation Area for Shepreth. Angle Lane is a small road that leads onto a track that is poorly maintained. The residential dwellings on this small stretch of road are generously spaced out, all of which have reasonably large curtilages.

Barons Farm is a Listed Building and its curtilage measures approximately 0.8 hectares, the majority of which (0.6 hectares) is outside of the village framework. To the north east of No 7 is a collection of timber outbuildings, mostly unused and covered in foliage.

2. The outline application received 6th February 2004 proposes demolition of the existing timber outbuildings and erection of a detached dwelling house and garage on a site of 0.188 hectare. The access, as submitted in the drawings, is shared with the occupiers of the Barons Farm dwelling house. All matters are reserved.
3. The density equates to 5 dwellings per hectare.

HISTORY

4. S/0219/04/LB - Demolition of existing timber outbuildings - Delegated for approval - 18th March 2004.
S/1886/86/O - Residential Development, Land south west of Barons Farm - Approved.

POLICY

5. Structure Plan Policy P7/6 requires Local Planning Authorities to protect and enhance the quality and distinctiveness of the historic built environment.
6. EN28 - Development within the Curtilage or Setting of a Listed Building in part states:

‘Where it appears that proposals would affect the curtilage or wider setting of a Listed Building, the District Council will require sufficient illustrative and technical material to allow its impact to be clearly established’.
7. EN30 - Development in Conservation Areas in part states:

‘the District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed’
8. SE5 - Dwellings in Infill-Only Villages in part states:

“Shepreth has been selected as an infill village only. Residential development is restricted to not more than two dwellings according to particular criteria. Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character and amenities of the locality
9. SE8 - Dwellings - Village Frameworks. (The front half of the site is within the framework).

“There will be a general presumption in favour of residential development within village frameworks (as defined on the Inset Maps) where this is also in accordance with Policies SE2, SE3, SE4 and SE5. Residential development outside of the frameworks will not be permitted.”
10. SE9 - Village Edges

“Development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside

CONSULTATIONS

11. Shepreth Parish Council has recommended Approval.

‘The Parish Council has concerns regarding the size of the new proposed dwelling’

12. Environment Agency notes the application as submitted does not give details of surface water drainage and has recommended a condition to be applied if the application is to be approved requiring such details to be submitted.
13. Chief Environmental Health Officer raises concern regarding noise pollution from erection of the development. A condition to restricting hours of power operated machinery during construction is recommended, as well as informatives regarding foundation construction and bonfires.
14. The Conservation Manager has commented on the lack of detail submitted as it is not possible to judge the impact it will have on the Listed Building or the Conservation Area.
15. The Ecology Officer comments: “I have no objection to the principle of one dwelling on this site. However, due to its sensitive location immediately adjacent to the River Shep (a county wildlife site) I would wish to have appropriate conditions put in place to safeguard the semi-natural habitats of the river and its adjacent habitat.
16. Otters and water voles have been recorded as using the stream in the last year. Brown trout also spawning about 100m downstream. The high quality nature of the river must not be compromised by any adjacent development. The Friends of the River Shep (under my guidance) have undertaken management of the stream in many parts of Angle Lane; it might be appropriate for the applicant to discuss ideas with the group where information could be shared.
17. The dense scrub around the old barn is providing nesting habitat as such I would wish to have conditions in place to prevent its disturbance or removal during the bird breeding season, March to August (inc).
18. I would additionally wish to ask for a scheme of enhancement/management agreement to be in place to ensure the positive management of the River Shep CWS. Policy EN9 relates to the protection of sites identified for wildlife, and EN12 recognizes the value of river corridors as important features for biodiversity.
19. I would not wish to see any increase in culverting at the access point. The present bridge is a wide-span type, thus it retains the natural gravel bed of the river rather than having a barren concrete tube.
20. A degree of semi-natural habitat should be retained to buffer any development upon the river frontage.”
21. The Trees and Landscape Officer has visited the site but needs more information to evaluate the impact on the trees within and around the site.

REPRESENTATIONS

22. A design statement accompanying the application from the Agents refers to:
 - Planning application for the site on the other side of Barons Farm S/1883/86/0.
 - Another development will create balance
 - Enhance visual appearance
 - No further engineering for a crossover as using existing

PLANNING COMMENTS

23. The application site is the last of the remaining land belonging to Barons Farm that is within the village framework. The village framework sits close to the proposal site, therefore taking the rear garden land into the countryside (approximately 43 metres depth).

The application is for outline planning and does not give any information on the scale or style of the building. The erection of any house would require more information to assess the impact it would have on the Conservation Area and Listed Building. However, a house on this plot would create a tight and cramped form of development on the edge of the village framework, with limited scope for landscaping on the north-east side of the development.

24. The application shows an outline for a house and a garage, although the application form states all matters are to be reserved. Although illustrative only, I consider that, to further subdivide the curtilage of Barrons Farm, would have a detrimental effect on its setting and on the character of the Conservation Area. The applicant was advised of my opinion before the application was submitted.
25. Demolition of the existing outbuildings would improve the site by opening up the last of the land on this boundary out to Countryside. However the erection of a new dwelling would create an overdeveloped site on the edge of the village framework and a hard built up edge to the village.
26. The referral of application S/1883/86/O that relates to the land South West of Barons Farm is unrelated to this application as each application is assessed individually on its merits.

RECOMMENDATION

Refuse for the following reasons:

1. The application site is located close to the edge of the village framework and a substantial part of it encroaches into the countryside. The proposal would produce a cramped and over developed plot that would materially impact upon the countryside by means of being visually detrimental to its surroundings and is therefore contrary to Policy SE9 of the South Cambridgeshire Local Plan 2004.
2. Further subdivision of the curtilage of Barrons Farm would adversely affect the setting of this Listed Building and have a negative impact upon the character of the Conservation Area, contrary to Policies P7/6 of the Structure Plan 2003 and EN28 and EN30 of the Local Plan 2004.
8. **S/0259/04/F - GRANTCHESTER**
CHANGE OF USE OF LAND TO GARDEN AND ERECTION OF GARAGE, 15
SLADWELL CLOSE FOR MR AND MRS SHARP

SITE AND PROPOSAL

1. Sladwell Close is located at the south west end of Grantchester, south of the Conservation Area and within the village framework. The application site is situated in the far south westerly corner of Sladwell close off Stulfield Road. The house is located on a corner plot amongst almost identical properties. There are designated garages for those within the Close and they are located approx 45 metres north west from No. 15. The modern brick built house is an end of terraced property. The front gardens are mostly open plan and boundaries are undefined. There are a few houses that have defined their boundaries within the Close. There is a small area to the front of the property for uncovered parking. There is a piece of land adjoining that of No. 15 that has been purchased from South Cambridgeshire District Council. This adjoins the road and turning head behind No. 15.
2. The application received 11th February 2004 proposes the erection of a single bay, lean to garage attached to the gable end of the house and on the land purchased from South Cambridgeshire District Council. Entrance into the garage is from the front of the property. The kerb on the west of No. 15 is to be lowered to provide access into the garage. The garage is to be built of materials to match that of the existing dwelling house.

HISTORY

3. No history relevant to No. 15 Sladwell Close.
4. S/1139/94/F - Parking Bays and lay-by at the land opposite 2-8 and 11-15 Sladwell Close – Approved

POLICY

5. **HG12** - South Cambridgeshire Local Plan 2004: Extensions and alterations to dwellings within the framework

In part states extensions and alterations to dwellings will not be permitted where,

- the design and use of materials would not be in keeping
- the proposal would seriously harm the amenities of neighbours, or would adversely affect surrounding properties
- there would be an unacceptable loss of off street parking
- there would be an unacceptable visual impact on the street scene
- boundary treatment would provide an unacceptable standard of privacy and visual amenity

CONSULTATIONS

Grantchester Parish Council recommends Refusal.

6. ‘The Parish Council recommends that this application is refused, in its present form. The design is idiosyncratic, but in particular, we object to the turning area to the front, as this will spoil the continuity of the grass frontage. An entrance to the rear would be preferable. Also, the use of white PVC is considered unsuitable’.

Council’s Lands Officer

7. ‘To confirm, the Council has approved the sale of its land adjacent 15 Sladwell Close to the owner of this property and made her an offer. Approval was given on the basis that the applicant is disabled and no longer able to walk to the Council garage block off Sladwell Close. The land will be sold for the purposes of extending the garden of No. 15 and erecting a garage adjoining the property (subject to planning permission) The Council wish to retain a strip of grass verge 1 metres in width adjacent the kerb. An Article 6 Notice has been received from the applicants solicitor’

REPRESENTATIONS

8. None received

PLANNING COMMENTS

9. The proposed garage is to be located on the west side of the dwelling house so that the proposed garage sits flush with the existing building line. It does not adversely affect any of the neighbouring properties. The Close has a predominately open frontage; the hard standing, limited in area to 5.5m x 4.5m, would alter this aspect. It would not have an adverse impact on the street scene and located on the corner plot any impact created would be minimal. The low chain link fencing would not require a planning application if submitted individually and by keeping it low the longer distance views of Sladwell Close barely change.

10. The garage door located on the front has been recommended by the Parish Council to be moved to the rear of the extension. This would be better in terms of visual impact. However I understand the turning head located behind No. 15 is used for the parking of residents' vehicles and access would be restricted depending on the level of parking, therefore the garage would be unusable.
11. Given that the substantial area of the open frontage in Sladwell Close will remain, I consider the proposal to be acceptable.

RECOMMENDATION

Approve with the following conditions:

1. SCA - (RC 'A')
2. SC19 - (RC 19) – matching materials.

Reasons for approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: None.
 - b) South Cambridgeshire Local Plan 2004: Policy HG12 – Extensions to dwellings within frameworks.
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: Visual impact.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

**9. S/2433/03/F - GRANTCHESTER
EXTENSION, THE RUPERT BROOKE PUBLIC HOUSE, THE BROADWAY FOR
ENTERPRISE INNS**

CONSERVATION AREA

SITE AND PROPOSAL

1. The Rupert Brooke Public House is located on the northern edge of Grantchester. It is situated in the village framework and in the designated Conservation Area for Grantchester. The building consists of brick and slate construction and has various flat roof elements to it. The application site is currently two separate buildings that are situated close together and function as one unit. There is parking to the rear; east and south of the buildings. The Rupert Brooke is hard on the road frontage and prominent in the street scene.
2. The application received 28th November 2003 proposes various internal alterations and an infill extension that links the two buildings together, creating a new lounge bar. The extension is located to the front of public house and creates a further 36 sq. metres of useable function space. The proposal also involves alteration to the vehicular access and the layout of the car park to provide 30 spaces.

HISTORY

- | | | |
|----|----------------------------------------------------------------------|-----------|
| 3. | S/0243/76 - Whitbread London Ltd, Change of use of office to store - | Approved |
| | S/0703/84 - Extension - | Withdrawn |
| | S/1446/84 - Sitting out area - | Refused |
| | S/1447/84 - Additional Car parking - | Approved |
| | S/1086/85 - Patio Area - | Approved |
| | S/0579/89 - Conversion to function room - | Refused |
| | S/0734/02 - Extension - | Withdrawn |

POLICY

4. **Policy P1/3** of the Structure Plan 2003 is a general policy that seeks all new developments to incorporate high standards of design.
5. **Policy CS9** of the Local Plan 2004 aims to resist proposals which would result in the loss of a village service, including village pubs.
6. **Policy EN30** – South Cambridgeshire Local Plan 2004 in part states,

Development in Conservation Areas will be expected to preserve or enhance the special character and appearance of the conservation areas especially in terms of their scale, massing, roof and wall materials. This reiterates objectives of Policy P7/6 of the Structure Plan 2003.

7. **Policy EN31** – South Cambridgeshire Local Plan 2004 states:

The District Council will expect to agree and approve a high standard of design and materials for the hard and soft landscaping of the open public and private spaces connected with developments in Conservation Areas.

8. **Standards for Car Parking Provisions** - South Cambridgeshire Local Plan - Appendix 7/1
Use Class Order A3: Food and Drink.

Public Houses, restaurants, and roadside restaurants: 1 Car Space per 5 sq. metres.

CONSULTATIONS

9. Granchester Parish Council has recommended refusal:

“No objections are raised to the extension design. The Parish Council recommends refusal on the grounds of the problems of car parking. The plans suggest that the car-parking layout will not work. Spaces will be lost and car parking will spill over into the village, where car parking is already a major problem”.

10. The Conservation Manager has given the following comments:

“The proposals basically comprise adapting two existing outbuildings to provide a new kitchen and lounge area, linked back to the existing bar via a new infill extension constructed over what is currently a ‘beer garden’ type area.

11. The proposed floor plan indicates that a new disabled WC is to be formed from the current male toilets, and this appears to include a new, larger window in the south elevation (onto the car park), though no elevation is included in the drawings. This window is currently a circular window, which matches a corresponding circular window on the other side of the entrance door. I can see no reason for this window to be enlarged, and to do so will disturb the entrance elevation. There is already a large window from this toilet on the road elevation, so there should be adequate light and ventilation to the room.

12. The inclusion of a disabled WC would suggest that the Public House is endeavouring to comply with the requirements of the new DDA, but on a more detailed examination of the plan it would appear that people in wheelchairs will only be able to access a small area of the lounge bar, and I would suggest that more could be done to gain access to a greater area of the ground floor. In order to gain access to even the modest area shown on the current proposals a ramp will need to be provided at the main entrance door, and this will need to be carefully detailed to avoid any conflicts with the vehicle entrance to the car park. Furthermore, the three parking bays adjacent to the main entrance (Nos 1-3) should be replaced by two disabled parking bays.
13. Turning to the main aspects of the proposals. I have no issues with the alterations indicated to the outbuildings; the existing 'Venetian' style window on the road frontage is a poor copy of the rather fine window to the ground floor of the public house and its replacement with an arched headed window is acceptable. The arched head to this window, together with the arched head to the windows in the new infill section, should be formed using special shaped bricks rather than repeat the crude detailing over the current window.
14. The only area of concern that I have with these proposals is the roof to the new infill section. The current proposal is for a flat roof hidden behind a mono-pitched slate fascia. This type of solution invariably looks unconvincing when constructed and I would prefer to see a true pitched slate roof. This roof could have a shallower pitch to that indicated for the fascia roof, following the line of the roof over the current public house (which is considerably shallower than the roof over the outbuilding that fronts the road). A roof along these lines could be wholly or partially exposed internally, allowing a greater sense of space in the new lounge bar with the possibility of using patent glazing along the ridge (or something similar) to provide natural light and ventilation deeper into the space".

REPRESENTATIONS

15. None received.

PLANNING COMMENTS

16. The proposed development does not alter the building plot extensively as the extension is infill only. The development consists of a flat roof extension hidden with a mono pitched roof fascia. It does not adversely impact any neighbouring properties and the impact on the street scene and Conservation Area, given the enclosure by buildings either side, is minimal. The design and materials are not favoured by Conservation and suggestions have been made to alter the roof design and brickwork. The applicant is considering these suggestions.
17. The additional floor space has meant a necessary increase in parking spaces, totalling 28 required. This has been shown on the proposed plans, however spaces 6, 12 and 13 appear unworkable and these could be re-sited elsewhere. In addition a minimum 2 disabled parking spaces should be provided. Amended drawings are awaited. That level of parking would comply with the Local Plan standards.

RECOMMENDATION

Delegated powers of approval subject to the submission of an amended parking scheme and consideration given to the comments of the Conservation Manager.

10. **S/2570/03/F - CAXTON**
USE OF SITE AND BUILDING FOR WEEKLY CAR AUCTION, KARTSPORT UK,
ROYSTON ROAD FOR MR S BUTCHER

SITE AND PROPOSAL

1. The Kartsport site lies to the south of Caxton on the western side of the A1198, based on a former Government depot. It is close to the boundary with Longstowe Parish Council.
2. The full application received on the 19th December 2004 proposes a weekly car auction at the indoor kart circuit. Two auctions would be run on a Wednesday, one at 12.30pm and one at 7.00pm. Each auction would last for about 1.5 hours. The circuit would be open from 9.00am for viewing on the day of the auction. About 60 cars would be auctioned on the day. There would be no karting available on the day of the auction. No material changes would be made to the existing buildings and parking facilities.
3. The applicant's add:

“In terms of vehicle movements it is anticipated 50-100 customers would attend each auction. Before each auction there will be several hours viewing, which will space out arrival times. Customers will often come to bid for specific cars and if unsuccessful they will leave, spacing out leave times.

Cars entered into the auctions will either be collected or delivered individually throughout the week.

On the day of the auction the kart track will be closed therefore not adding any additional traffic.

No traffic or parking problems are foreseen as the karting business has run for 10 years with similar numbers of customers without difficulty.”

PLANNING HISTORY

4. The Kart racing business has been established on the site with planning permission for about 10 years.

POLICY

5. The following policies are relevant:

Cambridgeshire and Peterborough Structure Plan 2003

- Policy P2/6 - Rural Economy

South Cambridgeshire Local Plan 2004

- Policy EM10 - Employment in the Countryside

- Policy SH2 - Applications for new retail development

- Policy ES6 - Noise and Pollution

CONSULTATIONS

6. Caxton Parish Council objects:
“It is not suitable to have this by a brow of a hill.”
7. Longstowe Parish Council has no objections to the change of use provided the Council has considered the following points:
 - Is there enough parking on site?
 - We are concerned about traffic safety, entering and leaving the site from the A1198 which is very busy and traffic will be increased as Cambourne is finished. Will there be large car transporters which require extra width to turn?
8. The Local Highway Authority requested extra information on projected vehicle movements, but based on this states:
“I am mindful of the existing use and the attendant traffic. I would prefer, if possible, a temporary permission to be issued in order that the traffic situation can be monitored.”
9. The Chief Environmental Health Officer has no objections.
10. The Environment Agency has no objections subject to informatives.

REPRESENTATIONS

11. No representations have been received.

PLANNING COMMENTS

Key Issue

Highway Safety

12. There would be little visual impact of the proposed once weekly use of the site for car auctions. The primary concern is highway safety. Having requested more information the Local Highway Authority is satisfied the impact of the use is not likely to be significantly greater than the current karting use, which will be suspended on auction day. Cars will not be delivered by transporter.
13. Given the applicant’s admission that they are “testing the water” with the car auction proposal and demand will dictate whether it continues, it is suggested that a temporary one year permission would be appropriate.

RECOMMENDATION

Approval, subject to

14. The use hereby permitted shall be discontinued on or before 31st July 2005.
(Reason - To judge the impact of traffic generation upon highway safety.)

Informatives

15. The Environment Agency has the following comments:
 - 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/fuel 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.

- Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
- All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent should be discharged to the foul sewer.
- Facilities should be provided to ensure that waste oil is stored and disposed of in a manner that will not lead to pollution.

Reasons for Approval

16. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
- (a) Cambridgeshire and Peterborough Structure Plan 2003:
- Policy 2/6 - Rural Economy
- (b) South Cambridgeshire Local Plan 2004:
- Policy EM10 - Employment in the Countryside
 - Policy ES6 - Noise and Pollution
17. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
- Impact on the countryside
 - Highway Safety
18. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.
- 11. S/1371/92/O - CAMBOURNE**
SUBMISSION OF MASTERPLAN AND DESIGN GUIDE PURSUANT TO CONDITIONS 1 AND 2 OF S/1371/0

PURPOSE AND BACKGROUND

1. The Cambourne Masterplan drawing is a plan that shows the disposition of land uses within Cambourne. It reflects the broad principles set out in the MasterPlan document. Over time modifications and refinements have been made to this framework document as new opportunities occur or more detailed information is available. The drawing is also updated at regular intervals to show the actual layout of approved and built schemes
2. Two revisions have been received to the Masterplan, revision 24 dated 22nd December 2003, and revision 25 dated 30th January 2004.
3. Revision 24 simply updates the drawing by adding the details of approved or current planning applications. These changes are:
 - Addition of the details of approved planning applications for three residential schemes at LC10, GC28 (west) and GC29.
 - Addition of the approved ecumenical centre

- Addition of agreed changes to phase 5 residential area
 - Addition of the detailed layout of the sports centre area
 - Changing the detail of the sports pitches
 - Changes to the woodland area east of the sports pitches
 - Addition of the approved community centre
 - Addition of the approved trailer park
4. As such this is essentially for information but has nevertheless has been widely distributed to interested parties and consultees.
5. Revision 25 proposes changes to future areas of development, and these are listed below.
- Re-positioning slightly the site of Upper Cambourne's primary school, giving a rectangular plot shape to make better use of existing vegetation and landscaping features.
 - Realigning the village green, and increase it in size by 0.75 acres (0.3 hectares).
 - Slight realignment of the access road serving Upper Cambourne
 - Realigning several housing areas as a result of the repositioning of the school, village green and access road. The total area of the development parcels for housing has remained the same.
 - The route of the new A428 dual carriageway has been included. This has resulted in changes to the woodland belt to the north of the site, and also changes to the development parcels in this area.

CONSULTATIONS

6. All responses will be made verbally.

PLANNING COMMENTS:

7. Revision 24 is, as I have described, mostly an update. However, it does include an item which has been presented to this month's Planning Committee with a recommendation for refusal, the sports centre (reference S/6176/02/F). This is the only contentious issue, and I will be asking the applicant to remove this detail from revision 24.
8. Revision 25 makes more significant changes to the disposition of housing areas within Upper Cambourne. The most important issue to consider is whether the revised plan places the social housing areas (the smaller sites such as UC04 and UC10) in less attractive locations than they were previously. I do not believe that they are in less attractive locations, and I think that some of the locations have been improved (such as site UC16 overlooking the proposed golf course). Other issues to consider include whether the route of the new A428 impacts on the amenity of the future residents of the northern part of Upper Cambourne, and whether the landscaping of this area has been adversely affected.

RECOMMENDATION

9. Revision 24 - Delegated approval once the sports centre area has been amended.
10. Revision 25 - Delegated powers to approve/refuse revision 25, following satisfactory negotiations relating to landscaping and environmental health issues resulting in the addition of the route of the A428 dual carriageway, the removal of the sports centre detail, and any other comments that may be raised by consultees.

12. **S/6177/02/F - CAMBOURNE**
SPORTS AREA, MULTI-PURPOSE SPORTS BUILDING, ANCILLARY BUILDINGS,
PARKING AND ASSOCIATED WORKS AT LAND EAST OF MONK DRIVE,
CAMBOURNE, IN THE PARISH OF BOURN, FOR MCA DEVELOPMENTS LTD.

SITE AND PROPOSAL

1. The site comprises a 9.86ha flat area of land to the north-east of the settlement centre, on the north side of Back Lane and east of Monk Drive.
2. There is an existing hedge running north/south within the site which is to be retained.
3. The full application, received on 22nd November 2002 and subsequently amended on 24th June 2003 and 5th November 2003, proposes a multi-purpose Sports Centre, playing fields and car park.
4. The sport centre building, measuring 54m x 99m, has a gentle barrel roof with a maximum height of 11.4m. Set at right angles to Back Lane, the centre includes a main hall (780sq m), an ancillary hall (180 sq m), two squash courts, a health suite, a fitness suite, an ice rink (1800sqm), three lane curling rink, changing facilities, bar and café, sports equipment shop and ancillary storage, office and plant. The building is set at right angles to Back Lane, some 45m from the road behind a landscaped verge and a car park which makes provision for 191 cars and five coaches.
5. The pitches have been arranged so that 'hard' pitches (bowling green and a floodlit Multi Use Games Area (MUGA) lie to the west of the building, with the grass pitches (3 full size football, 4 mini-football pitches, a hockey pitch and two rugby pitches) to the north and east. A groundsman's building and compound is to be provided.
6. Play areas, a LEAP (local equipped play area) and teenage play area (skateboard & basket ball area) are also included.
7. The applications are accompanied by a sequential analysis of alternative sites considered for the proposals, a transport assessment and ecological assessment.

HISTORY

8. Outline permission for the whole of this new settlement was granted in 1994. The associated S106 Agreement and Masterplan require a MUGA when 1000 houses are occupied, a sports centre when 2000 houses are occupied, with playing fields provision to be phased in accordance with the Masterplan.
9. The S106 Agreement details that the sports centre facility shall have a gross internal floor area of 1425m² to include a sports hall (575 m²), ancillary hall (180m²), two squash courts, a fitness room (100m²), a health suite (100m²), changing rooms, a bar (100m²), circulation space and parking for 144 cars. The facility is to be subject to 'pay and play' provisions as defined in the agreement.
10. The play strategy for Cambourne indicates that there will be a teenage play facility at the occupation of 1000 homes to coincide with the MUGA, and a LEAP at 2000homes to coincide with the provision of the sports centre.
11. A duplicate application, submitted on 22nd November which was to have been the subject of an appeal, was withdrawn on 12th August 2003.

POLICY

12. Policy P3/2 of the Structure Plan 2003 states:

“Proposals for leisure and sporting facilities, shopping and other uses which attract large numbers of people should be focused in existing city and town centres. Where suitable city and town centre sites are not available, development should be located on edge-of-centre sites. Out-of-Centre locations will only be considered where no suitable city, town or edge-of-centre sites are available.

Proposals should:

- Be accessible by a range of transport modes particularly public transport, walking and cycling
- Be of a scale appropriate to the size of the centre and its catchment area; and
- Address an identified need in the plan area over the lifetime of the plan

Development that is appropriate in other centres will be defined in Local Plans.”

13. Policy 4/1 of the Structure Plan 2003 states:

“New or improved tourism, recreation and leisure development should:

- Maintain or increase employment opportunities
- Meet the needs of local communities as well as visitors
- Be accessible by a choice of sustainable transport modes
- Protect or improve the local environment, landscape and residential amenity
- Strengthen and diversify the local economy, particularly in Peterborough and North Cambridgeshire

Tourism will be actively promoted in Peterborough, the Market Towns and surrounding areas. In Cambridge the impact of tourism will be carefully managed.”

14. Policy SE2 of the South Cambridgeshire Local Plan 2004 defines Cambourne as a Rural Growth Settlement.
15. Policies Cambourne 1 and 2 of the South Cambridgeshire Local Plan 2004 require the development of Cambourne to take place in accordance with the Masterplan and Design Guide. Policy RT8 details the recreation facilities to be provided at Cambourne.
16. Policy RT1 details the circumstances under which planning permission for recreation and tourist facilities will be resisted, including those where significant motorised traffic movements will occur.
17. The Cambourne S106 Agreement requires, at Schedule 3 Part 2.4, that *“The design and specification of the sports facilities... shall be agreed with the Council provided that such standard of design and specification shall be reasonably appropriate for the Development”*.
18. Planning Policy Guidance 6 requires proposals for retail and leisure uses to be subject to a “sequential test” by which locations for such facilities are chosen in order of priority based on accessibility. In South Cambridgeshire, this means choosing Cambridge city first as the most accessible location, followed by edge of centre, other towns, then out of town areas that have good public transport.
19. Planning Policy Guidance 13 aims to integrate transport and planning by promoting more sustainable transport choices, accessibility to jobs, leisure activities and services by public transport, walking and cycling and a reduction in the need to travel by car.
20. The Sport Development Strategy for 2002-2004 for South Cambridgeshire highlights priority areas, but does not refer to the need for an ice-rink.
21. Cambridge City Council issued its Sports Services Strategy for 2002/3-2007 in September 2003. This identifies an ice-rink among the “most wanted” leisure facilities. As a commercial facility, that Council acknowledged the need for further exploration in partnership with other agencies, and that previous investigation by its officers to find suitable sites had been unsuccessful

CONSULTATIONS

22. The Cambourne Management Liaison Committee recommends approval.
23. Caxton Parish Council makes no recommendation.
24. The Highways Agency has no objection.
25. The Local Highway Authority express concern about the increased size and nature of the sports centre facility, which will have a material impact, particularly in terms of trip generation..
26. Further, it is the regional / sub-regional catchment of the Ice Rink and Curling uses that are of particular concern, given the relatively small size of the immediate catchment and the relatively poor accessibility of the site by non-car modes for longer journeys to the site. This indicates that these uses in this location would lead to a proportionally greater level of vehicular mileage to and from the site than would be the case for other sites with greater accessibility by non-car modes or with a larger immediate residential catchment.
27. The acceptance or otherwise of this site for the ice rink / curling uses is a matter for South Cambridgeshire District Council. However, it is important that should the development come forward, it maximises its accessibility for non-car modes, consistent with current local and national policy guidance.
28. The Transport Statement (TS) demonstrates vehicular peak hour trip generation. It is the daily all modes trip generation that is of particular concern to the County Council, as it is this figure that allows an assessment of the potential demand for travel by non-car modes. This is not demonstrated in the TS.
29. From consideration of the single site in the TRICS database for which all modes data is available, it is apparent that the potential all modes trip generation of the ice rink / curling facilities could be up to around 2,250 trips per day. Validating this sites vehicular trip generation it is apparent its vehicular trip generation is slightly lower than the six sites for which only vehicular trip rates are available.
30. While the TS states that the Sports Centre is accessible by local public transport, no assessment has been made of the likely public transport demand to the facilities. The walking distance between the bus stops on the High Street and the site carrying sports kit (particularly for ice skating / curling) are not conducive to encouraging public transport use.
31. In a similar context to other development that has not been covered by the original outline consent, the County Council would expect contributions towards enhanced bus services to serve Cambourne and the development, and improve the accessibility of the site by non-car modes. As increase in all modes trip generation of the proposals is of similar magnitude to that of the hotel development in Cambourne, a contribution of £100,000 is considered appropriate.
32. The County Council is concerned that the site is far from ideal in transport terms for the curling / ice rink uses proposed as part of the sports centre. The issue of whether this site is appropriate or whether other more appropriate sites are available are issues for South Cambridgeshire District Council as planning authority to consider.
33. In the event that the District Council considers that the site is acceptable for these uses, the County Council would have no objection to the proposals subject to the following points:
 - A contribution towards the provision of enhanced bus services to serve Cambourne and the development of £100,000.
 - Submission of a travel plan for the proposals containing targets for the modal share of staff and visitors to the site, an action plan setting out how these targets will be achieved, and

mechanisms for the monitoring and review of the plan, including additional measures that will be undertaken to achieve modal share targets if they are not met.

34. The Environment Agency raises objections. The amended plans do not address the Agency's concerns. It will be necessary for the applicant to demonstrate that the proposed direct discharge of surface water from the development to the adjacent watercourse will neither cause nor exacerbate flooding to third parties.
35. The Council's Consultant Architect remains concerned about the design of the main sports building, which should be more elegant. Amendments are suggested. The small ancillary buildings are fine.
36. The Chief Environmental Health Officer is concerned about light spillage and recommends a condition requiring the submission of external lighting, including floodlighting, for approval.
37. The Trees and Landscapes Officer is concerned that the density of woodland planting is too low, and the landscaping scheme should therefore be amended.
38. The Police Architectural Liaison Officer suggests that natural surveillance of the car park is required; the number of pedestrian access points should be reduced and visitors channelled towards the main entrance in order to reduce the vulnerability of the car park. Planting should be such that people cannot hide behind trees or shrubs. Lighting and CCTV is recommended.

REPRESENTATIONS

Applicant's Case.

38. In a letter dated 21st October 2003, the agent states: I understand your preference for the sports centre element to be removed from the application. However the Consortium is not in a position to do this. We have modified the MUGA proposals and playing fields as discussed. We will submit a separate application for the skateboard park.

In support of the application:

39. (Email from Oliver Bailey – no address given): I am a 17-year old boy moving from Liverpool to Cambourne this summer. The ice rink getting built would be a great idea and would keep the children of Cambourne from having nothing to do. I also have 3 younger brothers, and would love to see them having a better place to grow up.
40. (Email from Norman Smith of Ipswich): This is a much needed centre of excellence in the Eastern Region. My particular sport is curling which you will probably know has had tremendous interest since the successful gold medal Olympic winners. There is an astonishing number of expatriate Scots in the south who would give tremendous support to the curling facility, even though it is only 3 sheets. They would come from all over England to use a good curling facility. There is no other. It is actually quicker for me to fly to Paris to curl than go to Scotland.
41. (Email from Ian Cameron of Newmarket): I would like to voice my support. As an ex-pat Scot and a keen curler before moving south I feel this would be a great facility which would thrive and add a lot in terms of leisure facilities to the area.
42. From Tim Holmes: I write on behalf of Cambourne Business Park to support the new sports centre, ice rink and ancillary facilities. The business park would welcome such a facility at Cambourne, as it will provide an alternative amenity for the business park occupiers and coupled with other high quality facilities to be provided at Cambourne, such as the hotel, will make the settlement more attractive to new businesses, which in turn will provide job opportunities and allow Cambourne to become more self-sustainable.

I understand that your team are concerned about the size of the facility and that it will draw in people from beyond the local area, but by drawing people in from surrounding areas, it will help to ensure that a range of other facilities can be sustained in Cambourne for local people, without the need for further housing development, a concept we understand your Council is firmly against. In a way, the proposal should be considered in a similar context to the Morrison superstore where it was accepted that a 15,000sq.ft. country store on its own would not be viable, but as a larger facility drawing people from a wider area, it would be viable and an important facility to local people. Indeed, it is clear that a small village clubhouse as part of a local sports centre would not be viable. The proposed facility would be consistent with other services to be provided in Cambourne, for instance a major hotel, police and fire stations, a garden centre and the SCDC offices will all serve more than a local function but will be important services to local people and preclude them from needing to drive to other major urban areas to utilise such facilities. Further we are all too well aware from your own relocation selection process that there are no other sequentially preferable locations currently available in the Cambridge area for large development proposals. It would be a shame if this amenity were lost from the Cambridge area.

PLANNING COMMENTS

43. The site comprises land allocated in the Cambourne Masterplan for a sports area, including pitches, a Multi Use Games Area (MUGA) and sports centre.
44. The key issue in considering this application relates to the ice rink and curling elements, which bring in a regional (and in the case of the curling lanes, national) facility, which triggers the requirement for a sequential test as to its acceptability. The other elements of the proposal are all non-controversial in terms of being acceptable in principle, and various negotiations over the past months have resolved outstanding issues regarding those facilities, often resulting in new, separate applications that, when approved, enable the developer to progress those particular facilities.
45. The ice rink element is much more than a local facility. Structure Plan Policies and Planning Policy Guidance 6 require it to be accessible to its users and as such that it is located in an accessible location, being close to the population it will serve. As a regional facility it should be located close to the greatest population in the region, i.e. Cambridge, especially as the main thrust behind the proposal stems from the legacy of a former Cambridge university ice hockey player, for the purpose of providing training facilities for the university team. The sequential test that has been submitted dismisses or fails to consider sites in or on the edge of Cambridge that would be acceptable, including the University's own land. This has been subsequently borne out by the fact that the Northern Fringe West (Arbury Camp) is being discussed as a possible appropriate site for the ice rink at the moment. The sequential test simply dismisses the western part of the northern fringe as neither suitable nor available on policy grounds because it does not contain a specific allocation for leisure use.
46. The key considerations in PPG6 are not complied with by this proposal:
47. In terms of likely harm to the development plan strategy, no need for an ice-rink has been identified in the SCDC Sports Development Strategy 2002-4. However, such provision has been identified in the Cambridge City Council version. Permission for an ice-rink at Cambourne would therefore undermine that strategy, requiring the greater proportion of the population to travel out of Cambridge to use it. The need for sports development at Cambourne has already been dealt with through the outline permission and S106 agreement, which make provision for facilities appropriate to the new settlement. Whether or not this application is approved, the sports facilities without the ice element will still be provided.
48. The proposal also fails to address the likely impact on the vitality and viability of existing town centres, including the evening economy, and on the rural economy. Cambridge is a thriving centre but the proposal would do nothing to put people on the streets of Cambridge as they would be elsewhere. I am more concerned that there should be a possibility of linked trips and accessibility.
49. The site is not accessible by a choice of a means of transport. Bearing in mind the catchment area for the ice rink and curling lanes, the site is inaccessible by walking (other than for those that live

and work at Cambourne) or rail. The site is highly accessible by car and there is no incentive therefore to use a bus. There is even less incentive to use a bus from those areas not on a direct bus route through Cambourne.

50. The likely effect on overall travel patterns and car use is a prime consideration. This is my principal concern, as the location at Cambourne would generate traffic from a wide area, to a location that does not lend itself to visitors making linked trips. Whilst journey lengths away from the area to other ice rinks would be reduced, this would be outweighed by journeys into the area to use the facility. This is also the main force of PPG13, namely that major generators of travel demand should be located in existing centres which are highly accessible by means other than the private car. That is not the case with this proposed location.
51. I have asked specific questions about the sequential test, which have not been answered.
52. Refusing this application will not prejudice the provision of the sports facilities that are required to be provided. As stated above the sports fields, MUGA and skateboard park are all in the process of construction or gaining separate planning permission. The sports centre itself (without the ice element) is not required until the occupation of 2000 houses. Drawing a line under this proposal will enable officers to commence constructive negotiations with the developers over the design of the sports centre, towards a timely planning application.

RECOMMENDATION

53. REFUSE for the reason that the application fails to demonstrate sufficiently that appropriate alternative sites are not available in the Cambridge and that the proposal would therefore be contrary to Development Plan Policies aimed at locating leisure facilities in centres appropriate to the scale and nature of the use.

S/6233/04/F - CAMBOURNE **ERECTION OF 39 DWELLINGS AND 8 LIVE / WORK UNITS, BROAD STREET,** **CAMBOURNE (IN THE PARISH OF BOURN)**

SITE AND PROPOSAL

1. The site, which comprises 0.611 hectares (1.5 acres), is located in the central part of Great Cambourne. It has a frontage to Broad Street and lies to the north of De La Warr Way and close to the supermarket. To the east is vacant land, allocated for workshop/mixed uses. To the north lies one of the entrance lakes.
2. The application, received on 23rd January 2004, and amended by plans received on 22nd March 2004, proposes 39 dwellings and 8 live / work units at a density of 77 dwellings per hectare, comparable in density to the nearby completed scheme on the other side of Broad Street. These units have been designed to provide a variety of house types, ranging from town houses to apartments. Some of the units include energy saving technology in the form of solar panels.
3. The dwellings proposed include 3 x 1 bed flats, 27 x 2 bed flats, 1 x 3 bed flat, 6 x 3 and 2 x 4 bed town houses, and 8 x 3 bed live / work units.

HISTORY

4. This site is shown in the settlement centre briefing plan as an area allocated for housing together with an element of mixed use development. Further clarification on the part of this site that faces the lake was established at the Cambourne Design and Environment Group (DEG) meeting on 25th September 2003, which agreed that the buildings facing the lake should be 'key' buildings, with strong contemporary architectural form, and would connect the modern business park with the more traditional elements of the settlement centre.
5. The complete detailed proposal was considered by the DEG meeting on 18th December 2003, and was generally accepted by all parties.
6. The area has not been allocated a notional number of units, but would essentially be 'design' lead within a generally high density settlement centre.

POLICY

7. Local Plan 2 Policy SE7 requires development at Cambourne to accord with the Approved Masterplan and Design Guide.
8. Policies Cambourne 1 and 2 relate, requiring development at Cambourne to be in accordance the Approved Masterplan and Design Guide.
9. Policy HG10 requires the design and layout of schemes to be informed by the wider character and context of the local townscape and landscape, and should achieve high quality design and distinctiveness, and promote energy efficiency.

CONSULTATIONS

10. The Cambourne Management Liaison Committee (Planning Sub - Committee) recommends refusal on the grounds of increased density. They also comment that if the scheme is approved, that conditions on working hours, contractors parking and haul roads are attached.
11. Bourn Parish Council has made no comment.
12. Caxton Parish Council recommends refusal. They believe that the design for the central area is wrong. They believe that: "as this is a central area and given that it will be visited by most people the Parish Council thinks that greater attention should be spent varying the design of the dwellings giving a greater mix of dwellings.
13. This would include not having so many three storey dwellings and having less density in such an important area enabling more open views."
14. The Landscape Officer has made no comment, subject to landscaping conditions.
15. The District Council's Consultant Architect welcomes the proposal, it is in conformity with the Design Guide, and will add to the overall ensemble of buildings that will make up Cambourne.
16. The Local Highway Authority has some relatively minor highway issues to clarify, relating to parking and turning areas.
17. The Fire Service has commented on the requirement to provide fire hydrants.
18. English Nature has made no comment.
19. The Environment Agency has no objection in principle to the proposal.

20. The Police Architectural Liaison Officer has made comments relating to parking issues and defensible space, and clarifying the ownership of areas of open space.

REPRESENTATIONS

Objection.

21. Two letters has been received from the occupiers of nos. 47 and 97 Broad Street, across the road from the proposal. Their objections can be summarised as follows:
- a) Block A reduces the visibility for motorists at the head of Broad Street
 - b) There is a concern over the architectural style of part of the scheme, particularly block A

PLANNING COMMENTS

Density

22. This part of Cambourne is the settlement centre, and as such should be developed at a higher density. All of the other residential schemes that have been approved in this part of Cambourne have been at a similar density to that proposed here.

Scale

23. The scale of the proposal is appropriate for this part of Cambourne, again due to its location in the centre of the settlement. Block A is reduced in scale to respect the scale of the nearby Manor House building.

Design

24. The Design Guide for Cambourne seeks a plurality of architectural style. It shows contemporary architecture in parts of the settlement centre. This variety adds interest.
25. The briefing plan for the settlement centre also specifically asks for contemporary interpretations of town house architecture along Broad Street, further clarified with a requirement for strong architectural form for the buildings overlooking the lake, as this will enable the scheme to:
- 1) Reflect the architecture of the business park, and help connect the business park with the rest of Cambourne, and
 - 2) Helps to frame and compliment the Manor House building

Visibility

26. A major Masterplan design principle at the entrance to Broad Street is that the road has a 'joggle', a kink in the road designed to reduce road speeds considerably at this location. Block A helps in this respect, by further helping to reduce road speeds by closing off the long views down Broad Street which currently allow road users to drive around the 'joggle' at speed. Notwithstanding this issue, the visibility splay that is required in this location is not affected by the building line.

RECOMMENDATIONS

27. Delegated powers to **APPROVE**, subject to clarifying outstanding issues relating to highway concerns, and the addition of planning conditions including:
- Safeguarding the live / work elements, ensuring that these units remain as individual units and are not subdivided, and that a reasonable attempt is made at marketing the 'work' element of these units.
 - Materials

- Open space management
- Landscaping
- Construction traffic
- Hours of work

14. **S/6229/03/RM - CAMOURNE
SITING, DESIGN, MEANS OF ACCESS AND LANDSCAPING FOR CRICKET
PAVILION, CAR PARK, RECYCLING CENTRE AND ACCESS AND AMENDED
BOUNDARY TO PLAY AREA AT LOWER CAMBOURNE VILLAGE GREEN,
WOODFORD LANE, LOWER CAMBOURNE (IN THE PARISH OF CAXTON) FOR
MCA DEVELOPMENTS LTD**

SITE AND PROPOSAL

1. The site which comprises 0.1189 hectares (0.29 acres) is located to the south-west of Lower Cambourne Village Green/Cricket Square and is separated from the Cricket Ground by the roadway of Woodfield Lane. To the north-east adjacent and on the corner of Woodfield Lane and School Lane is a LEAP/NEAP (local equipped area play) (neighbourhood equipped area play) area. To the west is LC16 a site providing 34 flats and houses for Granta Housing Circle 33 and Cambridge Housing Society. To the south is a vacant piece of land running through to School Lane which is allocated for a future public house and/or shop. The Reserved Matter application received 18th December 2003 provides full details for the Cricket Pavilion, an access onto Woodfield Lane to a car park and space for a recycling centre. Details of an amended boundary to the play area are awaited. The Pavilion has a footprint measuring 18 metres x 12.75 metres and includes an open veranda facing towards the Village Green, a Club Room, a kitchen/servery together with male and female changing rooms. The traditional design incorporates a deep roof overhang, timber boarded walls and a roof with concrete interlocking pantiles or profiled metal sheeting. A clock tower is proposed to cap the roof. The car parking area to the rear of the site adjacent to the LC16 housing incorporates 26 car parking spaces together with a recycling area.

HISTORY

2. This site is allocated in the briefing plan for a Cricket Pavilion. The Cambourne Design Guide showed a traditional vernacular building. The planning permission for Lower Cambourne Village Green and Cricket pitch sought provision of the Pavilion by the occupation of 450 homes in Lower Cambourne. Planning consent was granted for a "Roman" themed play area (based on archaeology found in this part of the site) next to this site in June 2000. This has been constructed.

POLICY

3. Local Plan 2 Policy SE7 requires development at Cambourne to accord with the Masterplan and Design Guide.

CONSULTATIONS

4. The Cambourne MLC Planning Committee recommends approval subject to clarification that there will be toilets. They also question whether the showers should be disabled access rather than having separate disabled shower facilities. The cricket nets should be shown to scale. Is there storage for sports equipment or is this incorporated in the plant room?
5. Bourn Parish Council has made no recommendation.
6. Caxton Parish Council recommends refusal on the grounds that this is a poor site layout with the Pavilion in the wrong location on the opposite side of the road.

7. The Police Architectural Liaison Officer has no comment to make regarding the layout and design of the building. However, given its position and adjoining play area limits natural surveillance of the front area, consideration should be given to securing the boundary of the Pavilion area by providing some form of fencing, preferably 2 metres high. To assist with surveillance such fencing could be in the form of railings, suitably topped to deter climbing together with suitable lockable gates. The area to be fenced could exclude the car park so to allow access to the recycling area. Low energy dusk to dawn external lighting is also proposed to illuminate the veranda and external doors.
8. The Environmental Health Officer has recommended safeguarding conditions during the construction period.
9. The comments of English Nature are awaited.
10. The Cambridgeshire County Council Archaeologist has confirmed there is no archaeological investigation considered necessary.
11. The South Cambridgeshire District Council's Ecologist has recommended the turret on top of the Pavilion as a prime opportunity to incorporate a house sparrow nest site.
12. The Local Highway Authority notes that the drawing suggests the access may be extended to serve the development to the south. If this is considered further information will be necessary. It is suggested this is removed from the drawing.
13. The Council's Sports and Development Officer has referred the plan to the appropriate standards authority and is satisfied with the design and layout.
14. The Council's Trees and Landscape Officer has no objection but queried the use of Beech hedging.

REPRESENTATIONS

15. None received at the time of writing.

PLANNING COMMENTS

16. I agree with the comments of Caxton Parish Council that this is not an ideal site for a Cricket Pavilion. However the original Masterplan always envisaged a pavilion to be on this site and for it to be separated from the main Village Green by a roadway. It is based on a similar arrangement which existing in Eltisley. There is no land available to provide the Cricket Pavilion on the Village Green. There is a requirement to provide the Pavilion by the completion of 450 dwellings in Lower Cambourne. Some 615 dwellings have been completed. I have no objection to the siting or design of the Pavilion which follows the traditional approach established in the Design Guide. The orientation of the building is critical to ensure a good view of the cricket square. It should be noted that the Village Green rises in a considerable dome above the surrounding roadway and the level of the Pavilion is therefore also critical to ensure a good vantage point. I am awaiting further details of the site levels to ensure a clear sight line from the Pavilion to the Cricket Square. In addition the playground fencing whilst of open wire, could obscure views at this point and I believe part of the application site should be amended to remove a corner of the play area to allow a clear view. I am discussing this and a number of details including those raised by the MLC with the architect and will report any response verbally.

17. RECOMMENDATION

Delegated powers of approval subject to the matters of detail outlined in the report and subject to:

1. Standard condition A. RC 'A'
2. SC5a) roof materials.
3. SC5e) Finished floor level of the building.
4. Environmental Health conditions to cover construction hours and foundation details.

15. S/0211/04/F - COTTENHAM
BUNGALOW, LAND R/O 268 HIGH STREET FOR MR AND MRS JEEPS

CONSERVATION AREASITE AND PROPOSAL

1. Number 268 High Street is a two-storey house fronting High Street, with access to a single width garage on the north-east side of the site and a long single storey rear extension along the south-west side, to the same depth of the garage. Beyond is the 23m deep by 12m wide bottom half of the site which is the subject of this application. A road with pavement (Eastlands Close) runs across the bottom end of the site. Two two-storey houses in Lyles Road back onto the site, with short (approximately 9m) rear gardens
2. This full application, received 4th February is for a single storey, 2-bed bungalow with integral garage.

HISTORY

3. Planning permission was granted for the house extension in 1986 and for the garage in 1995.

POLICY

4. Cottenham is a Rural Growth Settlement where residential development will be permitted provided, among other criteria, that the retention of the site in its present form is not essential to the character of the village and development would be sensitive to the amenities of neighbours – Policy SE2 of the Local Plan 2004.
5. Policy HG11 of the Local Plan permits backland development only where it would not result in, among other criteria, overbearing, overlooking or overshadowing of existing residential properties.

CONSULTATIONS

6. Cottenham Parish Council recommends approval and comments
 - “ 1) Concerned about potential overlooking of 6 and 8 Lyles Road. Windows on this elevation should be obscured glass, or window of bedroom 2 moved to west elevation.
 - 2) Fence along south elevation should be maintained at a suitable height to ensure privacy”
7. The Chief Environmental Health Officer recommends conditions to restrict the hours for the use of power-operated machinery during the course of construction.
8. The Conservation Manager comments:

Policy EN30: *'Proposals will be expected to preserve or enhance the special character and appearance of the Conservation Area...'*

"It is my opinion that the proposals contained in this application do not harm the setting of the Conservation Area."

REPRESENTATIONS

9. Two letters have been received from the occupiers of houses in Lyles Road that back onto the site, objecting on the grounds of:
 - Loss of privacy
 - Overshadowing
 - Create poor outlook for dwellings in Lyles Road
 - Noise and disturbance during construction
 - Fills the width of the site
 - Too close to the dwellings in Lyles Road
10. Cottenham Village Design Group considers this plot too small to support this development and its location is such that a severe impact on the existing property and on the Conservation Area is unavoidable. The design of the dwelling is uninspiring and completely unsuitable for this Conservation Area location.

PLANNING COMMENTS

11. The housing density represented by this development is equivalent to 37 dwellings per hectare.
12. The key issues are impact on 1) the amenity of future occupants of the bungalow, 2) neighbour amenity and 3) the appearance and character of the conservation area.
13. Amenity of Bungalow's Occupants
The footprint of the house takes up much of the site area, sitting close to the front boundary and less than a metre to each side boundary, with a rear garden of between 6m and 10m. Although this rear garden is similar in size to those of the houses in Lyles Road, backing onto the site, the garden would be overlooked by first floor windows in those houses from such close proximity that there would be a lack of any privacy in the garden. The bungalow also has large windows of bedroom and lounge facing the rear of the houses and these are at such close proximity that there would be a lack of privacy even within the building.
14. The bungalow has one parking space in the garage but insufficient space in front of the garage to park a car. Although it could be conditioned that the garage be retained for parking such conditions are difficult to enforce. Where the minimum parking provision is proposed it is preferable that it be in the open where it is more likely to be immediately available for use.
15. Neighbour Amenity
The 10.25 metre depth of the building and its proximity to the rear of properties in Lyles Road would make the bungalow very dominant in the outlook from those properties
16. The development of this site will leave the existing house in High Street with no useable garden area, the gap between the garage and extension being a gravelled parking area. This lack of amenity area would be inappropriate for a family dwelling.
17. Conservation Area
At the time of writing the Conservation Manager's comments were not available. I consider the bungalow will appear cramped in the street scene, but it would be read as part of the modern estate to the rear of the High Street rather than part of the High Street Conservation Area.
18. On balance I consider that the main reasons for objecting to the application rest with the impact that the development would have on the amenities of the proposed and neighbouring dwellings.

RECOMMENDATION

19. Refuse for the following reasons.
1. The proposed development, by reason of its design and its proximity and relationship with the two-storey dwellings to the south-west of the site, would result in lack of privacy and consequent poor amenity to future occupiers of the bungalow.
 2. The proposed development, by reason of its scale and proximity to the rear of the two-storey dwellings to the south-west of the site, would appear dominant in the outlook from those dwellings.
 3. The development of the site and consequent loss of garden at 268 High Street would leave that family house without useable garden area commensurate with that type of property, to the detriment of the amenities of that property.
 4. For the above reasons the proposed development would be contrary to Policies SE2 and HG11 of the South Cambridgeshire Local Plan 2004.

16. **S/0323/04/F - BOXWORTH**
S/0322/04/LB EXTENSION AND CONVERSION OF BARN /OUTBUILDING INTO
SEPARATE DWELLING. CUCKOO PASTURES FARMHOUSE

Members will visit this site on Monday 5th April 2004.

SITE AND PROPOSAL

1. Cuckoo Pastures Farmhouse is a Grade II Listed Building, which dates back to the 16th century and is a timber-framed structure with an external red brick cladding. The building once formed part of an extensive farm complex with all except one of the barns having been converted to residential use and now accessed from the cul de sac of Segraves to the east of the site. The remaining unconverted barn/outbuilding is located south of the farmhouse and is 3 metres from the rear elevation of the Listed Building. The barn dates from the late 18th or early 19th century and is made of gault and red bricks with a pan tile roof. The northern end served as the bake and wash house to the farm and the range and copper are still in situ. The remaining section was a barn/stable with a more modern chicken shed extension to the western elevation. The barn is protected as a curtilage structure to the farmhouse but is not Listed in its own right.
2. The applications, received 18th February, propose the conversion of the building to a 3 or 4 bedroom house and the erection of a conservatory, partly on the footprint of the existing lean-to chicken shed. The proposal would involve raising the eaves and ridge heights by some 0.6m to 0.7m to insert at first floor over approximately two thirds of the ground floor.
3. The application is accompanied by a report on the structure of the barn.

HISTORY

4. Listed building and planning consents were granted in 1992-1994 for the demolition, alterations and conversion of barns to 6 residential units.

POLICY BACKGROUND

5. Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 seeks to protect and enhance the quality and distinctiveness of the historic built environment.
6. Policy EN26 of the Local Plan 2004 sets out the criteria to consider when converting Listed Buildings to new uses:
 - Whether the existing use could reasonably continue
 - Other less damaging uses have been explored
 - The use can take place without extensive alterations
 - The proposal would harm the setting of the adjacent building
7. Policy EN28 of the Local Plan 2004 states that the Council will seek to resist development which would affect the setting of a Listed Building, by reason of the following criteria:
 - It would dominate the Listed Building or the curtilage buildings
 - It would damage the setting of the Listed Building
 - It would harm the visual relationship between the building and its formal or natural landscape setting
 - It would damage archaeological remains

CONSULTATION

8. Boxworth Parish Council recommends approval of both applications.
9. The Conservation Manager states: “that the outbuilding is the last remaining unaltered structure associated with the original farmyard complex. The building contains evidence of functioning as a wash and bake house indicating that it had a much closer functional relationship with the farmhouse than the other purely agricultural barns.
10. The proposal will significantly alter the external appearance of this simple farm building as this currently has no windows to the principal elevation only doors. The works will include the insertion of windows most notably at first floor level and raising the eaves as part of accommodating a new first floor. Whilst it is accepted this form of conversion would match the manner in which the adjacent barns were converted, it is considered this level of intervention will significantly alter the appearance of the structure giving it a far more domestic character. Given the close relationship with the house this is considered to have a significant impact on the visual relationship between the two buildings. Concern is also raised at the impact of subdividing the two plots and the intensification of use on the site, which is considered to harm the setting of the farmhouse and its historic context.”
11. Cambridgeshire County Council Environment and Transportation Department has commented that the existing access serving the farmhouse is not suitable to serve the new dwelling as well. The access is of limited width and the visibility to the south is severely limited. Refusal is recommended.

REPRESENTATIONS

12. None received.

PLANNING COMMENTS

13. The main issues here are:
 - The affect of the new use on the character and external appearance of the existing building
 - The impact on the setting and amenity of the listed farmhouse
 - Impact on the visual relationship between the two buildings

- Traffic safety issues.
14. The applicant has submitted a structural report to demonstrate that the building is capable of conversion. However the proposal involves significant and harmful alterations, particularly to the height of the building and to the elevations by the insertion of many domestic scale openings.
 15. The building provides an ancillary outbuilding to the main house and it is considered that ancillary uses to the main house for example a single storey annex could be less damaging than the proposal and would not result in the subdivision of the curtilage of the Listed Building.
 16. It is considered the proposals fail to meet the provisions of Policies EN 26 and 28 of the Local Plan.
 17. Vehicular access to the site is only 3.1m wide, abutting the flank wall of Cuckoo Pastures Farmhouse and the boundary wall of Segraves. This is well below the recommended 4.1m width for a shared drive. Visibility to the southwest from the existing access is also limited.

RECOMMENDATION

The application is refused for the following reasons:

1. The proposed works and alterations to the structure as part of the conversion to a separate dwelling house are considered to significantly alter the external appearance of this modest vernacular structure to its detriment. The proposed alterations are considered to be damaging to its special character, appearance and the historic interest of the building. The proposals are therefore considered to be contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy EN26 of the South Cambridgeshire Local Plan 2004.
2. This curtilage Listed structure has a close physical and, in the past, a strong functional relationship with the main farm house serving as the bake and wash house to the main farmhouse. This relationship would be significantly altered by the proposals to create a separate independent residential use within the building, which is considered to harm the special interest of these buildings. The physical division of the building and part of the associated garden space would adversely impact on the setting of the main farmhouse and its amenity. The intensification of the domestic use on the site, which would result from this proposed use, would also be harmful to the setting of the Listed Buildings. The proposal is considered to be contrary to Policy P7/6 of the Cambridgeshire and Peterborough Local Plan 2003 and Policies EN26 and 28 of the South Cambridgeshire Local Plan 2004.
3. The proposed vehicular access to the site is unacceptable to serve an additional dwelling and below the standard required by reason of the inadequate width and visibility to the south west.
4. The manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety and free flow of traffic on the adjoining public highway.

17. **S/0292/04/F - FOXTON**
ERECTION OF LIGHT INDUSTRIAL AND STORAGE UNITS, 27 ROYSTON ROAD,
FOR J WELCH

DEPARTURE APPLICATIONSITE AND PROPOSAL

1. This full application, registered on 16th February 2004, proposes the erection of 1046sq m of light industrial and storage floorspace on a 0.48ha area of land to the east of the A10, south of the Foxton crossing. In the front of the site is an existing car showroom and workshop, which are not affected by the proposed scheme.

2. The rear part of the site currently contains a 380sq m workshop building along part of the south east boundary and a 58sq m nissen style building in the north east corner. In addition to these buildings there is a line of metal storage containers along the north east and south west boundary. The remainder of the site is hardsurfaced.
3. The application proposes the removal of the two existing buildings and metal containers and the erection of an 'L' shaped block of seven single storey light industrial and storage units adjacent to the north east and part of the south east boundary of the site. Although no car parking plan is submitted adequate space exists on site.

HISTORY

4. There are no recent planning applications affecting the rear part of the site, which benefits from long-standing consents for commercial use.

POLICY

5. The site is outside the village framework.
6. Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
7. There are no policies in the South Cambridgeshire Local Plan 2004 that support new employment development in the countryside other than the change of use or conversion of rural buildings, or development on suitable brownfield sites next to or very close to the village frameworks of Rural Growth or Limited Rural Growth Settlements (Policy EM6). Foxton is not such a settlement.

CONSULTATIONS

8. Foxton Parish Council recommends approval. "Although there is some concern over the visual impact of the rear of the premises on the village, and a possible increase in traffic movement, on balance we wish to support the application subject to the condition that the work is completed within four years. Our reasons for support are:
 - The development will improve the look of the site and generally "tidy it up."
 - The development may increase services and amenities of the village.
 - The development will increase the number of tenancies on the site and may therefore increase employment in the area."
9. The Local Highway Authority states that it would be difficult to sustain an objection to replacement of industrial/storage buildings of the same overall floor area as exists at the present time. However, it is proposed to increase the overall footprint which has the potential to increase the daily vehicular traffic to the site. In the past four years two injury accidents have occurred within the A10 at the site access. Development which is likely to increase the slowing, turning and manoeuvring of vehicles within the A10 should be resisted. It is recommended that the application be refused.
10. The Chief Environmental Health Officer has considered the implications of the proposal in terms of noise, environmental pollution and contaminated land and concludes that there are no significant impacts from an Environmental Health point of view.
11. The Environment Agency objects to the application as insufficient information has been submitted in respect of foul and surface water disposal and pollution prevention, to allow the Agency to fully assess the application. A flood risk assessment is requested.
12. The comments of Cambridgeshire Fire and Rescue Service will be reported verbally.

REPRESENTATIONS

13. None received. The statutory consultation period for the Departure Press Notice expires 13th April 2004.

PLANNING COMMENTS

14. The key issues to be considered here are Structure Plan Policy P1/2 which restricts development in the countryside to those which can be demonstrated to be essential in a particular rural location, and the comments of the Local Highway Authority.
15. The proposal involves the erection of additional light industrial and storage floorspace on the site. No information is submitted with the application in support of this provision in the countryside. Although the existing site is brownfield by definition it would not fall within Policy EM6 of the Local Plan as being suitable for small-scale development. The proposal is therefore contrary to the development plan and no case has been put forward to warrant a departure.
16. The Local Highway Authority has recommended refusal of this application given that it represents a potential intensification of the use of the site. It refers to injury accidents that have occurred within the A10 at the site access within the past four years. In my view the application should be refused on highway grounds.
17. The proposal increase in floorspace from 680 sq.m to 1046 sq.m adds weight to the above conclusions.

RECOMMENDATION

That the application be refused for the following reasons:

1. The proposal to erect additional light industrial and storage buildings on this site which lies outside the village framework of Foxton is unacceptable as it would be contrary to the aims of Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 which seeks to restrict development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location. No such evidence has been put forward in this case.
2. CS RR4 – The manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety and free flow of traffic on the adjoining public highway.

18. **S/0073/04/F - GIRTON**
CREATION OF FOOTBALL AND RUGBY PITCHES, FOR GIRTON COLLEGE

SITE AND PROPOSAL

1. Girton College is located outside of the village framework of Girton within the Green Belt. Access is provided into the College off Girton and Huntingdon Roads. The College is set within large, well-landscaped grounds.

2. This full planning application received on the 15th January 2004 seeks consent for the creation of a football and rugby pitch on a site of some 2.2 hectares. The proposed pitches are to be located towards the north of the site, adjacent to the existing cricket pitch. The grounds of the College have been slightly extended in order to accommodate the two pitches with part of the site now extending over part of the rear garden of No 99 Girton Road, (this property is owned by the College). There is an existing Orchard located on the site, which is to be cleared as part of this application. Relatively prominent views of this part of the site are provided from Girton Road.
3. To the north of the site is the A14 Trunk Road in a cutting.

HISTORY

4. The site as a whole has an extensive planning history none of which is specifically relevant to this planning application.

POLICY

5. Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan makes reference to the environmental restrictions on development, particularly in relation to the countryside and protection of areas of biodiversity value.
6. Policy GB5 of the Local Plan states that the Council will not support proposals for outdoor recreation in the Green Belt which require substantial buildings, floodlights, car parks or which frequently attract large number of participants and/or spectators. Use of land for outdoor sport, which protects openness, is an appropriate use in the Green Belt.
7. Policy RT1 of the Local Plan lists the criteria against which applications for the development of recreation facilities should be assessed.
8. EN12 states that the Council will seek to retain features and habitat types of nature conservation value and states the need to agree appropriate management of such features/habitat types through the imposition of conditions and planning obligations.

CONSULTATIONS

9. Girton Parish Council recommends refusal due to concerns about the close proximity of the proposed pitches to the A14. The Parish Council stated that high netting would be visually unacceptable. Concerns were also raised about the loss of the orchard and the possible loss of rare species of apple trees.
10. The Councils Trees and Landscape Officer stated that subject to details being agreed, no objections are raised to the proposed planting areas. With regard to the removal of the trees, it was stated that while the orchard and hedgerows form a pleasant feature it is not considered that a Tree Preservation Order could be issued to justify a refusal of permission. The new planting marked on the proposed plan is outside of the application site and should therefore be subject to some agreement to ensure its implementation.
11. The Councils Ecology Officer has raised a number of concerns relating to the loss of the large traditional orchard and hedgerows. An agreement to ensure the replacement planting is carried out and then managed is requested.
12. The Chief Environmental Health Officer concluded that there are no significant impacts from the Environmental Health standpoint.
13. The Highways Agency is concerned about footballs reaching the carriageway of the A14. It was suggested that the pitches could be re-orientated. A suitable fence should be placed along the boundary to prevent stray balls reaching the carriageway.

REPRESENTATIONS

14. A supporting statement was submitted along with this application. This statement provides details of the proposed landscaping and use of the pitches.
15. One letter of objection has been received raising concerns about the loss of the orchard on the character and appearance of the site and the impact of its removal on the wildlife habitat. Concerns have also been raised about the noise and disturbance that will be caused by the two pitches and the danger of stray balls causing damage and injury within the private garden of No 93 Girton Road, Girton.

PLANNING COMMENTS

16. The main issues to consider in this case are as follows:
 - The impact of the proposed pitches on the openness of the Green Belt,
 - The impact of the removal of the orchard on the character and appearance of the site and surrounding area,
 - The resultant noise and disturbance that may be caused to nearby residences through the use of the Rugby and Football pitches; and
 - The threat of disruption to the A14.

Green Belt

17. Whilst the site is located within the Green Belt, no additional development is proposed as part of this application. The pitches are not to be floodlit and the agent has stated that their use will not necessitate any additional parking within the College. The two proposed pitches are also not expected to attract large numbers of participants or spectators. It is therefore considered that the proposed development will not adversely affect the openness of the Green Belt. This is appropriate development in the Green Belt.

Character and appearance of the area

18. While the Council seeks to retain features and habitat types worthy of nature conservation the Orchard to be removed is unprotected and could be cleared without the consent of the Council. The Trees and Landscape Officer has confirmed that a Tree Preservation Order can not be justified in this case and it is therefore not considered that the Council can resist the removal of these trees.
19. Girton College has proposed a substantial scheme of replanting which includes improved boundary planting and a new woodland area. Whilst the proposed areas of replanting are located outside of the application site, their implementation is considered an important mitigation measure to offset the loss of one of the College's important orchard areas. The continued management of the fruit tree orchard labelled 'D' on plan 2A is also something the Ecology Officer has requested be conditioned as part of any approval. The implementation and future management of the proposed replacement planting and existing orchard will ensure the well-landscaped appearance of the College grounds is suitably maintained. It is therefore not considered that the formation of the rugby and football pitch would have a sufficient detrimental impact on the character and appearance of the area to justify a refusal of planning permission.

Noise and disturbance to nearby dwellings

20. While the proposed football pitch is to be located adjacent to the nearby dwellings, Nos 91- 99 Girton Road, a gap of approximately 80 metres is to be retained to these properties, (with the exception of No 99 where the gap is approximately 28 metres). Given the level of separation that is provided, it is not considered that the use of the two sports pitches would have a sufficient detrimental impact upon the amenities of the nearby properties.
21. The existing fruit trees located between the pitches and these residential properties are to be retained which will provide some screening and protection from stray balls. A new Yew or Hawthorn hedge is proposed between the pitch and these properties.

Threat of disruption to the A14

22. As part of the replanting programme, it is proposed that a belt of trees will be planted along the northern boundary of the site, adjacent to the A14. Both pitches will result in balls being kicked in the general direction of the A14 and it is suggested that a fence be erected along this boundary to reduce the threat of stray balls reaching the dual carriageway. The Highways Agency has suggested that a plan and section would be required to decide upon the exact height of the fence. Whilst at the time of writing this report Girton College had not confirmed that it would erect a fence, given the concerns of the Highway Agency it is considered that this should be conditioned as part of any approval.
23. The northern boundary of the site and the embankment of the A14 are already lined with trees whilst additional planting in this location is proposed as part of the landscaping scheme. It is therefore considered that the fence will not form an overly prominent feature within or outside the grounds of Girton College and will therefore have little adverse affect on the visual amenity of the site.
24. The potential to re-orientate the two pitches was discussed. However given the location of the existing cricket pitch it was not considered that sufficient space existed.
25. Subject to details of the fence been submitted to and approved in writing by the Local Planning Authority along with a satisfactory landscaping scheme and orchard management and enhancement plan the proposed development is considered to accord with Local Plan Policy.

RECOMMENDATION

26. Approve
1. Standard time limit (SCA) (RCA)
 2. No development shall commence or trees cleared from the site until the precise details of the proposed planting and landscaping indicatively illustrated on Plan 2A and Plan 4 have being submitted to and approved in writing by the Local Planning Authority. These details shall include any hard and soft landscaping and indications of all existing trees and hedges that are to be retained on the land, together with measures for their protection in the course of development. The specification of all proposed trees, hedges and shrub planting shall also be submitted with details of the density and size of stock included.
Reason - To enhance the quality of the development and assimilate it within the area.
 3. SC52 - Implementation of landscaping (RC52)
 4. An Orchard Management and Enhancement Plan for the retained orchard, illustrated on Plan 2A, labelled area 'D', shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development or tree loss from the site. The agreed plan shall be carried out as approved for no less than 10 years from the date of this permission, unless otherwise agreed in writing by the Local Planning Authority. RC51.

5. No development shall commence or trees cleared from the site until a plan and section illustrating the precise location, type and height of a fence to be erected along the northwest boundary of the site, adjacent to the proposed pitches, has being submitted to and approved in writing by the Local Planning Authority. This plan shall be drawn at a scale of at least 1:200; such fence shall be erected prior to the use of either pitch commencing.
Reason - In the interest of highway safety.

Informative

For the avoidance of doubt, the Orchard Management and Enhancement Plan shall include:

- (i) Numbers, species/variety and evaluation of the existing fruit trees to be managed in the retained orchard;
- (ii) Numbers, species/variety and rootstock type of new trees to be planted.
- (iii) Aims and objectives of Orchard Management and Enhancement Plan;
- (iv) Current and future management/ecological constraints on the site that may influence management, and measures to mitigate potential adverse effects;
- (v) Description of appropriate management options for achieving aims and objectives of the Plan, together with the preparation of a work schedule detailing key timings of management prescriptions;
- (viii) Personnel or body responsible for implementation of the plan;

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: **P1/2**
 - b) South Cambridgeshire Local Plan 2004: **GB5, RT1 and EN12**
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - a) Impact of the development on the A14 and possible disturbance that may be caused
 - b) Visual impact of erecting a fence along boundary of site
 - c) Loss of the orchard area
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

19. S/0214/04/F - GREAT SHELFORD EXTENSIONS AT 38 HIGH STREET FOR MR & MRS MAIN

CONSERVATION AREA

SITE AND PROPOSAL

1. The application relates to a pebbledash render over red brick plinth, plaintile and painted timber windows two-storey detached house with gravelled parking areas to the front and side. The site is bounded to the southwest by a dwelling at No.2A Buristead Road and by a two-storey end of terrace house at No.36 High Street to the northeast. No.36 High Street has two first floor windows and four ground floor windows in its side elevation facing the site.
2. This full application, received on the 5th February 2004 and amended by plan date stamped the 15th March 2004, proposes the erection of a two-storey extension on the northeast side of the house (to provide two additional bedrooms, a dining area and an extension to the living room) with an attached single storey element (to provide a garage and w.c.) and a single storey extension on the southwest side of the house (to provide a playroom).

The amended plans show the two-storey extension on the northeast side set back 450mm and the single storey extension on the southwest side set in by 215mm to the front and back. A holly tree would be removed as a result of the proposal.

HISTORY

3. There is a current application for a 1.8m high brick wall along the property's road frontage (S/0065/04/F).

POLICY

4. Local Plan 2004 Policy HG12 states that planning permission for the extension and alteration of dwellings will not be permitted where:
 - 1) The design and use of materials would not be in keeping with local characteristics;
 - 2) The proposal would seriously harm the amenity of neighbours through undue loss of light or privacy, being unduly overbearing or would adversely affect surrounding properties by virtue of its design, layout, location or materials;
 - 3) There would be an unacceptable loss of off-street parking or garden space within the curtilage;
 - 4) There would be an unacceptable visual impact on the street scene; or
 - 5) Boundary treatments would provide an unacceptable standard of privacy and visual amenity.
5. Local Plan 2004 Policy EN30 states that the District Council will refuse schemes within conservation areas which do not fit comfortably into their context. Structure Plan Policy P7/6 requires Local Planning Authorities to protect and enhance the quality and distinctiveness of the historic built environment.

CONSULTATIONS

6. Great Shelford Parish Council ticked the 'no recommendation' box in relation to the original plans but states "This house is situated in a sensitive part of the conservation area and although the proposed extension is in style, similar to the existing property, it amounts to a more than doubling of the floor area and as such constitutes over development of the site. The linking of the garage to the house makes the building unnecessarily bulky and the rear elevation is fussy and could be simplified."
7. The Trees & Landscape Officer raises no objections.
8. The amended plan addresses the Conservation Manager's concerns in relation to the original plans. He recommends that a condition requiring the agreement of joinery details is attached to any approval.

REPRESENTATIONS

9. The occupiers of No.36 High Street object to the application on the following grounds: loss of light to side elevation windows; affect on view from windows; their tree is not accurately shown on the plans; the extension would dominate the neighbourhood and greatly change the appearance of the High Street; and concern the garage would be used for commercial purposes.

PLANNING COMMENTS

10. The key issues in relation to this application are:
 - The impact of the resulting dwelling on the character and appearance of the Conservation Area and the street scene; and
 - The affect of the proposal on the amenity of neighbours.
11. The proposal would result in a dwelling with a total frontage of 21.75m, and a two-storey frontage of 14.5m. However, the site is 26.5m wide and can comfortably accommodate such a dwelling. The

proposal would not constitute overdevelopment. The amended plans show the extensions set back from the front elevation which would satisfactorily break up the mass of the building.

12. The proposal would affect the amenity of neighbours and the amenities of the occupiers of No.36 High Street in particular. However, the single storey element of the extension would still be approximately 5.0m from the side elevation of No.36 and the two-storey element would be a further 3.4m away from the windows in the side of No.36. I do not therefore consider that the proposal would seriously affect the amenity of neighbours.
13. Adequate amenity space and car parking/turning areas would be retained. The removal of the holly tree would be acceptable.
14. A condition to ensure that the garage is not used as additional living accommodation or for business purposes would be appropriate to ensure that adequate parking and turning is available on site and to protect the amenity of the occupiers of No.36 High Street.

RECOMMENDATION

15. Approval (as amended by drawing no. SF03 129.2.A date stamped 15.3.04).
 1. Standard time condition A – RCA;
 2. Standard condition 19 ‘Matching materials’ – RC19;
 3. Standard condition 5 (the joinery) ‘Details of joinery’ – RC19;
 4. Standard condition 44 (garage) ‘Use of the garage’ – RC To ensure that adequate parking and turning is available on site and to protect the amenity of the occupiers of No.36 High Street.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: P7/6 (Historic Built Environment).
 - b) South Cambridgeshire Local Plan 2004: HG12 (Extensions and Alterations to Dwellings within Frameworks); and EN30 (Development in Conservation Areas).
 2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: the design of the resulting dwelling; the character and appearance of the locality and the Conservation Area; residential amenity interests; the accuracy of the plans; and the use of the garage.
 3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.
20. **S/0446/04/F - HARSTON**
BUNGALOW (AMENDED DESIGN) ON LAND ADJACENT TO 25 HIGH STREET FOR DR & MRS HEAP

1. One of the applicants is a Member of the Council.

SITE AND PROPOSAL

2. 25 High Street is a traditional two-storey detached house set approximately 30 metres back from the road and located centrally within its frontage with approximately 9m between the sides of the house and each of its side boundaries. There was a large barn to the rear of the house. There are a number of mature trees to the front of the property. The application site extends to approximately 0.3 hectares/0.75 acres and forms part of the large rear garden, with access to the north of the house. It is some 30 metres wide and 100 metres deep beyond the 50 metres or so length of access road. The cottage to the north is set further back from the road than 25 High Street and sits along the boundary, presenting a blank elevation to the application site.
3. This full application, received on the 4th March 2004, proposes an amended design for a single storey dwelling to replace the previous barn, located north of and partly on the same footprint as the barn. The new dwelling would share the existing access to the highway which will need to be widened in part to address the geometry requirements for a shared drive. The dwelling is nearing completion. The density equates to approximately 3 dwellings to the hectare.

HISTORY

4. Planning permission was granted in September 2002 for a bungalow on the site (S/0841/02/F). An application for an amended design for the bungalow was subsequently approved in May 2003 (S/0331/03/F).

POLICY

5. The site is within the village framework of Harston, which is a Group village as defined in the Local Plan 2004. Policy SE4 states that, within Group Villages, development of new housing for up to 8 dwellings may be acceptable on suitable sites where it would not adversely affect the amenities of nearby properties or result in the loss of character of the area. The Policy also states that development may exceptionally consist of up to 15 dwellings if this would make the best use of a brownfield site.

CONSULTATIONS

6. Any comments received from Harston Parish Council will be reported verbally.

REPRESENTATIONS

7. None received at the time of compiling this report. Any comments received will be reported verbally. The statutory consultation period expires 5th April 2004.

PLANNING COMMENTS

8. The key issues relating to this application are:
 - Parking provision; and
 - Impact on neighbours.
9. The principle of one dwelling on this site has been accepted by the previous extant permissions. This proposal differs from the scheme approved under S/0331/03/F in that it is now proposed to use the previously proposed double garage as additional living accommodation, changes to the fenestration are proposed, the height has been increased by approximately 0.2m, a velux window is proposed in the south elevation, the boundary between the proposed dwelling and No.25 is in a slightly different position and a fence rather than a wall is proposed along the boundary between the proposed dwelling and No.25.

10. Although no garage is now proposed, adequate car parking and turning space would be provided. The proposed fence would adequately protect the amenity of the occupiers of the proposed dwelling and No.25 and the design of the dwelling would be acceptable. The increase in height would not seriously harm the amenity of neighbours or the impact of the dwelling in the street scene.
11. As a result of the low density of development in the area, the treed frontage of the site and the need to minimise traffic generation on this frontage, any consideration of higher density development has been precluded.
12. If Members are minded to approve the application, I consider that conditions should be as before minus the condition requiring the agreement of materials (which have already been agreed and used) and the previous condition relating to the proposed wall (the fence now proposed having already been erected). As the increased height might allow some accommodation to be provided in the roofspace in the future, I consider that a condition should be attached to any approval stating that no windows or openings of any kind shall be inserted in the north (facing No.33) or east (facing No.25) elevations of the roof unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. As a smaller parking and turning area is now proposed, a condition requiring the proposed area to be provided and thereafter maintained would also be appropriate.

RECOMMENDATION

13. Approval

1. Standard Time Condition A – (RCA);
2. Highway condition D5(a) – ‘Visibility splays’ (2.0 m x 2.0 m) (RC – In the interests of highway safety);
3. The existing road shall be of a minimum width of 4.5 m for a distance of 15 m from the edge of the carriageway. (RC – In the interests of highway safety);
4. The access alterations required by conditions 2 and 3 above and as shown on drawing S1 rev. A shall be constructed in accordance with the “No Dig” specification set out in APN1 of the Arboricultural Advisory and Information Service. (RC – To protect the root structures of trees adjacent to the access);
5. Standard Condition 56 ‘Protection of trees during the course of construction’ (RC56);
6. No windows or openings of any kind shall be inserted in the north or east elevations of the roof unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC – To protect the amenity of the occupiers of Nos. 25 and 33 High Street);
7. The parking and turning area shown upon drawing S1 rev.A shall be provided before the dwelling is first occupied and thereafter maintained (RC – In the interests of highway safety)

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a. Cambridgeshire and Peterborough Structure Plan 2003: None.
 - b. South Cambridgeshire Local Plan 2004: SE4 (Development in Group Villages).
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: *(to be added if any are raised)*.

3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

21. S/0170/04/F - HASLINGFIELD
RESITING 3 ANTENNAS AND ERECTION OF ELECTRONICS BUILDING, LAND
BETWEEN FORMER RAILWAY TRACK AND BOURN BROOK, EAST OF BARTON
ROAD, FOR THE CHANCELLOR, MASTERS AND SCHOLARS OF THE UNIVERSITY
OF CAMBRIDGE.

DEPARTURE APPLICATION

SITE AND PROPOSAL

1. This full application, registered on 29th January 2004, proposes the resiting of 3 antennae and the erection of electronics building on 0.98ha of agricultural land between the former railway track and Bourn Brook, east of the Barton Road, Haslingfield. The works will be immediately to the north of 5 existing antenna on the former railway line which comprise part of the Mullard Radio Astronomy Observatory at Lords Bridge.
2. The proposed antennas have a 14.5m high base and a 13m-diameter dish. The proposed electronic building measures 6.5m by 4.5m and is 4.75m high. The antennas are to be relocated from elsewhere within the Lords Bridge Complex. Full explanation of the proposals submitted by the applicant is attached as Appendix 1.
3. The site is bounded to the south by the former railway line with agricultural land beyond. Agricultural land abuts the site on the other three sides. Long distance views are obtained of the existing antenna when driving north from Haslingfield towards Barton.

POLICY

4. The site is outside the village framework and in the Cambridge Green Belt.
5. Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
6. Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 sets out general policies relating to the Green Belt. Policy GB2 of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated and sets out a list of what may be appropriate development. It requires that any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse affect on the rural character and openness of the Green Belt. This application would not be appropriate development within the Green Belt by definition.

CONSULTATIONS

7. Haslingfield Parish Council recommends approval.
8. Barton Parish Council recommends approval.
9. The Environment Agency points out that whilst the site is within the indicative flood plain of the Bourn Brook a site level survey recently submitted by the applicant indicates that the site is actually above the interpolated flood level. The Agency therefore has no objection in principle to the proposal provided that it does not extend within the floodplain.

10. The Chief Environmental Health Officer has considered the implications of the proposal in terms of noise and environmental pollution and concludes that there are no significant impacts from an Environmental Health standpoint.

REPRESENTATIONS

11. None received.

PLANNING COMMENTS

12. This application is a departure from the development plan, being inappropriate development in the Green Belt, and therefore the key issues to consider are whether the applicant has demonstrated that very special circumstances exist to justify a departure from the plan and, if so, that the proposal will not have an adverse effect on the rural character and openness of the Green Belt.
13. In my view the applicant has demonstrated that very special circumstances exist in this case in the information submitted with the application (Appendix 1). The antennae are not in addition to ones that already exist in the area but are being relocated from other locations nearby within the applicants complex and which are also within the Green Belt. The antennae have become an accepted part and feature of the landscape in the area and in my view the relocation of these three antennae, to the north of the existing line of five will not have an adverse effect of the rural character and openness of the landscape or Green Belt.
14. The application has been advertised as a departure but no representations have been received.

RECOMMENDATION

15. Approve on the ground that the applicant has demonstrated very special circumstances, as set out in Appendix 1, for this development in the Green Belt. A landscaping condition should be attached to ant consent.
16. Having regard to the demonstrated very special circumstances, I do not consider that the application needs to be referred to the Secretary of State.

Reasons for Approval

Very special circumstances have been demonstrated to warrant approval of the re-siting of three antennae in, and from sites already located in, the Green Belt.

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: P1/2 and P9/2a.
 - b) South Cambridgeshire Local Plan 2004: GB2.
2. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

22. **S/0252/04/F - HISTON**
ERECTION OF A DETACHED DWELLING, LAND TO THE REAR OF 25 PARK AVENUE, HISTON FOR MR AND MRS W THOMPSON

SITE AND PROPOSAL

1. The site is located to the rear of 25 and 27 Park Avenue. The site measures 17.1 metres in width and 28.9 metres in length. There are two outbuildings/sheds currently located on the site. The southern and east facing boundary of the site are lined with conifers while a handful of other fruit trees are located throughout the site. Vehicular access is provided from Manor Park.
2. The proposed dwelling with an attached garage and workshop measures 13.9 metres in width 7.35 metres in depth with the ridge of the dwelling measuring 8.9 metres in height. The proposed dwelling is of a standard rectangle design with all windows facing forward and back.

HISTORY

3. There is no specific planning history for this plot of land. Planning permission has been granted for the extension of 25 Park Avenue, however this is of no particular relevance to this planning application.
4. Planning permission has in the past been refused for the erection of a detached bungalow on land to the rear of 23 Park Avenue, reference C/840/61.

POLICY

5. Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.
6. Policy SE2 of the Local Plan defines Histon as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.

CONSULTATIONS

7. Histon Parish Council recommends refusal due to the over bearing nature of the proposed dwelling, the loss of amenity for surrounding properties, the possible conflict of entrances and the possibility of setting a precedent for similar development within the area. Other objections were raised which are not considered to be material considerations to a planning application.
8. The Council's Trees and Landscape Officer – No objection
9. Anglian Water – No comments had been received at the time of writing this report

REPRESENTATIONS

10. 6 letters of objection have been received raising concerns regarding the following points:
 - Access to the site;
 - Overlooking;
 - Overshadowing;
 - The creation of a precedent;
 - Increased noise and disturbance; and
 - The impact of the development on the character and appearance of the area;

11. Some other concerns were raised by nearby residents, which are not considered to be material considerations to a planning application.

PLANNING COMMENTS

12. The main issues to consider with regard to this application relate to the impact of the proposed dwelling on the character and appearance of the area and the impact of the development on the residential amenities of the nearby dwellings.
13. While the site is located to the rear of Nos 25 and 27 Park Avenue, given the length of the existing rear gardens of these properties, a gap of approximately 40 metres will be maintained between the rear building line of the proposed and existing dwellings. While the rear facing windows of the proposed dwelling face directly towards the rear elevation of Nos 25 and 27 Park Avenue, the amount of separation provided significantly reduces the overlooking potential. Two of the four first floor rear facing windows also serve non-habitable rooms further reducing the threat of overlooking. Existing trees and hedging located within the rear gardens of 25 and 27 Park Avenue also provide further visual screening.
14. The proposed dwelling will also not impinge on the private amenity space of Nos 23 and 29 Park Avenue. While the long rear gardens of these properties are located on either side of the site, sufficient space is again maintained to these dwellings and the most the private regions of their gardens.
15. The proposed dwelling will also face towards 33 Manor Park. While No 33 has two first floor side facing windows, one is obscurely glazed and the other seems to serve a non-habitable window. Given the building line of the proposed dwelling and No 33 Manor Park, no clear views will be provided into either site while sufficient separation is again maintained not to raise concerns of overshadowing.
16. Some concerns have been raised regarding the resultant noise and disturbance that will be caused by the new dwelling. Given the siting of the proposed dwelling in respects of the neighbouring properties, it is not considered that an objection cannot be sustained on these grounds.
17. With regard to the impact of the development on the character and appearance of the area, the dwelling is to be set back within the site with a reasonable amount of soft landscaping provided within the front and rear garden. While the proposed is a relatively large two-storey dwelling, this form of development will not appear out of keeping within this residential area. While the site is located at the end of Manor Park, the continued development around the cul-de-sac is considered acceptable. While permission was refused in 1961 for the erection of a bungalow on the land to the rear of 23 Park Avenue, as this site extends across the width of Nos 25 and 27 a less cramped form of development has been achieved.
18. While access is provided onto the turning head of Manor Park, the location of the driveway does not raise concerns from a highways safety perspective. While at present the driveways of Nos 29, 31, 33 and 35 Manor Park all merge into the turning head, the traffic generation of the proposed development will be insufficient to justify a refusal of permission.
19. With regard to the creation of a precedent, as stated previously the continued development around the turning head is considered a logical extension of Manor Park. While any subsequent planning applications will be considered on their merits, in this case there would appear to be no planning reasons to justify a refusal of permission.

RECOMMENDATION

20. Standard Condition A (RCA)

21. No development shall commence until a sample of materials to be used for the external walls and roof have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
Reason – To ensure that visually the development accords with the neighbouring buildings.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: P1/3
 - b) South Cambridgeshire Local Plan 2004: SE2
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Access to the site;
 - Overlooking;
 - Overshadowing;
 - The creation of a precedent;
 - Increased noise and disturbance; and
 - The impact of the development on the character and appearance of the area;
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

**23. S/2415/03/F - HISTON
VARIATION OF CONDITION 3 OF PLANNING PERMISSION S/0242/01/F TO ALLOW
HOT FOOD TAKE-AWAY SERVICE DURING THE LUNCH PERIOD AND EVENINGS.
44 STATION ROAD FOR R DIAS**

This application has been brought to committee at the request of a Local Member.

CONSERVATION AREA

SITE AND PROPOSAL

1. An Edwardian building that has been previously extended, located on the corner of Station Road and Saffron Road a predominantly residential area where houses opposite the site sit close to the highway boundary. The application site has a number of uses, which include a flat at first floor, a shop, a cold and hot food delivery service and a 24 cover restaurant.
2. This full application, received 27th November 2003, seeks consent for hot food take-away service during the lunch period (11.00am – 02.30pm) and evenings. The suggested opening hours for the evening are: 05.00pm – 11.00pm, the same as the Histon Village Fryer and the applicant has indicated that he would accept a trial period for the evening session (as had previously been granted for the lunch time session) if it was considered necessary.

HISTORY

3. There has been a long string of planning applications for this site over the last 12 years. The planning decisions most relevant to the current proposals are as follows:

S/1775/92/F – Change of use from retail to take-away, and extension. REFUSED
S/0871/93/F – Extension to shop/dwelling and part use for food preparation and delivery. APPROVED
S/2036/94/F – Change of use to take-away. REFUSED
S/1762/95/F – Part use of shop as restaurant. APPROVED – hot food take-away excluded, limitation on hours and number of covers.

- S/0850/98/F – Part change of use to restaurant. APPROVED – temporary consent
S/0222/99/F – Use of restaurant made permanent with number of covers limited to 24 and hours restricted from 08.00 to 23.30.
S/1292/99/F – Removal of conditions to allow hot food take-away. REFUSED
S/0242/01/F – Permanent permission was granted to allow a restaurant use with 24 covers and all day opening (08.00 – 23.30 hours)
S/0861/01/F – Removal of conditions to allow hot food take-away. REFUSED. Appeal Dismissed.
S/1603/02/F – Variation of conditions to allow hot food take-away. A one-year temporary permission granted for the lunch time period only (11.00 – 14.30 hours) – expired 29th February 2004.

POLICY

4. South Cambridgeshire Local Plan 2004, Policy ES6 states:
5. “The District Council will seek, by the means of appropriate planning conditions, to minimise the impact of noise and pollution on noise-sensitive development arising from any new industrial, commercial or recreational activity.”

POLICY EM6 states:

“Within village frameworks.....planning permission will be granted for small scale development in Classes B1-B8 provided that:

- a) There would be no adverse impact on residential amenity, traffic conditions, village character and other environment factors.”

CONSULTATIONS

6. Histon Parish Council recommends refusal. It comments that the Parish Council was against the temporary permission being given. It is not aware that extensive use has been made of the facility at the moment but would maintain its objections to the renewal of the permission. It objects to any proposal to allow take-away, which has repeatedly been refused in the past in this residential area. Extensive refurbishment of the nearby nursery and infant school will make vehicular access very difficult.
7. The Chief Environmental Health Officer notes that the Environmental Health Department has not received any complaints of noise and disturbance in respect of these premises in the past twelve months, nor are there any outstanding complaints in respect of the restaurant.
8. Cambridge Constabulary advises that it would appear that there have been no crime disorder problems at the location whilst the temporary permission was in force between 1st March 2003 and 29th February 2004, nor is the Constabulary aware of any parking problems in connection with this establishment during this period.

REPRESENTATIONS

9. 5 neighbours that live opposite the site in Station Road object with the following points being raised:
 - Little has changed since previous refusals,
 - Little or no business has been going on,
 - It will increase disturbance,
 - It will make parking for local residents more difficult
10. 23 letters of support, with the following summary of comments:
 - There have been no problems as a result of the lunchtime trial period

- The trial period should be extended to cover evenings
- There is adequate parking in front of the shop
- He should be allowed to operate the same hours as the chip shop up the road.
- He is being treated unfairly in not being able to operate the same hours.

PLANNING COMMENTS

11. The key issue here is the impact of a hot food take-away establishment on the amenities and living conditions of neighbouring properties, a relationship that is generally considered to be problematic in predominantly residential areas.
12. Save for the last consent that allowed a limited lunchtime service for a temporary period only (Reason – to protect the amenities of neighbouring residents and the area) all the relevant consents that allowed food preparation and restaurant use at the premises specifically excluded hot food take-away for the following reason:
13. *“The establishment of a take-away facility in this area, which is primarily residential and subject to high levels of traffic throughout the day, would increase the risk of road users and pedestrians and would be to the detriment of the amenities at present enjoyed by occupiers of neighbouring properties by virtue of noise and disturbance.*
14. At appeal in 2001 the Appeals Inspector did not agree that highway safety was a reason to warrant refusal of permission but did consider that the potential for general noise and disturbance associated with a hot food take-away establishment in this location was a legitimate concern and concluded that the removal of the restrictive condition would result in an unacceptable level of noise and disturbance for the occupiers of houses at 51-61 Station Road and the first few properties on the south side of Saffron Road.
15. Although there have been no specific complaints since temporary permission was granted for hot food take-away at lunch times the potential for noise and disturbance associated with such use remains, particularly if it were carried on in the evenings when general movement and ambient noise levels are likely to be lower than at lunch times. It would appear that, for whatever reason, levels of business over the last year have been low. Should permission be granted for a take-away business at these premises there would be nothing stopping the level of business increasing, either with the current owner or with a future hot food outlet. The consequent general disturbance associated with such use would, in my view, still be a cause of concern in respect of its impact on neighbour amenity, particularly on those properties opposite the site in Station Road and Saffron Road.
16. There is a suggestion that we are being unfair in not allowing the applicant the same commercial opportunities as other premises in the village, in particular by not allowing the same opening times as the Histon Fryer. It should be noted that the Histon Fryer, which has been an established take-away facility for many years, does not also operate a seated restaurant service, open until 11.30 in the evening, nor does it operate a food delivery service at all hours of the day. It should also be noted that this council has consistently taken the view that this was an inappropriate location for hot food take-away and refused planning permissions for this use even before Mr Dias purchased the property.
17. In discussions with the applicant, he has indicated that he would agree to an earlier evening closing time for the hot food take-away, if 11.00pm is considered to be too late. Officers take the view that evening working is the problem, and hence there is nothing to be gained to agreeing an earlier closing time.

RECOMMENDATION

18. Refuse for the following reason

1. 44 Station Road, which is located on a prominent corner site in a predominantly residential location with limited on-site parking facilities, benefits in part from an A3 use with the restriction that no part of the premises shall be used for hot food takeaway (Condition 3 of S/0242/01/F). This restriction has been tested at appeal (planning reference S/0861/01/F) and upheld by the Inspector on the grounds that takeaway establishments generally result in more frequent visitors and more general disturbance and would be unacceptable in this location where houses opposite the site in Station Road and Saffron Road, situated close to the road frontage, would be particularly vulnerable to disturbance, especially in the evenings. There have been no changes in circumstances that would warrant a different conclusion.

This application to vary condition 3 of planning permission S/0242/01/F to allow lunch time and evening takeaway sales would be detrimental to the residential amenities of neighbouring residential properties by reason of general noise, disturbance and inconvenience arising from increased visitor trips associated with such use, and associated vehicular activity including parking and manoeuvring, doors banging and radio noise. The proposal is therefore contrary to Policy EM6 of the South Cambridgeshire Local Plan 2004 which allows development and expansion of existing firms where, *inter alia* there would be no adverse impact on residential amenity and traffic conditions. Such general noise, disturbance and inconvenience is not possible to control by planning condition(s) as referred to in Policy ES6 of the same Local Plan

24. **S/0282/04/F - GREAT & LITTLE CHISHILL**
EXTENSION, HYDE HOUSE FOR MR & MRS RIDGE

SITE AND PROPOSAL

1. This detached dwelling is situated at the lower part of Little Chishill. The site is outside the village framework and is well screened by high hedges and conifers on the north boundary and, to the south-west, farm buildings. The property is set back from the road and facing open fields on the side and rear elevations. It is a 2 storey detached dwelling in white render and plain tiles on the rear elevation. There is a single storey lean-to to the north of the house facing its internal driveway. To the east of the dwelling is a generous garden with a patio area adjacent to the rear door.
2. This full application, received 13th February 2004, involves the erection of a conservatory to the rear on the existing patio area. The conservatory measuring 4.76m x 6.12m and 3.8 m to the ridge. The floor area would be 29.1m².

HISTORY

3. S/1132/86/F – Permission granted for 2 storey extensions at rear (floor area is approximately 100m²)

POLICY

4. Policy HG13 of the South Cambridgeshire Local Plan 2004 states that extensions to dwellings in the countryside will be permitted where:
 1. The proposed development would not create a separate dwelling or be capable of separation from the existing dwelling;
 2. The extension does not exceed the height of the original dwelling;
 3. The extension does not lead to a 50% increase or more in volume or gross internal gross floor area of the original dwelling; and

4. The proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling on its surrounding.
5. The proposed extension has regard to the criteria in Policy HG12 of this Plan.

CONSULTATIONS

5. Great & Little Chishill Parish Council recommend approval.

REPRESENTATIONS

6. None

PLANNING COMMENTS

7. Key Issues
8. I consider there to be two main issues:
 - 1) The increase in gross internal floor area of the original dwelling; and
 - 2) The impact of the development on the scale and character of the existing dwelling and the countryside
9. This application was considered at the 18th March 2004 Chairman's Delegation Meeting. The meeting resolved to refuse the application as being contrary to Local Plan Policy HG13 (3). Councillor Driver has requested that the application be considered at Committee
10. The gross internal floor area of the proposed extension is 29.1m². The total floor area of the original dwelling is approximately 160.4m². 100 m² of accommodation has subsequently been provided for 2 storey extensions (under reference S/1132/86/F) with 2 gables facing the rear garden. The proposed extension and the approved extensions in 1986 would result in a dwelling of 81% increase to the original dwelling.
11. However, the property is set on a large site in the countryside with open fields to the north, south and east. It is within the countryside. The proposed conservatory will not be visible from the road or from other neighbouring properties and is screened by conifers on the north boundary. The proposal would comply with Policy HG13, criteria (1), (2), (4) and (5), the latter relating to 5 criteria included in Policy HG12 of the Local Plan.
12. Moreover, the existing property is not a small or medium sized dwelling. Having regard to all criteria in Policies HG12 and HG13 of the Local Plan, this proposal is acceptable and accords with the objectives of those Policies.

RECOMMENDATION

Approve

1. Standard Condition A (RCA)

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: None
 - b) South Cambridgeshire Local Plan 2004: Policies HG12 and HG13

2. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

25. S/2383/03/F - LINTON

**CHANGE OF USE FROM OFFICES (CLASS B1) TO CHILDRENS NURSERY (CLASS D1)
AT STATION HOUSE, STATION ROAD FOR JANE MARSHALL**

SITE AND PROPOSAL

1. The application relates to a former two-storey gault brick and slate house which is currently vacant. It is attached to a single storey gault brick and slate building used as offices. The site is located towards the end of Station Road which joins Cambridge Road (A1307) to the north. A walled garden and unkempt grassed area are located to the east of the building.
2. This full application, received on the 24th November 2003 and amended by plan date stamped the 27th February 2004, proposes to use the building as a children's nursery. 24 spaces for children are proposed. The walled garden and part of the unkempt grassed area to the east would be used as an outdoor play area. A total of 12 vehicle spaces would be provided for the proposed use on the existing tarmac area to the front of the building – 3 for staff with the remainder for parents collecting/dropping off children. A letter accompanying the application indicates that six staff would be employed – a full-time Nursery Manager, a full-time deputy and four full and part-time playworkers. A Transport Statement submitted as part of the application is attached as an Appendix.

HISTORY

3. Planning permission was granted in October 2002 for a change of use of the building from residential to office use (S/1523/02/F).
4. Planning permission was granted in June 2003 to use the former waiting room to the southwest of the application building as offices (S/1003/03/F).

POLICY

5. The site is within the village framework and within the 'Policy Linton 1' area where further residential development will not be permitted other than improvements to existing properties.
6. Local Plan 2004 Policy CS11 states that, within village frameworks, planning permission will be granted for day nurseries, crèches and playgroups provided that:
 - The noise and general disturbance arising from the use would not be detrimental to residential amenity;
 - The vehicular traffic and pedestrian activity likely to be generated would not be detrimental to the amenities of nearby residents or be likely to cause congestion or be a hazard to road safety; and
 - A satisfactory level of parking can be provided in accordance with Council parking standards without loss of visual amenity.
7. Appendix 7/1 of Local Plan 2004 sets out the Council's maximum car parking standards. Whilst there is no specific standard for children's nurseries, the relevant part of the Appendix (Use Classes Order D1) indicates that the maximum provision for primary and secondary schools should be 1 space per 2 staff plus waiting facilities equivalent to 1.5 spaces per classroom.

CONSULTATIONS

8. Linton Parish Council recommends refusal stating: "Councillors have noted the points made with regard parking arrangements proposed. Councillors remain extremely concerned that there is insufficient parking for the number of parents who could be both dropping off and collecting children, and that there is no safe turning area for same. Councillors would also point out that it is unlikely that any staff would 'walk to work' by nature of where the business is based.
9. The Chief Environmental Health Officer raises no objections but recommends that a condition is attached to any approval requiring the intervening door between the proposed nursery and the existing offices adjoining to be blocked off to current Building Regulations standards. He also states that: the external play area for the children is away from the adjoining offices and should not cause them any noise problems; and the two ground floor rooms that adjoin the existing offices are to be used for a 'wet play' and 'nursery room'. There will be some noise from these rooms and the amount would be dependant on the effectiveness of the staff. In general, if noise does become a problem, then further sound proofing could be undertaken to the party wall or the use of the room changed. Currently, it is envisaged that noise will not be a major concern between the two uses.
10. The Local Highway Authority states that, based on the information provided, the number of vehicle trips generated by the nursery would not detrimentally effect the operation of the Station Road/Cambridge Road junction. It also states that, because there are no pedestrian facilities along Station Road, there is a potential conflict between pedestrians and vehicles at the Cambridge Road junction. As a result, it recommends that any permission is conditional upon the provision of a 1.8m wide pavement along the eastern side of Station Road from (and joining to) the pavement along Cambridge Road for a distance of 20m from the Cambridge Road junction.

REPRESENTATIONS

11. A letter to the applicant from the Pre-School Learning Alliance highlights a gap in childcare provision in Linton, particularly outside term times.

PLANNING COMMENTS

12. The key issues in relation to this application are:
 - Parking provision; and
 - Affect on neighbours
13. The Parish Council's concerns about parking provision are understandable, particularly as the site is on the opposite side of the A1307 as the main part of the village. However, this is a use which Local Plan policies and I would want to encourage. Twelve parking spaces are proposed for the 3 rooms (nursery room, wet play room and pre-school room). Parking standards for the nearest use for which detailed standards are set out in the Local Plan, namely primary schools, indicate that a maximum of 7½ spaces should be provided. In this instance, I consider that the 12 spaces proposed would be appropriate and acceptable. Adequate turning space would also be available.
14. Having regard to the comments of the Chief Environmental Health Officer and the absence of objections from neighbours, I consider that the proposal is unlikely to have a serious detrimental impact on neighbouring occupiers. If any problems do arise, they could be resolved along the lines indicated by the Chief Environmental Health Officer.

RECOMMENDATION

15. Approval (as amended by 'Transport Statement' date stamped 8.1.04 and plan date stamped 27.2.04)
1. Standard time condition A – RCA;
 2. Standard condition 5 (the method of blocking off the door between the hereby permitted nursery and the adjacent offices) – RC To protect the amenity of the occupiers of the adjacent offices;
 3. The 12 spaces for the hereby permitted use shown on the plan date stamped 27.2.04 shall be available before the use commences and shall not thereafter be used for any purpose other than the parking of vehicles – RC In the interests of highway safety;
 4. Before the use commences, a 1.8m wide pavement along the eastern side of Station Road from (and joining to) the pavement along Cambridge Road for a distance of 20 metres from the Cambridge Road junction shall be provided – RC In the interests of pedestrian safety.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: None.
 - b) South Cambridgeshire Local Plan 2004: CS11 (Pre-School Facilities).
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: provision for car parking and turning.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

26. **S/0241/04/F - LITTLE SHELFORD**
NEW DWELLING TOGETHER WITH CONVERSION OF EXISTING DWELLING TO
GARAGES AT BRAMLEY HOUSE (FORMERLY KNOWN AS KULU), WHITTLESFORD
ROAD FOR GRN DESIGNS LTD

SITE AND PROPOSAL

1. The site extends to 0.32 hectares/0.79 acres and is currently occupied by a brick and pantile two-storey house with flat roof single storey additions and its well-treed garden. The site is bounded by Whittlesford Road to the southwest, countryside to the southeast and dwellings in Courtyards to the northwest and northeast. Access to the site is from Courtyards although the access onto Whittlesford Road is currently being reinstated.
2. This full application, received on the 10th February 2004, proposes the erection of a 6-bedroom, 5.7m high to eaves/8.9m high to ridge, L-shaped (max. 18.7m x 17.2m) two-storey dwelling with an attached single garage. It is also proposed to lower the existing house and use it as a double garage and workshop with games room above. The density equates to approximately 3 dwellings to the hectare.

HISTORY

3. An application for a new dwelling of a different design to that now proposed together with the conversion of the existing dwelling to garages was withdrawn in January 2004 (S/2315/03/F).
4. Planning permission for a house on the southwest/Whittlesford Road half of the site was refused in 1980 on the grounds that it would detract from the open and rural appearance and character of the area and was not a suitable housing infill plot (S/2134/79/O). The subsequent appeal was dismissed for both of these reasons.

POLICY

5. The site is on the edge of but within the Little Shelford village framework and within the Environment Agency's Indicative Floodplain.
6. Local Plan 2004 Policy SE5 states that residential development within the village will be restricted to no more than two dwellings including the redevelopment of an existing residential curtilage provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic, character and amenities of the village. The Policy also states that in very exceptional cases a slightly larger development may be permitted if this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
7. Local Plan 2004 Policy CS5 states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at risk unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.
8. Structure Plan Policy P1/2 states that no new development will be permitted within or which is likely to adversely affect functional flood plains or other areas where adequate flood protection cannot be given and/or there is significant risk of increasing flood risk elsewhere. Structure Plan Policy P6/3 states that, if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.

CONSULTATIONS

9. Little Shelford Parish Council recommends refusal stating that “This dwelling is too large for the site – we also would not accept smaller houses being built on said site. Access onto Whittlesford Road would increase traffic on an already very busy road and access could be a danger.”
10. The Chief Environmental Health Officer recommends conditions relating to the times when power operated machinery shall not be operated during the construction period, a method statement for any driven pile foundations and the requirement for a demolition notice prior to the demolition of the existing dwelling are attached to any permission
11. Following receipt of a site survey, which indicated that the site is above the highest recorded floor level, the Environment Agency withdrew its original objection to the scheme (on the grounds that the site is within the floodplain and the development may be at risk of flooding and may exacerbate the risk of flooding to existing property) subject to the imposition of a condition on any approval relating to surface water drainage.
12. Any comments received from the Trees & Landscape Officer will be reported verbally.

REPRESENTATIONS

13. The occupier of 6 Courtyards wrote as a local resident and as Chairman of the Courtyards Management Limited (CML).
14. On behalf of the CML, he comments that the disposal of sewage via the mains sewer would not be possible through the current connection to the private sewer system owned and maintained by CML. He states that this has been discussed with the applicant who has assured him that alternative arrangements will be made.
15. As a local resident, he supports the application stating that he has no objections to the scale of the dwelling, the house would be an attractive addition to the village and the best interests of all residents would be served by the continued use of the site as a single residence.

PLANNING COMMENTS

16. The key issues in relation to this application are:
 - Density of development;
 - Access; and
 - Impact on neighbours
17. There appears to be some uncertainty as to whether the site benefits from a right of access from Courtyards. Although access is currently gained from Courtyards, this access is to be stopped-up and the existing access onto Whittlesford Road is to be used to serve the site. The Local Highway Authority has previously raised no objection to the use of the access onto Whittlesford Road to serve one dwelling but expressed concern in relation to visibility from this access along Whittlesford Road to the south. Given that this is a replacement dwelling, I consider the means of access to be acceptable. Whilst two dwellings, and in very exceptional cases a slightly larger number, could be erected on the site in terms of Local Plan policies for infill villages, given that Local Plan Policy SE5 does not require development within infill villages to achieve a minimum density, this application for a replacement dwelling is acceptable in terms of the density of development, location at the edge of the village and character of the area.
18. The plot can satisfactorily accommodate a dwelling of the size proposed and its design and appearance would also be acceptable.
19. Neighbouring properties would be overlooked to a degree from first floor windows in the proposed dwelling, including one first floor bedroom window and one en-suite first floor window which would

face towards Nos. 30 and 31 Courtyards and a bedroom window in the hipped end facing towards No.39. However, as the distance between these windows and the adjacent dwellings would be more than 30m, I do not consider that there would be a serious level of overlooking.

20. As the existing dwelling is to be altered rather than demolished, the informative recommended by the Chief Environmental Health Officer relating to the need for a Demolition Notice is not considered necessary.

RECOMMENDATION

21. Approval

1. Standard condition A – RCA;
2. Standard condition 5(a, including joinery) ‘External materials’ – RC To ensure the satisfactory appearance of the development;
3. Standard condition 60 (all) ‘Boundary treatments’ – RC60;
4. During the period of construction ... Standard condition 26 ‘Times when power operated machinery shall not be operated’ (0800, 0800, 1800, 1300) – RC26;
5. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme – RC To ensure a satisfactory method of surface water drainage.

Reasons for Approval

2. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development); and P6/3 (Flood Defence).
 - b) South Cambridgeshire Local Plan 2004: SE5 (Development in Infill Villages); and CS5 (Flood Protection).
3. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: the character of the area; the amenity of neighbours; sewage disposal; and highway safety.
4. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

Informatives

1. Should pile driven foundations be proposed, before development commences, a method statement for the construction of these foundations shall be submitted to and agreed in writing by the District Environmental Health Officer so that noise and vibration can be controlled.
2. The applicant’s attention is drawn to the contents of the enclosed copy of the Environment Agency’s 8th March 2004 letter.

27. **S/0256/04/F - LONGSTANTON**
ERECTION OF CLOSE BOARDED FENCE AND CHANGE OF USE TO GARDEN LAND
(RETROSPECTIVE) AT 87 THORNHILL PLACE, LONGSTANTON

SITE AND PROPOSAL

1. No. 87 Thornhill Place is a two-storey semi-detached dwelling situated on a corner plot, within a former Minister of Defence estate. On the north eastern side of the property, separating the house from the road, was a previously unenclosed grass area measuring up to 9m in width and 26m in length that is considered outside the current, authorised, residential curtilage of the dwelling (i.e. to the north east of the original fence-line). Along the front of dwellings No. 94 to 87 Thornhill Place, is an unadopted public footpath. To the south of the site are four garages and a shared car parking area. The Thornhill/Magdalene Close estate is characterised by several open grassed areas separating the built development from the road.
2. The full application, registered on 11 February 2004, seeks retrospective planning permission for a change of use of the land to the north east of the original fence-line on the property and the enclosure of part of this land measuring up to 7m in width and 24m in length with a 1.8m high close-boarded timber fence. The applicant has also diverted a section of footpath to the side of the dwelling, around the new fencing erected and left unenclosed a strip of land to the north and east of the new fence containing various plantings.

HISTORY

3. No relevant planning history on site. However, other planning applications for similar development nearby are considered relevant to the consideration of this application. In February 2003, planning permission was given for the erection of a close-boarded fence and change of use of land to garden at No. 73 Thornhill Place (Ref: S/0105/03/F). Whilst in March 2000, planning permission was given for a change of use of amenity to garden land at the rear of 79-89 Magdalene Close (Ref: S/0421/00/F).

POLICY

4. None considered to be directly relevant. Nevertheless criteria specified in Policy HG12: Extensions to Alterations to Dwellings within Frameworks, are considered appropriate matters for consideration in the assessment of this application.

CONSULTATIONS

5. Longstanton Parish Council – Recommendation of refusal on the following grounds:
 - “The nature of the development depends on the fact that there are open grassed spaces in the area – removing one open space will cause other developments to use up these spaces.
 - Potential traffic hazard around a new blind corner; and
 - Concerns about ‘rights of way’ on old MOD land.”

REPRESENTATIONS

6. An anonymous objection has been received from a local resident, who has raised the following grounds of objection:
 - Loss of access to public footpath and lawn with plantings;
 - The diversion of the public footpath;
 - The removal of a large amount of plants, shrubs and small trees to allow for the enclosure of this land;
 - The new fence and diverted footpath have together created a blind corner at the back of the property, which is dangerous for pedestrian and vehicular traffic; and

- The granting of planning permission would set a precedent for other residents in the estate to “steal land”.
7. This resident has requested that the original footpath and removed plants be reinstated on the site.

PLANNING COMMENTS

Key Issues

8. The key issue for consideration is the impact of the change of use and fencing on the visual amenities of the area.
9. In relation to the change of use of land to the side of the dwelling as garden land, the application is similar to what has been approved at 73 Thornhill Place, diagonally opposite the site.
10. In relation to the erection of the close-boarded fence, it is noted that this fence projects to the front of the dwelling on this site, compared to being setback from the front elevation on No. 73 Thornhill Place. Nevertheless, both applications involve the enclosure of open land on a corner plot, and the retention of a strip of land separating the newly erected fence from the road.
11. The proposed fence is not considered to have such a significant impact on the visual amenities of the streetscene, to the extent that would warrant its refusal. The proposed fence is considered compatible in appearance with other timber fences in the vicinity. The visual impact of the proposal has been minimised by the retention of a strip of land between the newly erected fence and the road.
12. The position of the fence is not considered to result in a significant loss of highway safety, due to low vehicular speeds in the area, for both vehicles along this section of Thornhill Place and vehicles accessing communal car parking areas in the vicinity.
13. Neither the public footpath or land to the side of the dwelling have been adopted by the Local Planning Authority, Parish Council or Local Highways Authority. The diversion of this footpath and the removal of plantings on this land is not a relevant matter for consideration in the assessment of this planning application.

RECOMMENDATION

Approve

Conditions

None

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the objectives and principles of the South Cambridgeshire Local Plan No 2: Adopted 2004.
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Highway Safety
 - Appearance and Character of Street Scene

3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

Other

Planning Permission would be required for the erection of any buildings/structures to the north-east of the existing side elevation of the dwelling. Planning permission would also be required for the repositioning of the close-boarded fence hereby approved, closer to Thornhill Place.

**28. S/0329/04/F - WHADDON
SHED, SPRING COTTAGE, BRIDGE STREET FOR D GRECH**

SITE AND PROPOSAL

1. This application, registered on 19th March 2004, proposes the erection of a garden shed in the rear garden of Spring Cottage, a newly constructed dwelling. The shed, which measures 2.2m x 2.3m with an asymmetrical pitched roof rising to a height of 3m, is proposed to be located within 1m and to the north of the existing house, partly across an existing drainage ditch which runs east to west on the north boundary of the site. It is proposed to partially sit the shed on a concrete slab that spans the ditch. The applicant has confirmed that the soffit of the concrete slab will not project into the cross-section of the ditch. The shed is to be constructed of feather edged timber boarding with tiles to match the existing dwelling.
2. To the north of the site is a detached bungalow and to the south a detached house.

HISTORY

3. Reserved matters consent was granted for this property in August 2002. It contained a condition taking away permitted development rights for the erection of buildings within the curtilage of the dwelling in order to avoid overdevelopment of the site with consequent harm to adjoining properties.

POLICY

4. Policy HG12 of the South Cambridgeshire Local Plan 2004 sets out the criteria for assessing the extension and alterations of dwellings within village frameworks.

CONSULTATIONS

5. Whaddon Parish Council recommends approval.
6. The Environment Agency has no objection in principle but required further details on the concrete slab under the shed, over the drainage ditch. Comments on the revised details will be reported verbally.

REPRESENTATIONS

7. None received.

PLANNING COMMENTS

8. The key issues to be considered with this application are the impact of the proposal on the amenity of adjacent properties and the street scene, and the proposal to construct the shed over the drainage ditch.
9. In my view the location and small size of the proposed shed has no impact on the occupiers of properties to either side. No representations have been received from the occupiers of those properties.
10. Being located to the rear of the house the proposed shed has no adverse impact on the street scene. It has been designed with materials to match the existing dwelling. Permitted development rights were restricted in this case to ensure that control was maintained over the erection of outbuildings in the small garden area of this dwelling. It is my view that the modest scale of the proposed shed is satisfactory and does not prejudice the aims of that condition.
11. I will report the comments of the Environment Agency concerning the proposal to sit the shed on a concrete slab that spans the existing drainage ditch. The revised details submitted by the applicant were discussed direct with the Environment Agency prior to submission.
12. Subject to the revised details being agreed by the Environment Agency I will recommend approval.

RECOMMENDATION

13. Subject to confirmation from the Environment Agency that the revised details are satisfactory that consent be granted subject to:
 1. SC A RCA+ any conditions of the Environment Agency

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Structure Plan 2003: None.
 - b) South Cambridgeshire Local Plan 2004: Policy HG12 - Extensions and Alteration to Dwellings within Frameworks
2. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

**29. S/0040/04/F - LITTLE EVERS DEN
EXTENSION AT MERIDIAN, FINCH'S FIELD FOR MR P MALLOWS AND MS C
REVELL**

1. Members will recall resolving to defer the application for a site visit at the 3rd March 2004 Committee meeting.
2. Members will visit the site on Monday 5th April 2004.
3. The 3rd March 2004 Committee Item is attached as an appendix.

30. S/0057/04/F - OVER

CHANGE OF USE FROM RETAIL (A1) TO SANDWICH SHOP/TAKEAWAY (A3), 25 HIGH STREET, OVER

CONSERVATION AREA

SITE AND PROPOSAL

1. The site is a currently vacant retail shop situated at the eastern end of a two-storey building (No. 25) used for office and retail uses, on the southern side of High Street, Over. The adjacent retail unit within the same building is a general food store. There is a car parking area at the rear of the building, which appears to be reserved for office uses within the building. Surrounding No 25, High Street are residential dwellings to the north and east, a garage and public house to the west and a field to the south. To the north-west of the site are other retail units at No. 30 High Street.
2. This full application, received 13 January 2004, proposes a change of use from Retail (A1) to Sandwich Shop/Take-away (A3). The applicant states that the shop would specialise in mainly cold filled Sandwiches/Rolls and Baguettes, but would also include cooked fillings such as bacon and sausages. The proposed hours of business are 07.30 hours to 15:30 hours Monday to Friday and 08:00 to 13:00 hours on Saturdays.

HISTORY

3. There has been a string of planning applications for Victoria House, 25 High Street, Over, since 1971. Of most relevance to this application is a 1989 planning permission for a change of use to this retail unit from Retail (A1) to Estate Agents (A2) (Ref: S/0591/89/F) and a change of use from store room to shop (A1) in 1986 (Ref: S/0346/86/F). Both were approved.
4. It should also be taken into account that in 1998 planning permission was given for an office extension at 25 High Street (Ref: S/0960/98/F).

POLICY

5. South Cambridgeshire Local Plan 2004, Policy ES6 states:

“The District Council will seek, by the means of appropriate planning conditions, to minimise the impact of noise and pollution on noise-sensitive development arising from any new industrial, commercial or recreational activity.”
6. South Cambridgeshire Local Plan 2004, Policy SH5 outlines that the redevelopment of existing shops within village frameworks will be permitted providing the size of the shopping development is of a scale appropriate to the size of the village, development would not have an adverse impact on nearby residential or other development; and the site in its present form does not form an essential part of village character.
7. South Cambridgeshire Local Plan 2004, Policy SH6 stipulates that proposals which involve the loss of a retail unit in a village will be resisted where it would result in a significant reduction in the level of retail provision locally available.
8. South Cambridgeshire Local Plan 2004, Policy EN30 states that “proposals are expected to preserve or enhance the special character and appearance of Conservation Areas, especially in terms of their scale, massing, roof materials and wall materials”. This re-iterates the objectives of Policy P7/6 of the Structure Plan 2003.

CONSULTATIONS

9. Over Parish Council – Recommendation of refusal for the following reasons:

“The service is already available in the village;

Concern over noise implications in such a highly dense populated area – although the shop will open at 07:30, staff will obviously be arriving prior to this in order to prepare sandwiches and delivery vans. Several residents have expressed concern over this and the Parish Council supports their concerns.

This will clearly cause an increase in traffic in an already busy street, where parking already causes problems for residents trying to access their drives and inconveniences the progress of buses in the High Street.”

10. Conservation Manager – No objection. He adds that it does not alter the fabric of the Conservation Area.
11. Chief Environmental Health Officer – No objection. The officer adds that he “has no concerns relating to the proposed use of the shop as a takeaway. However, any subsequent A3 use of the premises may have an effect on the surrounding properties” and he has recommended a condition limiting the operating hours of the business to that proposed by the applicant.

REPRESENTATIONS

12. Representations have been received from the occupiers of 1 Randalls Lane, 16, 22, 23, 26 and 28 High Street who have objected to the application on the following grounds:
 - a. Adverse impact on highway safety and lack of off-street parking in the vicinity;
 - b. Increase in traffic along High Street;
 - c. Adverse impact on residential amenities of nearby dwellings;
 - d. Increases in noise and odour (particularly early in the morning and possibly in late evening/night-time);
 - e. Proximity of dwellings to proposed shop;
 - f. Proposal will lead to increased litter/rubbish;
 - g. Concern about future uses on the site, particularly the use of the site as a more intensive take-away with longer operating hours, without the need for further planning permissions;
 - h. Adverse impact on the character of the street-scene and Over Conservation Area;
 - i. Proposal will attract social undesirables and increase anti-social behaviour; and
 - j. Sandwiches are available at existing shops in the vicinity;

REPRESENTATIONS BY APPLICANT

13. The applicant has provided the following information in support of their application:-
 - k. Due to the limited range of cooked products sold, there would be less cooking odours emitted than that of the average domestic household;
 - l. Litter would be minimal due to the take-away nature of the business, and litter bins will be provided;
 - m. The proposal would not increase the amount of traffic or noise along the High Street, as other businesses in the High Street would be opened at the same time;
 - n. No delivery vans will deliver to the shop, as the owner will collect supplies for the shop directly from suppliers;
 - o. There will be no disturbance in the early morning by staff arriving to work, as the staff member responsible for preparing food will travel to work on foot;
 - p. Whilst other businesses in the vicinity sell food, there are no other businesses offering comparable food with the same hours of business; and
 - q. The range of food to be cooked on site is very limited and will not include chips, burgers or hotdogs (i.e. food more usually associated with takeaways).

PLANNING COMMENTS

Key Issues

14. The key issues in this case are whether the proposal would have an adverse impact on the residential amenities of adjacent dwellings (particularly in terms of noise and odour), highway safety of High Street or the character and appearance of the Over Conservation Area.
15. The proposed site has been used for retail (Class A1) or professional and financial services (Class A2) for over 15 years, with No. 25, High Street used for non-residential uses for over 30 years. Although, the proposed site is currently vacant, planning permission would not be required for the use of this retail unit for A1 or A2 uses. It should be taken into account that planning permission is not required for the sale of cold food from the premises.

Impact on Residential Amenity

16. The proposed use involves the cooking of a limited range of hot foods during the daytime Mondays to Saturday, with no evening or Sunday openings. It is noted that Environmental Health officers have raised no objection to the application, and that issues of smell, noise and litter can be addressed under separate legislation. Given the limited range of hot food to be sold, restricted opening hours, the site's position adjacent other existing non-residential uses, the site's position on the main thoroughfare between Over and Willingham, as well as the former uses of the site, the proposal is not anticipated to seriously harm the residential amenities of nearby dwellings, above what might be expected for uses not requiring planning permission (that is, A1 and A2 uses).
17. It is recommended that the operating hours of the business be restricted in order for the Council to retain control over the future use of the site. That is, a further planning permission would need to be obtained for an expansion of the approved hours. It is likely that any future use of the site for a more intensive A3 use would require an increase in the operating hours, hereby permitted. There is no evidence to suggest that a use operating within the hours proposed would increase anti-social behaviour.

Traffic

18. Although the proposal does not include off-street car parking, it is not expected to result in a significant loss of highway safety, that would warrant its refusal. It should be taken into account, that the premise has been used as a retail unit for over 15 years without any on-site car parking provision.

Impact on Conservation Area and Streetscene

19. The proposal does not involve alterations to the front elevation of the retail unit and as such, would not have a significant impact on the character and appearance of the street-scene or Conservation Area.

Other

20. The proposal would not result in a significant reduction in retail provision in the local area. It is noted that the site is of modest size and is currently vacate. The proposal would not prevent the future conversion of this site into an A1 or A2 use.
21. The supply or otherwise of similar products within the vicinity is not a relevant planning consideration, in the assessment of this application.

RECOMMENDATION

Approve

Conditions

1. Standard Condition A – Standard Reason

2. The use, hereby permitted, shall not be open to customers outside the following times: 07.30 hours to 15:30 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturdays (nor shall it be open to customers at any time on Sundays or Bank Holidays).
(Reason: to protect the residential amenities of dwellings within the vicinity.)

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003:
 - Policy P7/6 – Historic Built Environment
 - b) South Cambridgeshire Local Plan 2004:
 - SH5 – New Retail Development
 - EN30 – Development in Conservation Areas
 - ES6 – Noise and Pollution
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - r. Highway safety
 - s. Residential Amenity Interests
 - t. Appearance and Character of Streetscene
 - u. Appearance and Character of Conservation Area
 - v. Environmental Pollution
 - w. Crime Prevention
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

**31. S/0087/04/F - OVER
EXTENSION (RETROSPECTIVE APPLICATION) UNIT 4 RIVERVIEW FARM,
OVERCOTE ROAD FOR M J NORMAN**

DEPARTURE APPLICATION

SITE AND PROPOSAL

1. Riverview Farm consists of a number of modern agricultural buildings running along the eastern boundary of the site, converted to commercial use. To the north west of the site access, on the opposite site of Overcote Road are 3 residential properties.
2. The full application, submitted on the 16th march 2004, proposes retrospective permission for an open fronted canopy which has been added to unit 4, and existing pole barn. The canopy continues the line of the existing roof and measures 22.8m in length by 6m in width. The roof, as extended, now lines up with the unit to the south. The building to the north continues to project further into the yard.

PLANNING HISTORY

3. Planning permission to change the use of the building to B1/B8 use was granted in 2000. A subsequent application has allowed the use of site to commence at 07.30 hours instead of the 08.00 hours initially approve.

PLANNING POLICY

4. The site is in the countryside.
5. The following policies are relevant.

Cambridgeshire and Peterborough Structure Plan 2003

- Policy P2/6 Rural Economy

South Cambridgeshire Local Plan 2004

- Policy EM10 - Conversions of rural buildings and future extensions
- Policy ES6 - Noise and Pollution

CONSULTATIONS

6. Over Parish Council approves the application.
7. The Environment Agency raises no objections as the proposal would have no measurable impact on the local floodplain regime.
8. The Chief Environment Health Officer requests a condition requiring details of any power operated machinery to be agreed before it is installed, to minimise the effects of the development to nearby residents.

REPRESENTATIONS

9. The statutory consultation period of the Departure advertisement expires 13th April 2004.
10. 3 letters of objection have been received from the neighbours in Overcote Road to the north-west of the site entrance. There main concerns are:
 - The extension is expansion by stealth.
 - Traffic flows to the site, already high and disturbing, will increase.
 - Set a precedent for other adjacent units.
 - Extension to the "Collier" unit was recently refused.
 - Extension to converted buildings in the countryside should be strictly controlled because of the impact on the Countryside.
11. A neighbour in Overcote Road living some distance to the east of the site is concerned about increased traffic past his house. Traffic management measures are needed along Overcote Road.

PLANNING COMMENTS

Key Issues

- Impact on the rural surroundings
 - Increased traffic generation/affect on amenities of neighbouring properties
12. The application is technically a Departure from the Development Plan because it involves an extension to a converted agricultural building detached from the village framework in a rural

location. Supporting text to Local Plan Policy EM10 indicates that “any elements of increased floorspace contained within conversion proposals will be strictly controlled and usually limited to that which may be necessary to achieve an enhanced design or to integrate the scheme with its surroundings.

13. However, the extension is a modest continuation of the roof slope to provide an open fronted addition to a converted barn currently used for the storage of landscape gardening stock. The roof now lines up with the building to the south, and there is no impact on the countryside as the extension is into the former farmyard. The neighbours are correct that a previous application to extend a barn was refused, but this was a much larger addition which would have been visible from the countryside.
14. The additional traffic likely to be generated by the small extensions, 136sqm, is unlikely to be significant. No additional staff will be employed.
15. In view of the small scale and the siting of the proposal, I do not consider that it would significantly prejudice the implementation of the Development Plan’s policies to warrant referring the application to the Secretary of State.

RECOMMENDATION

Delegated Approval, subject to:

16. Details of the location and type of any power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building, (excluding vehicles) and the location of the outlet from the building of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.
(Reason – To ensure there is no noise disturbance resulting from the use of the building, and there is no odour, dust or fumes.)

Informatives

Reasons for Approval

17. The approved development is not considered to significantly prejudice the following Development Plan policies, by reason of its small scale and siting:
 - a) Cambridgeshire and Peterborough Structure Plan 2003:
 - Policy 2/6 - Rural Economy
 - b) South Cambridgeshire Local Plan 2004:
 - Policy EM10 - Employment in the Countryside
 - Policy ES6 - Noise and Pollution
18. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - The visual impact of the extension on the countryside
 - The likelihood of noise disturbance to neighbouring residential properties from the use of the extension.
 - The levels of additional traffic likely to be generated by the extension.

19. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

The Environment Agency makes the following comments:

20. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
21. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
22. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.
23. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.
24. The above comments are made strictly on the understanding that no part of the site will be used for:-
- Reprocessing of Waste Oils
 - Formulation or storage of pesticides or related agrochemicals.
 - Formulation, storage or use of chlorinated organic solvents.
 - Timber treatment
25. Facilities should be provided to ensure that waste oil is stored and disposed of in a manner that will not lead to pollution.
26. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.
27. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
32. **S/2171/00/F - GRAVELEY**
AMENDMENT TO PREVIOUSLY APPROVED APPLICATION FOR RESEARCH
BUILDING, STANDBY GENERATOR HOUSE, AND SUB-STATION ENCLOSURE AT
HILLCREST FARM, TOSELAND ROAD, FOR INTERVET UK LTD.

SITE AND PROPOSAL

1. Hillcrest Farm comprises of land and a collection of buildings and structures on two sites on either side of Toseland Road, to the south-west of the village of Gravely. It is occupied by Intervet UK Ltd, a company involved in research into animal vaccines.

Along the southern boundary of the site is public footpath No. 11 Graveley. Along the front property boundary is a roadside hedge. Fields adjoin the site to the south and west.

2. This proposed amendment received on 9 February 2004, seeks to amend the full planning permission granted on 28 February 2001 for the replacement of approximately 250 sq. metres of timber, animal sheds with a barn-like metal clad building 29m wide x 32m long, with an asymmetrical pitched roof with a ridge 7.25m high. This approval also included a stand-by generator and substation enclosure, the generator being housed in a metal building 4.6m high and 5.5m wide x 6.8m long.
3. The proposed amendment reduces the footprint of the research building from approximately 838 sq.m to 391 sq.m, in addition to a reduction in floorspace from approximately 955 sq.m to 789 sq.m. The proposal alters the roof design to create a symmetrically pitched roof with a ridge height of 7.25m and an eaves height of 5.2m. The amended roof design allows for an enlarged first floor plant room. The proposal also involves the creation of an external staircase on the eastern elevation, alteration to the pattern of windows and doors on all elevations and change to the colour of roof materials from light grey metal sheeting to light green. There are no proposed changes to the use of the building or its ridge height, in addition to the approved stand-by generator and substation enclosure. The amendment plans refer to a possible future extension, which is excluded from the consideration of this amendment.

HISTORY

4. At the Development and Conservation Control Committee on 7 February 2001, planning officers were given delegated powers of approval for a research building, standby generator house and substation enclosure, providing the height of the research building was reduced to that comparable to existing buildings on the site. That was achieved and the Permission issued 28th February 2001 subject to 10 conditions of consent. A concrete base has been created at the proposed site for the research building.
5. A new planning application for the erection of a workshop/welfare building on the site with a floorspace of approximately 98 sq.m is currently in the process of determination (Ref: S/0361/04/F).
6. Several applications for the erection of animal buildings for use in connection with Intervet have been permitted over the years. In 1997 a retrospective application for the erection of a barn for housing animals was refused because of its adverse impact on the landscape (Ref: S/0464/97/F) (Please note: the site was identified as an Area of Best Landscape in the 1993 Local Plan). This building was subsequently approved at appeal, with the Inspector considering that landscaping could adequately screen the building.

POLICY

7. The site lies within the countryside, where new development is restricted by Policy 1/2 of the Cambridgeshire and Peterborough Structure Plan 2003, unless it can be demonstrated to be essential to a particular rural location.
8. Policy 1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design and sustainability for all new developments.
9. Policy 2/6 of the Cambridgeshire and Peterborough Structure Plan 2003 states small scale employment development in rural areas will be facilitated where it supports new and existing business and research and technology clusters and helps maintain the vitality of rural areas.
10. Policy 7/4 of the Cambridgeshire and Peterborough Structure Plan 2003 outlines that development must relate sensitively to the local environment and contribute to a sense of place, identity and diversity of landscape character areas.

11. Policy EM4 of the South Cambridgeshire Local Plan: Adopted 2004 outlines that proposals for the expansion of existing research establishments will normally be permitted, providing the development is occupied by organisations whose primary purpose is research, and that these organisations are required in the national interest to be located close to existing major establishments in related fields. This policy adds that where there is any conflict between such proposals and policies in the Local Plan, this conflict needs to be outweighed by evidence of need in the national interest.
12. Policy EN1 of the South Cambridgeshire Local Plan: Adopted 2004 specifies that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas.
13. Policy EN3 of the South Cambridgeshire Local Plan: Adopted 2004 requires new development within the Countryside to be of appropriate scale, design and layout; materials; and landscaping works to the particular 'Landscape Character Area' and reinforce local distinctiveness wherever possible.
14. Policy EN5 of the South Cambridgeshire Local Plan: Adopted 2004 requires trees to be retained wherever possible in proposals for new built development.
15. Policy ES6 of the South Cambridgeshire Local Plan: Adopted 2004 specifies that the District Council will seek, by means of appropriate planning conditions, to minimise the impact of noise and pollution on noise-sensitive development arising from any new industrial, commercial or recreational activities.

CONSULTATIONS

16. Graveley Parish Council – Recommendation of refusal. They add that Councillors mainly object to the height of the building and still have concerns regarding smell control.
17. Environment Agency – No additional comments from previous correspondence given in 2000. (At that time no objections raised).
18. Trees and Landscape Officer – No objection, as ridge is same height.
19. Chief Environmental Health Officer – No objection. Adds that there are no significant impacts from the Environmental Health standpoint, having considered noise and environmental pollution implications.
20. Local Highways Authority – No comment.
21. Cambridgeshire County Council, Definitive Map Officer – No comment. "The revisions do not appear to affect the nearby Public Footpath No. 11, that runs outside the southern boundary of this property."

REPRESENTATIONS

None received

PLANNING COMMENTS

22. The principle of erecting a research building with a ridge height of 7.25m in this position has previously been established, by the approval of the original application on 28th February 2001. The proposed amendment represents a decrease in the footprint and floorspace of the research building, despite an increase in eaves height on the southern elevation and an increase in first floor floorspace. The proposal is considered to represent an efficient use of the volume and building footprint of the research building. The proposed amendment will not have a significantly greater *impact on the*

Countryside, landscape character, highway safety or environmental pollution than the application originally approved.

RECOMMENDATION

23. Approve proposed amendment to planning application S/2170/00/F.

Informatives

1. The indicated footprint for a possible future expansion shown on the application plans is excluded from consideration in this planning application. That is, a new planning application would be required for this possible future extension.
2. This amendment does not alter or remove the 10 conditions of planning consent attached to the approval of the original planning application Ref: S/2170/00/F in 2001.

33. **S/0056/04/F - PAPWORTH EVERARD**
ERECTION OF TWO TEMPORARY PORTAKABINS AND LINKS TO EXISTING WARD
BLOCK, PAPWORTH HOSPITAL, PAPWORTH EVERARD

SITE AND PROPOSAL

1. The site consists of a grassed area near the southern boundary of the Papworth Hospital grounds, adjacent an existing ward block and mortuary. On the site is a mature Horse Chestnut Tree covered by a tree preservation order (TPO), which was confirmed in December 2003.
2. The full application, received on 3 January 2004 proposes the erection of two temporary portakabins and links to existing ward block, to be used for administrative purposes, while the adjacent hospital building is altered and renovated. The proposed structure has a floorspace of 84.73sq.m and will require the felling of the above horse chestnut tree. Each prefabricated portakabins measure 3m in width and 12.2m in length, with a maximum height above ground level of 3.5m. The proposal includes the replanting of two horse chestnut trees elsewhere on the site.

HISTORY

3. A number of planning applications have been received for the Papworth Hospital site over the past 15 years. Temporary planning permission has previously been given for several portakabins on this site.

POLICY

4. Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design and sustainability for all new developments.

CONSULTATIONS

5. Papworth Parish Council – Recommendation of refusal as the “application would involve the felling of a mature tree which is the subject of a tree preservation order”. In previous correspondence with the Council, the Parish has asked where the two new horse chestnut trees are to be planted.
6. Chief Environmental Health Officer – No objection. He adds that there are no significant impacts from an Environmental Health standpoint.

7. Trees and Landscape Officer – In response to additional information supplied by the agent, the officer has raised no objection to the application. He adds that “the tree preservation order, looking at the tree cover in the parkland and surrounds, was in response to a request from Councillor Howell, but undertaken in a spirit of cooperation with the Papworth Trust and Hospital Authorities. In view of the above, and also noting that the indications are that it will be a permanent use and not temporary...it would now seem appropriate to withdraw my original objection, subject to replacement planting being undertaken.”

REPRESENTATIONS

8. None received.

REPRESENTATIONS BY AGENT

9. In response to concerns expressed by the Trees and Landscape Officer the agent has responded, that although the application involves the removal of a tree covered by a TPO for a temporary building, the “temporary accommodation is to enable the ‘permanent’ redevelopment of the RSSC accommodation to take place. This is dependent on the demolition of the existing mortuary subsequent to the completion of the new Pathology extension...In summary the removal of the tree is to facilitate a larger, permanent development of this site of which this should be considered as an enabling phase.”

PLANNING COMMENTS

Key Issues

10. The key issues in this case are the design of the proposed temporary structure and the loss of a tree covered by a TPO.
11. The proposed portakabin does not represent a high standard of design that is integrated with the local landscape or creates a positive sense of place. Nevertheless, it is considered that in this case, there are material circumstances which outweigh the more general planning considerations regarding the design of the temporary building and the removal of a mature tree covered by a TPO. The proposal represents a temporary enabling scheme that would facilitate a larger permanent development of the site within the Papworth Hospital grounds, with expected social, health and community benefits. I am of the view that the impacts of the proposal are able to be sufficiently mitigated by suggested conditions of consent, including a temporary period of consent for the proposed structure and replacement planting.
12. The proposal will not have an adverse impact on the amenities of adjacent landowners outside the Hospital grounds.

RECOMMENDATION

13. Approve

Conditions

1. The mobile units and links hereby permitted shall be removed from the site and land restored to its former condition on or before March 31st 2007.
(Reason – Approval of the proposal on a permanent basis would be contrary to the proper planning of the area and the land should be reinstated to facilitate future beneficial use.)
2. No development shall commence until details of the replacement planting of two Horse Chestnut trees on site, have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

(Reason: To compensate for the loss of a tree covered by a tree preservation order.)

Informatives

Reasons for Approval

1. The proposed temporary structures are not of a high standard of design that would contribute to a positive sense of place, contrary to policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003.
2. Nevertheless, it is considered that there are material considerations in this case (i.e. social, health and community benefits) which warrant the granting of temporary consent, subject to a condition requiring replacement planting to compensate for the loss of a tree covered by a tree preservation order.

**34. S/0178/04/F - SAWSTON
EXTENSION ABOVE GARAGE FOR GAMES ROOM, GUILDENS ORCHARD,
CATLEYS WALK FOR MR ORROCK**

1. Members of Committee will visit the site on Monday 5th April 2004.

ABUTTING CONSERVATION AREA

SITE AND PROPOSAL

2. Guildens Orchard is a 2 storey detached dwelling set in a generous plot and is located at the end of Catleys Walk. The rear and side elevations are facing open fields. The site is well screened by 2 metre high fences and leylandii at front and side boundaries with few mature tall trees. The adjacent property is Guildens which is to the northeast of the site and the distance between the boundary fence and this neighbouring property is approximately 50 metres. The site is abutting a Conservation Area and it is within the Sawston village framework.
3. This full application, received 30th January 2004, proposes to erect a first floor pitched roof extension above the existing detached garage with dormer windows at front/east elevation and rear/west elevation. The existing garage is 5 metre high to the ridge and the height of the proposal will be 6.7 metre high.

HISTORY

4. S/0601/99/F – planning permission granted for extensions

POLICY

5. The site is adjacent to but outside the Conservation Area. The Conservation Area boundary runs along Catleys Walk and to the east boundary of Guildens and Guildens Lodge. Policy EN30 of South Cambridgeshire Local Plan 2004 states that the District Council will require applications for planning permission for development affecting the setting of conservation areas to be accompanied by sufficient details to allow the impact of the proposal to be assessed.
6. Policy HG12 of the South Cambridgeshire Local Plan 2004 resists extensions to dwellings that would not be in keeping with local characteristics, would seriously harm the amenities of neighbours through undue loss of light etc., and would have an unacceptable visual impact on the street scene.

CONSULTATIONS

7. Sawston Parish Council recommends refusal. "The Parish Council would ask for a site visit to this property which is in the Conservation Area for Sawston. It is also considered to be an overdevelopment of the site."
8. The Conservation Manager has no objection and states that the works to this garage will not significantly impact on the adjacent Conservation Area.
9. Environment Agency has no objection and states that the site is identified as being within the indicative floodplain of the River Cam and its tributaries. The proposal is for non-residential first floor use of an existing building and therefore the Agency would have no objection.

REPRESENTATIONS

10 Representation made by the agent

- Guildens' Orchard is not within the Conservation Area and this is contrary to the Parish Council's comment.
- The proposal is not considered as overdevelopment.

PLANNING COMMENTS

11. **Key Issue:** Whether the proposal would have adverse impacts upon the design and character of the existing dwelling and its adjacent Conservation Area surroundings.
12. The existing house and detached garage is set away from the boundary with neighbouring properties and given the good screening along the front and side boundaries, I do not consider that the proposal harms seriously the amenities of neighbours. Only the top of the building can be readily seen from Catleys Walk as the site is currently well screened by 2 metre high closed-boarded fence and hedges. The property is set on a large site within the village framework and I do not consider that the proposed extension above the garage would cause over-development of the site. I consider the proposal will not have adverse impacts upon the adjacent Conservation Area and street scene and recommend approval.

RECOMMENDATION

13. Approval as amended by drawing 0311/2/A.

1. Standard Condition A – Reason A.
2. Standard Condition 19 – Reason 19 – matching materials.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: None.
 - b) South Cambridgeshire Local Plan 2004:
 - EN 30 Development in Conservation Area (or affecting setting).
 - HG 12 Extensions and alterations to dwellings within frameworks.

2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: appearance or character of a Conservation Area; flooding; and visual impact in the locality.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

**35. S/0196/04/F - SAWSTON
EXTENSIONS 52 LONDON ROAD FOR MR N FACER**

1. Members of Committee will visit the site on Monday 5th April 2004

SITE AND PROPOSAL

2. This 2 storey house is at the end of a terrace of 3 gault brick and slate dwellings. It is situated at the junction of London Road and Brookfield Road with a long and narrow garden and comprises a single storey flat roof element at the side, a flat roof outbuilding and a few sheds and glasshouses at the rear. The house has a 2 storey lean-to at the rear with a mono-pitched roof. There is a bay window, a small lounge window and an entrance door on the ground floor and 3 bedroom windows on the first floor facing Brookfield Road. Opposite the site is No 54, a 2 storey semi-detached house with one small toilet window at the side. No 54 has one bedroom window on the first floor, one window and side door on the ground floor at the side of the 2 storey lean-to facing the application site.
3. This full application, received 3rd February 2004, proposes to erect a 2 storey side and rear extension closer to Brookfield Road in the 3 metre wide gap, replacing the existing flat roof side element. The proposal provides a bedroom and a dressing room on first floor; hallway, utility and enlarging the dining area on the ground floor. The depth and height of the proposed extension would be the same as the existing house.
4. The new dwelling and garages at land rear of 50 and 52 London Road under reference S/2258/03/F (see below) is 31 metres away from No 52 and there are only blank gable walls facing the garden area of No 52 as shown on the approved plans.

HISTORY

5. S/2258/03/F – planning permission granted for house and 2 garages at land R/O 50 & 52 London Road.
6. S/0455/04/F – House and 2 garages (amended design) at land R/O 50 & 52 London Road. This has yet to be determined.

POLICY

7. Policy HG12 of the South Cambridgeshire Local Plan 2004 resists extensions to dwellings that would not be in keeping with local characteristics, would seriously harm the amenities of neighbours through undue loss of light or privacy, being unduly over bearing in terms of its mass, or would adversely affect surrounding properties by virtues of its design, layout, location and materials and would have an unacceptable visual impact on the street scene.

CONSULTATIONS

8. Sawston Parish Council recommends refusal. "This application has inaccurate site plans showing a long large garden. This garden land along with that of No 50 London Road has been part of planning application S/2258/03/F for the erection of a new dwelling. This application has now been approved and the new proposed development at No 52 will have an overbearing aspect on the new property."

REPRESENTATIONS

9. None

PLANNING COMMENTS10. **Key Issues:**

- Scale and mass of the proposed extension and impact on the occupiers of the approved dwelling at land R/O Nos. 50 and 52 London Road.
 - Impact on the occupiers of No 54 London Road.
11. The extension will not project beyond the existing rear building line of the property and it will be the same depth and height as the original house. It would be sited sufficiently far from the new dwelling at the rear at a distance of 31 metres. The proposal would not result in any worsening of the existing situation. The scale and mass of the extension would not in my opinion be overbearing to the new dwelling at the rear of Nos 50 and 52. It is my view that the proposal is in keeping with the terrace dwellings in the vicinity and it would not result in a development being unduly prominent in the street scene or appear dominant from the outlook of the new dwelling at rear of No 52.
12. The proposed 2 storey extension projects 3 metre from the dwelling towards Brookfield Road. No 54 has one bedroom window on first floor and one window and one door on ground floor at the side of the 2 storey lean-to facing the application site. Given there are already 3 bedroom windows on the first floor at No 52 facing Brookfield Road and No 54, and the distance between the side boundary of No 52 and the 2 storey lean-to at No 54 is 15 metres, I do not consider that the proposed extension will overlook of the private garden area of No 54.
13. The location plan submitted with application site outlined in red accurately shows the boundary of the site as existing. This application and the approved new dwelling to the rear of No 52 (ref: S/2258/03/F) are submitted by the same applicant.

RECOMMENDATION

14. Approval

1. Standard Condition A – Reason A
2. Standard Condition 19 – Reason 19 – Matching materials

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following Policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: None.
 - b) South Cambridgeshire Local Plan 2004:
 - HG 12 Extensions and alterations to dwellings within frameworks.
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: residential amenity interests.

3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

36. S/0313/04/F - SAWSTON
DWELLING ON LAND ADJACENT 12 GRANTA ROAD FOR J COLLINS

SITE AND PROPOSAL

1. The site extends to approximately 0.03 hectares (0.08 acres) and previously formed part of the enclosed rear/side garden and the open front/side gardens of No.12 Granta Road. The site has now been divided off from No.12's garden by a fence. Like all the other dwellings in this part of Granta Road, No.12 is a semi-detached chalet dwelling with flat roof dormers on the front and rear and a flat roof garage to the side. A brick boundary wall within the site (the former boundary to No.12's enclosed rear/side garden), with conifers behind and in front, is set-back from Granta Road, leaving an open grassed margin adjacent to the road. The site is bounded by Granta Road to the northeast and southeast and by the side boundaries and the side elevations of Nos. 12 and 14 to the northwest and southwest respectively. Nos. 12 and 14 have ground floor doors and an obscure glazed first floor window in their side elevations.
2. This full application, received on the 18th February 2004, proposes the erection of a 7.3 metres high detached 4-bedroom L-shaped chalet dwelling with an attached garage with accommodation above. The dwelling would have a steep pitched roof and flat roof dormers to pick up on the characteristics of development in this part of Granta Road. Vehicular access to the site would be from a new access on to Granta Road adjacent to No.12's existing access. The proposed density equates to 33 dwellings per hectare.

HISTORY

3. A full application for a 6.8m high 4-bedroom chalet style dwelling on the site was approved in August 2002 (S/0847/02/F). However, the submitted block plan showed the site to be larger than it actually is and it is therefore difficult to see how this permission could be implemented.
4. A full application for a dwelling on the site was withdrawn in February (S/2498/03/F).

POLICY

5. Structure Plan 2003 Policy P1/3 requires a high standard of design for all new development which responds to the local character of the built environment.
6. The site is within the village framework of Sawston, which is defined as a Rural Growth Settlement in Local Plan 2004, and the Environment Agency's Indicative Floodplain.
7. Local Plan 2004 Policy SE2 states that residential development will be permitted on unallocated land within village frameworks of Rural Growth settlements provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the plan. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
8. Local Plan 2004 Policy CS5 states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at

risk unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements would not damage interests of nature conservation.

9. Structure Plan Policy P1/2 states that no new development will be permitted within or which is likely to adversely affect functional flood plains or other areas where adequate flood protection cannot be given and/or there is significant risk of increasing flood risk elsewhere. Structure Plan Policy P6/3 states that, if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.

CONSULTATIONS

10. Sawston Parish Council recommends refusal stating "The Parish Council still wish to object to this application for the same reasons as the previous application.
1. Overdevelopment of the site;
 2. Loss of privacy to all neighbouring properties;
 3. Windows on all sides overlooking neighbours;
 4. Traffic safety as this plot is at a dangerous junction/corner;
11. The minor changes in the plans alter none of the above."
12. The Chief Environmental Health Officer recommends conditions relating to the times when power operated machinery shall not be operated during the construction period and a method statement for any driven pile foundations are attached to any permission. He also recommends informatives relating to bonfires/burning of waste and ground water contamination are attached to any permission.
13. The Environment Agency states that a Flood Risk Assessment is not required but on the basis of details previously submitted in respect of application (S/0847/02/F), recommends that a condition requiring the ground floor level of the dwelling to be at least 21.54m ODN is attached to any approval in order to provide a reasonable freeboard against flooding.

REPRESENTATIONS

14. Objections have been received from the occupiers of 21 and 33 Granta Road and from the owners of 14 Granta Road on the following grounds:
- This junction is very dangerous in terms of visibility with parked cars being an added hazard. Another household with the potential for more vehicles would exacerbate this problem;
 - The dwelling would create another blind corner;
 - Loss of an open space/corner;
 - Loss of views;
 - The dwelling is overlarge in relation to the size of the plot; and
 - Overlooking into No.14's entrance door.

PLANNING COMMENTS

15. The main issues in relation to this application are:

- Flood risk to the proposed and existing dwellings;
 - Highway safety;
 - The impact of the proposal on the character of the area; and
 - The impact on the amenity of the occupiers of neighbouring properties.
16. A survey drawing submitted at the time of application S/0847/02/F shows the existing ground level of the site to be 21.8-21.9m ODN. Whilst the site is on the very edge of but within the Environment Agency's Indicative Flood plain, it is approximately 600mm higher than the highest recorded flood level. The proposal would not therefore be at serious risk of flooding nor would it increase the risk of flooding to existing dwellings. The recommended floor level condition was imposed on planning permission S/0847/02/F.
17. The design of the dwelling, which picks up on the main characteristics of surrounding development, namely low eaves, flat roof dormers and steep pitched roofs, is acceptable. At its nearest point, the dwelling would be 3m from the adjacent road junction and would not result in overdevelopment of the plot and would not result in a significant highway danger. There would also not be a serious degree of additional overlooking of neighbouring properties. The proposed rear boundary fence would be 1.5m from the road, but there are examples of hedges and fences close to the road in the locality. Adequate amenity space and parking provision would be made (the garage plus space for 2 vehicles on the drive).
18. The Chief Environmental Health Officer's comments regarding to driven pile foundations are more appropriately attached to any permission as an informative rather than as a condition.

RECOMMENDATION

19 Approval

1. Standard Condition A – RCA;
2. The external materials of construction for the building works hereby permitted shall be identical to those used for No.12 Granta Road unless otherwise agreed in writing by the Local Planning Authority – RC To ensure the satisfactory appearance of the development;
3. The ground level of the dwelling hereby permitted shall be at least 21.54m ODN – RC To provide a reasonable freeboard against flooding;
4. Standard condition 60 (all) 'Boundary treatments' – RC60;
5. During the period of construction ... Standard condition 26 'Times when power operated machinery shall not be operated' (0800, 0800, 1800, 1300) – RC26;
6. No windows or openings of any kind shall be inserted at first floor level in the northwest elevation of the dwelling, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC – To protect the amenity of the occupiers of No. 12 Granta Road).

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a. Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development); P1/3 (Sustainable Design in Built Development); and P6/3 (Flood Defence).
 - b. South Cambridgeshire Local Plan 2004: SE2 (Development in Rural Growth Settlements); and CS5 (Flood Protection).
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: the character of the area; the amenity of neighbours; and highway safety.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

Informatives

20. Should pile driven foundations be proposed, before development commences, a method statement for the construction of these foundations shall be submitted to and agreed in writing by the District Environmental Health Officer so that noise and vibration can be controlled.
21. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.
22. The ground water underlying this area is known to have been contaminated by solvents from a nearby industrial process. Whilst the District Council is not aware of any problems at the moment and the health risk is thought to be negligible, it may be prudent to install a gas impermeable membrane in the foundations of the building and to treat all services to prevent the ingress of solvent vapours. Further information on this matter can be obtained from the Specialist Support Unit within the Council's Environmental Health Department.
37. **S/0251/04/F -SWAVESEY**
USE OF OUTBUILDING AS RESIDENTIAL ANNEXE (RETROSPECTIVE APPLICATION), RYDERS FARM, 35 MIDDLEWATCH FOR MR & MRS J DYER

SITE AND PROPOSAL

1. The application relates to a single storey outbuilding to the side of the applicants' house, and served by the same access driveway. The building was formerly in use as a stable block, but has been converted to provide rented accommodation with a lounge, kitchen, bathroom, study and two bedrooms. There is a small garden area on the northern side. The building was converted with minimal alterations to the external appearance, retaining existing facing bricks, clay tiling and using existing window and door openings. The conversion took place in 1993 as store/workshop (see below)..
2. The site lies within the village framework. The main house is a listed building, and the outbuilding is protected by virtue of being an old curtilage building.
3. The application, submitted 10th February 2004, seeks to regularise a use as a residential annexe, one which has been existing "for a number of years".

PLANNING HISTORY

4. Planning permission and listed building consent were granted in 1993 for the conversion of the outbuilding to workshop and stores, and for the addition of a large garage extension – S/92/1306/F and S/92/1307/LB.

POLICY

5. In the South Cambridgeshire Local Plan 2004 the following policies apply:
6. Policy RT10 – conversions to provide holiday accommodation will be supported where the building is capable of conversion without significant extensive rebuilding, extension or alteration, and where the impact upon the character and amenity of the locality would be acceptable. Planning permission will be dependent upon the securing of a Section 106 Agreement to limit the use to short term lets.
7. Policy EN28 – the District Council will resist applications within the curtilage of a listed building that would damage the setting, well being or attractiveness of the listed building.

CONSULTATIONS

8. Swavesey Parish Council recommends that the application should be refused because ‘planning permission was originally granted for these buildings to be used for storage and workshops, not ancillary accommodation. The Parish Council objects to the retrospective application for change of use of these outbuildings to residential accommodation, in accordance with the original planning permission.’
9. The Conservation Manager confirms that the conversion has been carried out in accordance with the listed building consent. He does not consider that the use has resulted in any harm to the character or appearance of the stable block or to the setting of the main farm house. To ensure that this remains the case he recommends that conditions be attached to prevent the occupation of the unit as separate accommodation and the removal of permitted development rights for fences etc.
10. The Middle Level Commissioners has no objections providing that the applicant complies with the provisions of the Land Drainage Act.

REPRESENTATIONS

11. A site notice has been displayed and no representations have been received.

PLANNING COMMENTS

Key Issues

12. The main issues for Members to consider are whether the use is appropriate in these buildings and whether the use harms the setting of the listed farmhouse.
13. On the first point, the use does not give rise to harm to the amenity of adjoining residential properties as it is well screened by fencing, nor is it visible in the street scene. The use generates only a marginal increase in traffic movements from the site, and there is adequate provision for the parking and manoeuvring of vehicles.
14. On the second point, the Conservation Manager is satisfied that the appearance of the conversion is satisfactory and that there has been no detriment to the setting of the listed farm house. As permitted development rights to erect a fence do not apply within the curtilage of a listed building, no express condition is necessary in this case.

15. I do not consider the fact that the application has been made in retrospect in itself gives any ground for refusal of planning permission. Provided that the applicant is willing to enter into a Section 106 Agreement to limit the use to short term lets and family use only, as separation could have an impact on the appearance of the site, by way of enclosures and pressure for additional structures, I consider that the application can be approved.

RECOMMENDATION

16. Subject to the applicant entering into a Section 106 Agreement to limit the occupation of the accommodation to family and short term holiday lets,

Approval

38. **S/0255/04/F - HORNINGSEA**
ERECTION OF HOUSE FOLLOWING DEMOLITION OF EXISTING DWELLING,
'TERRELL', CHURCH END - EXECUTORS OF MRS V V LEWIN DECEASED

CONSERVATION AREA

SITE AND PROPOSAL

1. St Johns Lane, off the north end of High Street runs towards the River Cam, with Church End, a private and unmade access way serving a few cottages, off that.
2. The application site consists of a 0.194 hectare (0.48 acre) plot tapering towards the east with the present house, "Terrell" which dates from approximately the 1950s. It is set back on the site with a driveway to the north-east and a garden to the rear/west down to the river. The existing house has a footprint of 70m² and a floor area of 140m².
3. The entire site lies within the Horningsea Conservation Area. The village framework and Green Belt split the plot in half, the line running right behind the existing house. The rear garden lies within the floodplain of the River Cam.
4. This application, submitted on 11th February 2004, seeks full planning permission for the erection of a dwelling and integral garage following the demolition of the existing dwelling. The design has been altered following previous applications detailed in the following history. It is now proposed to erect a two storey dwelling, with the first floor being provided within a mansard style roof, lit by cat slide dormer windows. A two-storey wing is created by adding front and rear projections with gables. The total floor area of the proposed dwelling is 226.4m².

HISTORY

5. Conservation Area Consent was granted in 2003 for demolition of the existing dwelling.
6. Planning applications for Outline permission have been unsuccessful, with the first being withdrawn prior to a recommendation of refusal at the April 2003 committee. This was on grounds that the 280m² dwelling was too large for the plot and the area, a lack of details of design and contrary to Conservation and Green belt policies. A subsequent application attempted to address these concerns through a revised design, however the application was refused at the December 2003 committee (item 2) on grounds of adverse impact on the Conservation Area and its prominence when viewed from the surrounding area.

POLICY

7. A significant part of the site lies within the Green Belt. Planning Policy Guidance 2, "Green Belts" states that the visual amenities of the Green Belt should not be injured by proposals within or conspicuous from it. Similar aims are included in Policy P9/2a of the Structure Plan 2003, and GB1 of the South Cambridgeshire Local Plan, adopted 2004.
8. Policies P1/2, P1/3 and P7/6 of the Structure Plan seek to achieve high standards of design in areas such as Conservation Areas, and those containing historic buildings, and to protect such areas from unsympathetic and inappropriate development.
9. Policy EN30 of the adopted South Cambridgeshire Local Plan requires applications within Conservation Areas to preserve or enhance its special character and for the application to include sufficient detail as to how this would be achieved.
10. Horningsea is an in-fill only village and policy SE5 of the Local Plan permits redevelopment of an existing residential curtilage provided the site in its present form does not form an essential part of the village character and development is sympathetic to the historic interests, character and amenities of the locality.

CONSULTATIONS

11. Horningsea Parish Council comments that the design submitted with this application is the most appropriate to date for this site and has recommended approval.
12. The Environment Agency has found the proposals to be acceptable subject to the addition of planning conditions on floor levels and there being no development within the flood plain.
13. The Chief Environmental Health Officer has no objection to the proposal, however raises concern that problems could arise from the noise of development and requests that, if permitted a condition restricting hours during which power machinery can be used during the demolition and construction periods should be imposed.
14. The Conservation Manager objects to the scheme, stating:
"The scheme now proposed is largely unchanged from that recently refused permission at Development & Conservation Control Committee. The plan, scale and overall mass of the proposed building is identical to that previously refused and indeed the proposed general form is also unchanged.
15. The only real difference is that the elevation details have been changed to try to adopt a more vernacular architectural style for this substantial property. The scheme previously refused attempted to adopt the form of a 19th Century, classically detailed villa. The current proposal retains the integral garaging with accommodation above of the refused scheme and consequently continues to present a discordant architectural appearance, exacerbated by adopting vernacular design approach for this large property. The current proposal attempts to dress a large (7.5m to ridge) property in the style of a more humble cottage and simply presents a poorly proportioned elevation and overall mass. As a result the proposed building is considered to continue to conflict with policy EN30 as it would not fit comfortably into its context and would detract from the character and appearance of the conservation area".
16. It is added that:
"...The component elements of the building could be broken up to separate the garage from the residential accommodation. This could result in the development of a group of buildings which could then legitimately adopt the vernacular style of the Conservation Area by virtue of its more modest proportions. This would of course require the applicant's ambitions for the site to be substantially tempered.

REPRESENTATIONS

17. None.

PLANNING COMMENTS

18. It has been accepted that there is no objection in principle to a replacement dwelling on the site subject to it being of an appropriate scale and design for its surroundings. This amended design is broadly similar to previous applications and therefore, the main issues with this proposal, as previously, are the impact of the building's scale and design on the appearance and character of the Green Belt and Conservation Area.
19. While the dwelling itself is not within the Green Belt, it is sited directly adjacent to the Green Belt boundary and is clearly visible from within it by way of views of the site from the River Cam and towpath. In order to accord with policy objectives for the Green Belt the development proposed must not be conspicuous when viewed from such public vantage points. The previous reason for refusal stated that the width (13m) and height (7.5m) of the proposal would result in the dwelling having an adverse impact upon the openness of the Green Belt and would also detract from the appearance of the Conservation Area when viewed against the backdrop of various buildings, including some that are also listed. The current application proposes a dwelling of the same width as previous with a reduced height of just 200mm. The amendments are not sufficiently different to the refused scheme and do not satisfactorily address these concerns.
20. In light of comments from the Conservation Manager, there remain strong concerns about the design and impact upon the Conservation Area. The design has not addressed the concerns previously raised relating to the integral garage, size and design of the dwelling in relation to the surrounding area's character and built form. The proposal remains too large, too high and the design is unsatisfactory in terms of the architectural detailing with consequent harmful impact upon the appearance and character of the Conservation Area and in conflict with the Council's policy objectives for high standards in design.

RECOMMENDATION

21. Refuse for the following reasons:
1. This part of Horningsea Conservation Area has a distinctive rural character with a narrow and informal street pattern, lack of footways and variety of buildings and building materials. The informality of this area is enhanced by the various changes in level as the land drops from the High Street to the River Cam. Although not immediately visible within the Conservation Area, the existing house is sited so as to maintain this informal pattern of development. Whilst the suggested replacement dwelling is correctly positioned outside the Green Belt and above the Flood Plain, the proposed design is out of keeping with the character of the immediate area and the village as a whole. The contribution of its various elements is incompatible with each other resulting in a building of a discordant appearance with insufficient quality to enhance the character of the Conservation Area. As such the proposal is contrary to Policies P1/2, P1/3 and P7/6 of the Cambridgeshire Structure Plan 2003 and SE5 and EN30 of the South Cambridgeshire Local Plan 2004, which seek to achieve high standards of design, especially in Conservation Areas, and to ensure that the character of such areas is preserved and enhanced.
 2. With the proposed house on a slightly elevated position on its plot, and immediately on the edge of the Green Belt, it will be prominent when viewed from the River Cam and its towpath to the west. With an overall width of 13.0m and a height of 7.3m, the house will adversely affect the openness of the Green Belt, contrary to the aims of PPG2 "Green Belts", Policy 9/2a of the Structure Plan 2003 and GB1 of the South Cambridgeshire Local Plan 2004.

In addition, with the ground rising east, the house will be viewed across the River Cam against a background of various buildings, including some listed buildings, in the Conservation Area, further detracting from the appearance of same as outlined in reason No. 1 above.

**39. S/2247/03/F - HORNINGSEA
REPLACEMENT DWELLING, KINGS FARM, HIGH STREET FOR MR S T AND MRS
N J GIBBS**

CONSERVATION AREA

1. The application was deferred at the February Committee, Item 26, for Officers to explore with the Parish Council, the applicants and the County Council (as adjoining land owner) the possibility of providing a future alternative access to the site.
2. A copy of the February agenda item is attached as an Appendix.

UP-DATE-1

3. Before an "all party" meeting could be arranged the applicants met a representative of the Parish Council, Councillor Robert Turner and County Councillor Simon Kime. I understand from the applicants that the position of an alternative access could not be agreed in that the Parish Council requested a 5.0 metre wide strip along the northern boundary of the site, which would have left an unusable area of garden. This was not, therefore, acceptable to the applicants. They, in turn, offered to reserve a 5.0 metre strip across the southern edge of the garden but this was not acceptable to the Parish Council.

UP-DATE-2

4. The applicants have confirmed that they purchased the two barns, with the benefit of a planning consent for conversion, together with the Kings Farm house - all three properties having full vehicular and pedestrian rights over the access roadway across the Millennium Green. There was nothing in the sales particulars or the Deeds to say that such rights may have to be waived at sometime in the future if an alternative route was to be found.
5. The two barns are being/have been sold on to others with the same rights of access.
6. The applicants stated that they had also spoken to the Property Section of the Cambridgeshire County Council which had confirmed that it would not provide/reserve land for an alternative access.

UP-DATE-3

7. The County Council has confirmed that "we have fully considered the Parish Council's request for alternative access and the practicality of providing this and it is simply not on."

UP-DATE-4

8. Following the February Committee I received a letter from The Countryside Agency dated 24th February. The Agency was a major sponsor for the development of the Green and retains a legal and contractual interest in it for a number of years. The Agency states:

"I would like to register my deep concern over the proposals to use the Green as an access to the housing, given that this is likely to lead to a significant increase in traffic using the track, and would effectively split the Green in two. A Millennium Green is intended to be a place for informal, safe recreation. These proposals are contrary to those aims and could leave the Trustees in a difficult position with regard to their obligations to the Agency under the Millennium Greens Terms and Conditions of Grant.

The Countryside Agency therefore supports the position of the Trustees in their view what a southern access to the development would not be a satisfactory outcome and that it would seriously undermine the value of the Millennium Green as the only safe, accessible green space available to the residents of Horningsea. I therefore hope very much that every possible effort will be made to find an alternative to these proposals.”

REPRESENTATIONS – Applicant

9. The applicants have asked that the following points be considered:
 - i) Kings Farm, Horningsea was purchased from Cambridgeshire County Council with the sole legal access and an absolute right of way over the Millennium Green.
 - ii) Only after purchase was an alternative access route mentioned by Horningsea Parish Council (HPC).
 - iii) After consultation with the Planning Department and Stephen Conrad we were told categorically that no further access across the Green Belt (to the east of the farm) would ever be permitted.
 - iv) HPC requested our house and garage be moved fifteen feet south to leave a sterile strip of land behind our garages for the possible provision of the future access road across the Green Belt and our land.
 - v) At a meeting with HPC we offered a compromise solution of a possible route along the southernmost boundary of our land, leaving our house in the desired position and no unusable sterile strip of land behind the garages, but this compromise was rejected out of hand.
 - vi) The Farm already has access across the Millennium Green to the two barns (with planning consent) and the existing house. Our plans are merely to demolish one house and rebuild with another.

PLANNING COMMENTS

10. Members are asked to refer back to the February agenda.
11. Whilst sympathising with the aims of the Parish Council and the views of The Countryside Agency the facts are as follows:-
 - Kings Farm and the 2 barns to be converted have full and unrestricted vehicular and pedestrian rights over the access roadway across the Millennium Green.
 - The 2 barns are being/have been sold with the same rights, there being nothing in the “small print” to require any subsequent owner to waive their rights of access.
 - If the applicants were willing to reserve a strip of land for future access and were also willing to waive their vehicular rights across the Millennium Green, there can be no guarantee at all that the future owner/occupiers of the barn conversions would feel the same.
 - The applicants ask, in the event of them providing the strip of land, who would reimburse them for the land in question and who would pay for the construction of the actual roadway itself.
 - The County Council, owners of the land to the east and north of Kings Farm, across which any new roadway would run, is not willing to provide or reserve any land as a future access.
 - Even without this current application, the applicants have every right to occupy Kings Farm house as a dwelling.

12. The letter from The Countryside Agency states, at the end of para 3 that “.....and could leave the Trustees in a difficult position with regard to their obligations to the Agency under the Millennium Green’s terms and conditions of Grant.”
13. Officers have not had sight of the above document so are unable to take a view on its requirements. However, whatever it contains cannot overcome the fact that the two barns and Kings Farm have rights of access across the Green. Should there be a difference between such rights of access and anything imposed by The Countryside Agency, then this has to be a legal matter between the various parties – it cannot be a planning matter. In the circumstances I have to recommend the application for approval. Finally on the basis of County Council trip rates, the proposal together with the approved barn conversions (2 dwellings), would generate some 20 vehicle trips per 12 hour period (07.00 – 19.00 hours). I do not consider this to be significant.

RECOMMENDATION

14. Delegated approval subject to minor changes to the elevations and safeguarding conditions relating to other matters of design, details, materials and landscaping.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following Policies:
 - (a) Cambridgeshire and Peterborough Structure Plan 2003:

Policy P7/6 which seeks to “protect and enhance the quality and distinctness of the historic built environment.”
 - (b) South Cambridgeshire Local Plan 2004:

Policies SE8, SE14 and EN44 which, collectively, accepts “one for one replacements” providing that the character of the village is maintained and that the Conservation Area is enhanced.”
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
Inadequate access and house too large.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

40. **S/0164/04/F - STEEPLE MORDEN**
EXTENSION AND CONVERSION INTO FOUR DWELLINGS AND ERECTION OF
GARAGE BLOCK, CHEYNEYS LODGE, STATION ROAD, FOR MR R PARMEE AND
MRS B WHITE

DEPARTURE APPLICATION

SITE AND PROPOSAL

1. Cheyneys Lodge is a large detached red brick property with a slate roof to the south of Cheyneys Lodge Farm. It has its own access from Station Road. The building is currently in employment use.
2. This full application, registered on 29th January 2004, proposes the extension and change of use of the existing building to four dwellings. The extension involves constructing a new double pitched roof over an existing two storey flat roofed extension on the east elevation of the existing building and two new bay windows on the north elevation.
3. The building will be subdivided into 4 dwelling units – a one bedroom unit with mezzanine in the rear section of the building; 2 two bedroom units in the eastern end of the building, one at ground floor and one at first floor; and a four bedroom unit in the western end. A five bay garage block is proposed close to the southern boundary of the site, with an additional four parking spaces adjacent.
4. The site is outside the village framework.

HISTORY

5. The building has been used commercially for a number of years, an extension for use as office being granted in 1969.

POLICY

6. Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
7. Policy EM8 of the South Cambridgeshire Local Plan 2004 sets out criteria when considering the conversion, change of use or re-development of existing employment sites to non-employment uses within village frameworks. It does not refer to sites outside village frameworks.
8. Policy SE8 of the Local Plan 2004 states that residential development outside village frameworks will not be permitted.
9. Appendix 11/1 of the Local Plan 2004 suggests standards for assessing the proposals for new residential development near to existing commercial, industrial or recreational activities.
10. There are no policies in the Local Plan 2004 that support the conversion of buildings in the countryside to residential use, other than as holiday lets.

CONSULTATIONS

11. Steeple Morden Parish Council recommends refusal. "The Parish Council regrets the loss of any local employment opportunities and consequently fully supports Policy EM8 of the South Cambridgeshire Local Plan, covering change of use of such a site to a non-employment use. We therefore trust that, in line with paragraph 5.43 of this Policy, the Planning Officers have received documentary evidence that the site has been adequately marketed over the past 12 months to confirm its non-viability for such a purpose.
12. Should this be the case, we would still oppose the Application on the following grounds.
13. The accompanying documentation suggests that the proximity of the proposed four dwellings to Ashwell and Morden railway station would allow easy commuting to London and Cambridge. This is contrary to current planning legislation, which seeks to discourage long-distance commuting.
14. We find the proposed alterations to the external appearance of the building not unattractive and, in some cases, a positive enhancement. However, there are concerns over the provision of services to the four dwellings and, in particular the need for adequate sewage disposal, since Odsey is not on mains drainage. We suspect the works involved in the provision of this could cause root damage to the neighbouring mature trees and would strongly urge that the District Council's Trees Officer be consulted for his opinion and guidance.
15. Should it be decided to approve the Application, we would wish to see the following conditions attached:
 - a) That permitted development rights be withdrawn from the garden areas of the four dwellings, since the site is outside the development envelope.
 - b) That adequate screening be provided to the rear of the proposed garage block and parking area, to minimise their visual impact."
16. The Chief Environmental Health Officer has considered the implications of the proposal in terms of noise and environmental pollution and concludes that there are no significant impacts from an Environmental Health standpoint.
17. The Chief Financial Planning Officer, Cambridgeshire County Council is concerned that adequate secondary school capacity is not available at Bassingbourn Village College, where additional pupils generated by the housing development are expected to go. It is therefore requested that a contribution of £9000 be sought to cover the cost of providing an additional place.
18. The Trees and Landscapes Officer comments that the location of the proposed garage block will compromise a mature Beech tree. A minimum of 6m clearance should be given to this tree. Regarding the concerns expressed about the location of any new sewerage route and the possible impact on trees a plan should be requested showing these details.
19. The comments of the Environment Agency will be reported verbally.

REPRESENTATIONS

20. Correspondence has been received from the owner of the adjacent land and buildings expressing concern on the following grounds:

21. Drainage is currently to a septic tank on adjacent land over the road. It is not of sufficient size or quality for four separate dwellings. The applicant will not be permitted to enlarge it. There is concern that existing trees will need to be felled to install a new drainage system. Water supply is from a pipe through adjoining land, which is sub-metered on the site boundary. There is a restrictive covenant against tapping into the supply above the meter. A new water supply would have to be brought to the property
22. What is at present a very nice house will be turned inside and outside into four small units with four different freehold occupations, which will be situated in the middle of the writer's estate/farm and adjacent to a cottage which he owns. The development will be next to farm buildings where there is a grain drying plant of approximately 2,000 tonnes capacity. The method of drying is by forced air and is therefore a very noisy process. In addition there is both pigeon shooting, night shooting of rabbits and other shooting, on the immediately adjoining land. Problems are therefore envisaged as due to the size of the units proposed the occupants are likely to have no interest or understanding of the countryside. There will be problems with children and dogs straying and the noise of shooting which they may well consider is an "unacceptable practice"
23. Last year it was brought to the attention of the Parish Council that the Beech trees surrounding the house and which form part of the landscape have become covered with ivy which is suffocating them. Nothing has been done. If there are four small dwellings, no gardens and only a parking area who will be responsible for the grounds?
24. The proposal is completely inappropriate and should be refused. The proper use is as a single dwelling with maybe a granny flat or annexe for staff or family

APPLICANTS REPRESENTATIONS

25. A letter of support from the applicant's agent is attached as Appendix 1.
26. A further letter has been received commenting on points raised. In terms of sustainability it is advised that there are no employees of the company who live in the immediate area. The closest reside in Royston (x3), but most travel from St Albans, Bedford, Newmarket and London, Safeline being a specialist technical firm which draws its employees based on their skills, rather than geographical location. Accordingly they rely heavily on the private car and are unsustainable. A residential use of the premises will generate significantly less vehicular movements and would be, the applicant believes, more sustainable.
27. It is not considered that the concern regarding damage by any new drainage system on the root system of trees within the site is justified. It is likely that the existing drainage system will be used and any additional capacity would be via a new system. This could be accommodated either within the rear courtyard, or a position anywhere within the car parking area shown on the submitted drawing away from the trees. There is no intention to remove any of the character trees within the grounds.
28. It is pointed out that Policy EM8 deals with the change of use of employment sites within village frameworks. The site is outside any village framework. It is pointed out that despite its concerns the Parish Council suggests conditions be attached if approval is recommended. The withdrawal of permitted development rights would be welcomed and screening to the rear of the new garage block would be considered.
29. Since discussions first commenced with Safeline to relocate them to a new unit on the Royston Business Park, planning permission has been submitted, approved and the unit subsequently built out. In that time there has been no interest for Cheyneys Lodge from other firms wishing to locate in the area. Information is available if required on the unsuitability of the building for continued commercial use.

PLANNING COMMENTS

30. The key issues to be considered with this application are; whether there is sufficient justification to warrant a departure from the Local Plan to allow residential development in the countryside; the impact of the development on existing trees; the adequacies of the existing services and; the impact of surrounding land uses on the amenity of the occupiers of any residential units.
31. This building was previously in residential use and although it has been used for employment purposes for some years there is no development plan policy that requires its continued use, given its countryside location. I can see no objection therefore in principle to the building returning to a residential use. In my view the issue to be determined is whether the building should be occupied as one unit or split into smaller units as proposed. As proposed the conversion provides a mix of housing types which in my view is to be encouraged. I do not consider that the residential use for four dwellings in this location is any less sustainable than the previous employment use. I do not consider that the proposed physical alterations to the building are an issue and the double pitch roof over the existing two-storey flat roof extension will enhance its appearance.
32. I have written to the applicant's agent passing on the concerns of the Trees and Landscapes Officer regarding the position of the proposed garage block and the need for more detail as to the route of any services. I will report any response.
33. Although the Chief Environmental Health Officer has raised no objection to the application I have forwarded a copy of the correspondence received from the adjoining landowner and asked for specific comments on the concerns raised about the compatibility of a residential use with adjoining land uses. I will report the response.
34. I will also report the views of the Environment Agency concerning the adequacies of the existing drainage system.
35. The contribution required towards education provision at Bassingbourn Village College can be secured by a legal agreement.
36. Provided that the concerns of the Trees and Landscapes Officer can be satisfactorily addressed and that the Chief Environmental Health Officer and Environment Agency raise no objection I will recommend that the application be supported as a departure from the development plan.
37. Any consent should include the conditions suggested by Steeple Morden Parish Council withdrawing permitted development rights and the submission of a landscaping scheme.
38. Subject to the nature of representations to the Departure advertisement, I do not consider that it would be necessary to refer the application to the Secretary of State, by reason of the scale of the proposal and history of the site, I do not consider that it would significantly prejudice the implementation of the development plans, policies and proposals.

RECOMMENDATION

39. That subject to the concerns of the Trees and Landscapes Officer being satisfactorily addressed, no objections being raised by the Chief Environmental Health Officer and Environment Agency and the prior signing of a S106 Agreement in respect of an education contribution, that Members indicate that they are minded to approve the application as a departure from the development plan.

41. **S/1287/03/F - STEEPLE MORDEN**
EXTENSION AND CONVERSION OF BARNs INTO FOUR DWELLINGS AND
ANCILLARY BUILDINGS, CHURCH FARM BARNs, CHURCH FARM LANE , FOR
BYRNE & THOMAS LTD

CONSERVATION AREA

SITE AND PROPOSAL

1. Church Farm is at the end of Church Farm Lane, a narrow road to the east of Station Road. The roadway currently serves half a dozen dwellings in addition to Church Farm.
2. To the east of Church Farm is a range of former farm buildings that have been renovated by the former owner. The buildings are a mixture of two storey and single storey brick and weather boarded barns with pantiled and slate roofs. The buildings form an interesting group and several contain existing openings that are residential in character.
3. The application, as amended, proposes the conversion and extension of the barns to form four dwellings and ancillary buildings. The two-storey brick and slate roofed barn on the northern side of the group will form one 5-bedroom dwelling. The remaining barns, which are a mixture of single storey and two storey buildings, are converted to two 3-bedroom and one 4-bedroom dwelling.
4. Access to all units is provided via an existing roadway that leads to the south of Church Farm Lane. Garaging will be provided within existing buildings, in small external parking areas. Two small additional buildings are proposed, close to the boundary with Church Farm itself, to provide garden/bin and oil tank storage.

POLICY

5. Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
6. Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
7. Policy EN30 of the South Cambridgeshire Local Plan 2004 seeks to ensure that new development preserves or enhances the special character and appearance of Conservation Areas.

CONSULTATIONS

8. Steeple Morden Parish Council recommended approval of the application as originally submitted but noted the following points:
9. "The final layout of the junction of the access road with Church Farm Lane should be determined before work on the barn conversions can commence.
10. A more detailed plan for the boundary treatment and screening should be received, and specifications given for the height and design of the brick walls planned adjacent to the eastern elevations of Barns 2,3 and 4, to gauge the overall visual impact when viewed from the neighbouring footpaths. The County Council might also find it useful at this stage to establish the definitive route for these footpaths.

11. We note the adjoining parcel of land delineated in blue is now under the Applicant's control, having presumably been sold to them. This should remain as agricultural land, as any alternative use might have serious implications on the access route via Church Farm Lane, which will already be at its maximum for traffic following completion and occupation of these barn conversions."
12. The Conservation Manager has no objection to the application as amended.
13. The Local Highway Authority has no objection to the application as amended. It considers that the road layout as exists is adequate to serve the development as proposed.
14. The Chief Environmental Health Officer has no adverse comments.
15. The Environment Agency requests a condition in respect of foul water drainage and makes safeguarding comments.

REPRESENTATIONS

16. The occupier of 11 Church Farm Lane is concerned at the geometry of the layout of the driveway at its junction with Church Farm Lane and is concerned that development at Church Farm has been by stealth. The verge and lawn at the front of 11 Church Farm Lane has been and will continue to be damaged. It has previously been pointed out that the alignment of the driveway as shown on the drawings that accompanied the previous consents for conversion of the barns is not in accordance with the alignment that currently exists on the ground. It is pointed out that the driveway as constructed should therefore be deemed unlawful.
17. The occupier of 19 Station Road is concerned that no local consultation has been carried out on the amended drawings and that by extending the application site area to include the driveway up to the point where it abuts the public highway means that the application has a different scope. There is concern that a recent check of properties registered in Church Farm Lane with the Royal Mail identifies three businesses located at 17a Church Farm Lane. The impact of these businesses should be considered, along with the karting track, in terms of the implications for traffic in Church Farm Lane.
18. The policies and guidelines used by highway department when considering planning application is queried and can guarantees be provided that, if approval is given, foreseeable pedestrian and vehicular usage of the approved access will not result in safety risks and problems. If subsequently the access is found to be unsatisfactory or unsafe where does the responsibility and cost lay for any corrective action? What liability exists if an accident occurs? Can the application process stand public scrutiny?
19. The previously approved planning consents for conversion of the barns showed independent access for 17 Church Farm Lane, at the end of Church Farm Lane, with a driveway to the barns gently sweeping to the south sufficiently past the end of Church Farm Lane to provide reasonable visibility for traffic. That development has not taken place and in the mid 1990's a driveway was installed to provide access to the barns then used for storage by the owner. These works were not subject to any planning permission. The view is taken that as work on the barns has only recently commenced enforcement action can be taken against the driveway, although that work was carried out more than four years ago.
20. The letter concludes that the use of the existing access to serve the residential use of the barns has not been given approval and the application for the use of that access must be the subject of proper consultation with the parish council and neighbouring residents. It is considered that there are grounds for the Local Authority to consider refusing planning permission to that access for the residential use of the converted barns and to issue an enforcement notice to require the access to comply with the approved plan

PLANNING COMMENTS

21. Given that planning consents exists for the conversion of these barns to four dwellings I consider that the key issues to be considered in determining this application are whether the details of the conversion scheme itself are satisfactory and whether the proposed access arrangements are acceptable.
22. The detailed drawings for the barn conversion have been amended in line with the requirements of the Conservation Manager. There have been no local objections to this part of the scheme. The application includes the erection of two small buildings for garden/bin and oil tank storage. I consider it sensible to make communal provision for these facilities rather than leaving it to the individual future occupiers of the dwellings.
23. Although planning consent exists for the conversion of the barns to four dwellings the previous permissions showed an alignment of the driveway that differed from that which exists on the ground. It was pointed out to the applicant's agent at the time that if the consent were to be implemented as approved then the driveway would have to be realigned to accord with the approved drawing.
24. The current application seeks to utilise the driveway as exists on the ground to serve the development. Although different from that previously approved the Local Highway Authority has confirmed that there are no highway grounds on which it could object to this Arrangement. I agree with that view.
25. The drawings submitted originally with this application, which was the subject of full local consultation, showed the driveway as exists on the ground. The amendment that has been received does not alter that alignment but extends the application site area to include the driveway within the red edged area to ensure that the application site has a frontage to a public highway. This is standard procedure and a view was taken by the case officer that as the details of the drawing itself had not changed there was no need for additional consultation.
26. Having looked at this matter again I accept that the omission of the driveway from the original site area may have lead to some confusion locally and have now sought further comment from the Parish Council and local residents. I will report any views received.
27. My view is that the application as amended is acceptable.

RECOMMENDATION

That the application is approved as amended subject to safeguarding conditions.

42. **S/0072/04/F - GREAT WILBRAHAM**
ERECTION OF TWO, FIRST FLOOR SIDE EXTENSIONS, 31 CHURCH STREET,
GREAT WILBRAHAM FOR FIRST STEPS DAY NURSERY

CONSERVATION AREASITE AND PROPOSAL

1. No 31 High Street is a two storey, cream painted building with two single storey flat roof side extensions located on either side. The building is located within the Village Framework of Great Wilbraham and the designated Conservation Area. The nursery is located on a reasonably sized plot with some open space maintained either side of the building. The nursery is set back within the site with a landscaped car park located to the front. The nursery forms a relatively prominent feature within the street scene.

2. This full application received on the 15th January 2004 seeks planning permission for the erection of two first floor side extensions and a small ground floor extension located to the rear of the building. Both first floor extensions are to be built above the existing single storey flat roof structures.
3. The first floor extension located to the south of the existing two-storey element is to measure 4.8 metres in width and 5.25 metres in length. The proposed first floor extension located to the north measures 2.95 metres in width and 4.2 metres in length. The ridge height of both extensions is set slightly lower than that of the existing structure and will measure 6.8 metres in height, (1 metre lower than the existing). The combined width of the two extensions and the existing two-storey building will measure 15.2 metres. The modest sized ground floor extension is to be located to the rear of the existing flat roof extension. This ground floor projection measures 1.9 metres in length and 3 metres in width.

HISTORY

4. Planning permission was granted in 2001 for the change of use of the building to a Day nursery, reference S/0402/01/F.
5. An application was submitted in 2003 for the erection of two similar first floor extensions reference S/1698/03/F. This application was withdrawn following comments being raised by the Conservation Manager.

POLICY

6. Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.
7. Policy EN30 of the Local Plan 2004 states that development located within the Conservation Area is expected to preserve and enhance the special character and appearance of the Conservation Area, especially in terms of their scale, massing, roof materials and wall materials.
8. Policy CS11 of the Local Plan states that there is a presumption in favour of the provision of day nurseries, located within Village Frameworks, but lists a number of criteria relating to residential amenity, traffic and parking against which such applications will be considered.

CONSULTATIONS

9. Great Wilbraham Parish Council recommends refusal. The Parish Council raised strong concerns regarding the noise and disturbance that will be caused by unrestricted daytime activities of young children within the small rear garden of the nursery within this residential area. The level of disturbance since the Nursery started only 18 months ago has already had a significant impact on the nearest neighbours. Concerns were also raised about the visual impact of the two first floor extensions on the street scene in relation to the bungalows and cottages nearby. The Parish Council reiterated its comments made in respects of the previous application reference S/1698/03/F raising concerns of the overlooking potential of the rear facing windows and more traffic movements.
10. The Conservation Manager stated that whilst he has no objection to the proposed extensions, some attempt should be made to reduce the apparent mass of the elevations. This might be achieved by introducing some tile hanging to the side extensions (or similar). This would have the advantage of breaking up the expanse of the cream façade. It is also suggested that the planting of further extra-heavy standard trees would strengthen the hedgerow and mark the entrance. This will help recede the building in the street scene.

REPRESENTATIONS

11. A supporting statement was submitted by the applicant, explaining how the nursery is currently run and what impact the proposed extensions will have on the capacity of the nursery. Reference was also made to the existing and proposed traffic generation of the site.
12. The agent has responded to the Conservation Manager's comments suggesting that tile hanging is not appropriate. It is suggested that the other possible alternatives such as painting the side extensions a different colour maybe more appropriate. These comments have being forwarded to the Conservation Manager and his response will be reported verbally to the Committee.
13. Two letters of objection have being received from 5 Toft Lane, located to the rear (south west) of the site. The owners of this property have raised concerns about the noise and disturbance that will be caused by additional children and staff, making particular reference to the unrestricted use of the nursery garden. Also concerns have being raised about the impact of the proposed extensions on the character and appearance of the Conservation Area and the resultant increased traffic movements.
14. Following discussion between the First Steps nursery and the owners of 5 Toft Lane comments were submitted by the applicant and agent with regards to children playing in the rear garden and suggested various other ways any noise and disturbance can be reduced. Details of the existing traffic generation of the site have also being submitted. Some of the details included within these letters have being contested by the Owners of 5 Toft Lane.

PLANNING COMMENTS

15. The main issues in this case are the impact of the proposed extensions on the character and appearance of the street scene, the surrounding Conservation Area and residential amenities of nearby properties and the impact of the more intense use of the site on the amenities of nearby residential dwellings and local highway conditions.

Character and appearance of the street scene and surrounding Conservation Area

16. Being located on the corner of Toft Lane, clear views of the building are provided from the north. While the proposed extensions will not increase the footprint of the building, (with the exception of a small rear lean to extension located on the northern elevation of the building) the two first floor extensions will increase the width of the two-storey element of the building from 8.4 metres to 15.2 metres. The two extensions are however set slightly back from the front most part of the building, and the ridge height of the extensions have being lowered. Some undeveloped space is still maintained to the side of the building and will thus maintain visual separation to the adjacent property. An enhanced landscaping scheme to the front of the nursery will also help soften the impact of the extensions
17. While the Conservation Manager has suggested ways of breaking up the expanse of the cream façade, no objections were raised to the physical mass of the extensions. It is therefore not considered that the proposed extensions would detrimentally affect the character and appearance of the area. The revised landscaping and use of alternative materials/coloured render, (which ever is considered most appropriate by the Conservation Manager) can be conditioned as part of any approval.

Residential amenity

18. Given the siting of the nursery, the physical mass of the extensions will have little impact on the nearby residential dwellings. While the adjacent property, No 31a Church Street is a single storey bungalow, neither the proposed extension nor the neighbouring dwelling have any side facing windows. As the adjacent property is located to the south of the site and the rear building of No 31a and the proposed extensions are effectively the same, this proposal also does not raise concerns of overshadowing.
19. No 5 Toft Lane is a detached dwelling located to the rear of the site. It is again considered that sufficient separation exists to ensure the increased building mass of the nursery will not increase

the overshadowing affect of the existing building. While No 5 Toft Lane has one small window that faces the nursery and a south facing conservatory which could be overlooked, as the rear eaves of the extensions have being dropped, it is not considered that the four proposed roof lights will increase the overlooking potential of the nursery.

Noise and disturbance

20. This application will increase the number of children able to be accommodated at the nursery from 26 to 35 with the 9 additional places expected to be filled by 0-2 year olds. It is stated that 2 extra members of staff will also be required should permission be granted to extend the nursery.
21. The Council is not aware of any past complaints being raised regarding the disturbance caused by children attending the nursery. The main concerns raised during this application seem to relate to the children's use of the Nurseries rear garden. In response to the neighbours objections, the applicant has agreed to limit the hours of outdoor activities to two one hour periods, one in the morning, the other in the afternoon. While the Council is unable to condition the hours of use of the garden, the applicant's commitment to reduce possible noise and disturbance is encouraged.
22. Whilst the age range of children attending the nursery may in the future change, it should also be noted that the 9 new places created are expected to be filled by 0-2 year olds. It is likely that children of this age will spend large period of time indoors.

Traffic Generation

23. With regard to the traffic generation of the site, the applicant has recently conducted a travel survey of children and parents who arrive at the site. There are currently 54 children on the books of the nursery, 35 of whom are dropped off by car between the hours of 7.30 and 10 and then are picked up between 16.00 and 18.00 hours. Again the Council has received no complaints regarding the traffic generation of the site, which would appear to be well spaced over a generous time period in the morning and evening.
24. It is predicted that local families or siblings of children who already attend the nursery will fill the 9 additional places that will be created. This will therefore result in a limited increase in the traffic generation of the site, (predicted to be an additional 3 vehicles, twice a day). Given the above mentioned time periods over which parents drop children off and collect their children from the site, even if children were attracted from other families, it is not considered that the increased traffic movements would raise congestion or parking concerns.

RECOMMENDATION

25. Approve
 1. Standard Time Limit (RCA)
 2. SC51 – Landscaping (RC51)
 3. SC52 – Implementation of Landscaping (RC52)
 4. No more than 35 children shall be registered for the Day nursery at one time (Reason – To ensure the intensity of use of the premises is not excessive bearing in mind the proximity to immediate neighbours and the position of the property at the Church Street/Toft Lane corner.)

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: **P1/3**
 - b) South Cambridgeshire Local Plan 2004: **EN30 and CS11**

2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Noise and Disturbance;
 - Impact on the character and appearance of the Conservation Area; and
 - Increased traffic generation.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

**43. S/0074/04/F - GREAT WILBRAHAM
CONVERSION OF BARN TO DWELLING AND CONSTRUCTION OF GARAGE, UPPER
HEATH FARM, TRUSTEES OF R S HICKS**

DEPARTURE APPLICATION

SITE AND PROPOSAL

1. Upper Heath Farm is an isolated group of buildings in the countryside, comprising a pair of semi-detached houses and five assorted barns. The application site comprises a narrow pantiled roofed flint barn on the south-west side of this group of barns and the farmyard to the north-east of the barn. This yard is bounded on the north-west side by a timber barn and on the north-east side by two large modern barns, one of which has an opening from the yard. The farm access runs along the south east side of the yard and there is an access into the yard between the flint barn and the timber barn.
2. This full application, received 15th January, proposes the conversion of the flint barn to a two-storey three bedroom dwelling with the construction of an open fronted double carport and storage shed within the yard. The yard would be closed off on the south-east side with a wall and would become the domestic curtilage for the proposed dwelling.
3. The application is accompanied by information on the marketing that has been undertaken, offering the property for rent as offices, and the responses that have been received. Additional information has also been supplied regarding the structural capability of the building to be converted to two-storey accommodation.

HISTORY

4. Planning permission was granted in 2002 for the conversion of this barn to two single storey offices, ref S/0245/02.
5. In 1996 permission was granted for use of the two modern barns to the north-east of the site for office storage.

POLICY

6. Policy P1/2 of the Structure Plan 2003 restricts development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
7. Policy SE8 of the Local Plan 2004 states that residential development outside of village frameworks will not be permitted.
8. The site is located in the Green Belt. Policies P9/2a of the Structure Plan 2003 and GB2 of the Local Plan 2004 are relevant. Re-use of buildings need not be inappropriate in the Green Belt so long as openness and character of building is maintained.

CONSULTATIONS

Great Wilbraham Parish Council recommends approval.

The Environment Agency requests conditions with respect to foul and surface water drainage.

9. The Chief Environmental Health Officer has no adverse comments regarding noise and pollution, the applicant's agent having confirmed that no agricultural processes are currently operating nor proposed in the adjacent barns, which are used for general and file storage.

REPRESENTATIONS

10. None

PLANNING COMMENTS

11. Although there are policies that support the re-use of agricultural buildings for small-scale employment uses there are no policies in the current Development Plan that specifically support the conversion of barns to dwellings, new housing being confined to development within settlements. Nevertheless the barn in question is a traditional building of visual merit and worthy of retention as part of this group of buildings.
12. Alternative uses for the building have been explored but there has been no interest expressed in re-using it for employment related purposes. Its use as a dwelling would have little impact on the countryside; the external changes to the building being minimal and the residential curtilage and associated paraphernalia being contained within the enclosed farmyard.
13. For these reasons I do not consider that the proposal would impact on the openness of the Green Belt. The proposal does not involve any extension to the building nor its reconstruction. The form, bulk and general design of the building is in keeping with its surroundings. The proposal would therefore comply with Policy GB2 of the Local Plan.
14. Although I consider the outlook from the proposed dwelling and within its garden to be poor I consider that the market can decide whether this aspect of the development would be acceptable to future occupiers of the dwelling.
15. Having regard to the nature and scale of the proposal the nature of Local Plan policies SE8 and GB2 and the absence of objections to the proposal, I do not consider it to be necessary to refer the application to the Secretary of State.

RECOMMENDATION

16. Approve, (as amended by Drawing No. 03-128-01 rev A franked 9th March 2004)
1. Standard A – Time Limitation (RC A)

2. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason – to prevent the increased risk of pollution to the water environment.)
3. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme. (Reason – to ensure a satisfactory method of surface water drainage.)
4. SC21 – Withdrawal of permitted development – Part 1 (Development within the curtilage of a dwelling house). (Reason – To protect the form and rural character of the building and its setting.)

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: **P/1/2 (Environmental Restrictions on Development) and P9/2a (Green Belt).**
 - b) South Cambridgeshire Local Plan 2004: **SE8 (Village frameworks) and GB2 (Green Belt).**

Although the proposed dwelling would be outside any village framework, the re-use of a traditional rural building would not be inappropriate development in the Green Belt in the context of Policy GH2 of the Local Plan 2004.

3. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise: **Drainage, noise and pollution.**
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

44. S/0148/04/F - LANDBEACH EXTENSIONS, INCLUDING RAISED ROOF, THE BRAMBLES, GREEN END FOR MR AND MRS STEVENS

Members will visit the site on Monday 5th April.

SITE AND PROPOSAL

1. This detached house is located outside of the framework of Landbeach in the countryside to the north of the village. It has had previous extensions and has a number of outbuildings immediately to the rear and east side of the house. The main garden area to the property is to the west of the property and is screened by a conifer hedge.
2. This full application seeks planning permission for a two-storey extension at the west end of the house, and to construct a new roof over the existing and proposed structure. This involves raising the low eaves at the rear of the house, increasing the roof pitch and shifting the position of the ridge to create a symmetrical roof shape, raising the ridge height by 1.1 metres.

The plans show the roof at the west end of the building extending 1.2 metres beyond the west elevation above a projecting balcony.

3. Development has commenced, including erecting the new roof timbers.

HISTORY

4. The house has previously been extended with a predominantly single storey extension to the west elevation, wrapping around across the front elevation, and with a separate single storey extension at the rear.
5. Planning permission was granted in September 2003 for a two-storey extension to the west of the house, incorporating the existing extension, with inset balcony, ridgeline continuing at the same height and position as the original roof ridge and consequently with asymmetrical roof pitches and roof shape.
6. The current application is a variation in design to that approved in September.

POLICY

7. Policy HG13 of Local Plan 2004 permits extensions to dwellings in the countryside subject to the following criteria:
 1. The proposed development would not create a separate dwelling or be capable of separation from the existing dwelling.
 2. The extension does not exceed the height of the original dwelling.
 3. The extension does not lead to a 50% increase of more in volume or gross internal floor area of the original dwelling.
 4. The proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling on its surroundings.
 5. The proposed extension has regard to the criteria in Policy HG12 of this Plan.

CONSULTATIONS

8. Landbeach Parish Council recommends approval. The Parish Council expressed their strong concern that the work on the roof was carried out before the plans were submitted. But due to the precedent that has been set in the surrounding area where a large development has been allowed it feels that it cannot object to the development.
9. Old West Internal Drainage Board - no objections

REPRESENTATIONS

10. No neighbour representations received.
11. On behalf of the Applicant
12. The height of the roof is in fact less than shown on the submitted drawings (7670mm rather than 8000 mm). The length of the extension is also shorter than shown on the drawings by 400mm. The applicants are prepared to omit the projecting balcony and projecting balcony roof and to submit amended drawings reflecting these changes.

13. The increased roof pitch with uniform eaves height will improve the appearance of the building and the increased volume and height will not be significant and/or detrimental to the countryside in this case.

PLANNING COMMENTS

14. The proposed extension together with previous extensions represents an enlargement of the gross internal floor area of the dwelling in excess of 100%. The footprint of the extension as now proposed is essentially the same as that approved last year, at which time the 50% limit to countryside extensions was not a fully adopted policy and not being so stringently applied. Refusal on the basis of the increased floor area cannot therefore be justified in this instance.
15. Even though the resultant height of the roof has been inaccurately represented on the drawings, so too has the height of the original building. The fact is that there is an increase in height in excess of a metre over the height of the original dwelling. This increase in height and volume of the roof together with the significant extension already approved under planning permission S/1502/03 does, in my view significantly increase the impact of this dwelling on the countryside and is therefore contrary to policy HG13 of the South Cambridgeshire Local Plan 2004.
16. Amended plans showing the removal of the roof overhang and the balcony have been received. This does not significantly decrease the overall impact of the extended dwelling on the countryside and my recommendation remains one of refusal.

RECOMMENDATION

17. Refuse
18. The proposed development, by reason of the increase in height and volume of the roof, would significantly and adversely increase the impact of the dwelling on its surroundings and would be contrary to Policy HG13 of the South Cambridgeshire Local Plan 2004.
45. **S/0370/04/F - LANDBEACH**
DORMER EXTENSION, 146 HIGH STREET FOR MRS T MUNRO

SITE AND PROPOSAL

1. No. 146 High Street is the southernmost property in the long ribbon of development to the south of the village. There is open arable land to the rear (west), to the south, and opposite.
2. The property has a 2-storey section at the front, with a long, single-storey wing to the rear which is set above the floor level of the front block.
3. The full application received 25th February 2004 proposes the opening up of the south facing roof of the rear wing to create 2 bedrooms and a bathroom. The "dormer" would be 11.8 metres long and 2.0 metres in height. It would be clad with tile hanging.

HISTORY

4. A "permitted development" conservatory has recently been completed at the rear of the property.

POLICY

5. Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 requires new development to respond to the local character of the built development.
6. Policy HG12 of the South Cambridgeshire Local Plan 2004 states that planning permission for extensions will not be permitted where, amongst others;
 - the design and materials would not be in keeping with local characteristics
 - there would be an unacceptable visual impact upon the street scene.
7. Policy SE9 states that new development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

CONSULTATION

8. Landbeach Parish Council "has no objection to this application providing sensitive materials are utilised as this is the first house visible on the entrance to the village. The lines of this property have always been aesthetically pleasing and we would not wish to destroy this."

REPRESENTATIONS

9. None received at the time of report writing; no neighbours are directly affected.

PLANNING COMMENTS

10. The main issue in this case is the extremely poor standard of design and its prominence at the edge of the village.
11. As the Parish Council has pointed out in its comments, the property is pleasing in appearance and visible at the entrance to the village.
12. To turn the whole length of the rear roof into a flat roof "dormer" would completely alter the appearance of the property and would be extremely prominent when entering the village. There is no screening to the side of the property nor along the edge of the farmland fronting Milton Road. The property is visible for 400.0 metres when entering the village.
13. With a headroom of only 2.2 metres within the present roof-space, the applicant is having to "open up" the whole roof to achieve the bedroom accommodation. This creates a bulky addition which is not in keeping with either the appearance or scale of the existing building.

RECOMMENDATION

14. Refuse.

No. 146 High Street occupies an extremely prominent and highly visible position at the southern end of the village. The rebuilding of the roof to form a dormer 11.8 metres in length and 2.0 metres in height would completely and unacceptably alter the appearance of this property, contrary to Policy P1/3 of the Structure Plan 2003, and Policies HG12 and SE9 of the South Cambridgeshire Local Plan (2004) in that the proposal is of a poor standard of design, out of keeping with the character of the area and with an unacceptable visual impact on the street scene.

46. S/0532/04/F - LANDBEACH

**MODIFICATION OR DISCHARGE OF PLANNING OBLIGATION TO REMOVE
AGRICULTURAL OCCUPANCY RESTRICTION, ENTERPRISE HOUSE, ELY ROAD
FOR MARTIN TAYLOR**

SITE

1. Enterprise House is 3-bedroom chalet bungalow on a 0.1 hectare site situated on the A10 Ely Road, outside of the main village settlement.

PROPOSAL

2. The application, received on 16th March 2004, seeks to modify a Section 106 Planning Agreement, dated 7th May 1996 which limits occupation of Enterprise House to a person solely or mainly working, or last working, in the locality in agriculture.

HISTORY

3. The bungalow was built in 1920 and a small nursery business developed alongside.
4. In the 1970's a new house associated with the nursery was built to the rear of Enterprise House, ref. S/0065/75, with an agricultural occupancy restriction. This property is called Greenacre.
5. In the 1980's the owner of the nursery moved from Enterprise House to Greenacre, and Enterprise House was let, first to employees of the nursery and from 1989 until 1999 to persons unrelated to agriculture or to the nursery.
6. In 1995 a planning application was made to lift the agricultural occupancy condition on Greenacre, ref S/1602/95. This was approved subject to a legal agreement transferring the occupancy restriction to Enterprise House. That legal agreement is the subject of this application.
7. Enterprise House has never been occupied in accordance with that restriction. In 1999 it was acquired and occupied by the current owner and his family and the adjacent nurseries were put up for sale.

POLICY

8. Policy HG17 of the Local Plan 2004 states:

“The relaxation of an agricultural occupancy condition will only be permitted where it can be demonstrated the dwelling is no longer required by the unit or those working, or last working, in the locality in agriculture or forestry or a widow or widower of such a person, and to any resident dependents. When considering applications to relax such a condition, the District Council will require evidence of the steps taken to market the dwelling with the occupancy condition.”

MARKETING

9. Enterprise House was put up for sale in February 2003. Valuations were sought from 3 local Estate Agents with experience in agricultural ties before selecting one that had recent experience in selling another house with an occupancy restriction in the locality.
10. In August 2003, with no conforming purchaser having expressed interest, the house was remarketed with a different Estate Agent along with the adjacent nurseries. Both Estate Agents advertised the property through the Cambridge Evening News and Property supplement, mailings and websites. It has also been advertised in the Farmers Weekly.
11. There have been three viewings from people who could comply with the tie and no offers. The property was offered for sale at £210,000, a reduced figure to reflect the occupancy restriction.

12. The sale of Enterprise Nurseries was due to be completed in January. The purchaser did not require accommodation and was not interested in purchasing the house.

CONSULTATION

13. The County Farms Manager, following discussion with his Valuer colleague and based on the information forwarded to him, considered the valuation of £210,000 to be reasonable.

PLANNING COMMENTS

14. We are advised that the dwelling is no longer required in connection with the Enterprise Nursery. Indeed the property was available for sale at the same time as the nursery, and the indications are that the new owner was not interested in the house.
15. The house has been marketed for a year at what is considered to be a price that reasonably reflects the agricultural occupancy restriction, without any offers. On this basis we must assume that there is no requirement for an agricultural dwelling in this location.
16. The legal agreement not only transfers the occupancy restriction from Greenacre to Enterprise House (Classes 1 and 2 of the Second Schedule) it also says, at clause 3 of that Schedule, that no dwelling other than the dwelling house and the bungalow shall be constructed upon the property, which includes the land at Greenacre and Enterprise Nursery. In view of the fact that the nursery has been sold separate from the two dwellings I consider that 3rd clause of the objection should remain in force

RECOMMENDATION

17. That the Council agrees to lift clause 2 of the Second Schedule of the legal agreement dated 7th May 1996, leaving clause 3 in force.

47. **S/0085/04/F - WATERBEACH**
CHANGE OF USE OF WAREHOUSE (CLASS B8) TO USE FOR PUBLIC WORSHIP,
ASSEMBLY AND LEISURE (CLASS D1 AND D2), THE BEAUMONT STEEL BUILDING,
51 PEMBROKE AVENUE FOR CAMBRIDGE COMMUNITY CHURCH

SITE AND PROPOSAL

1. Pembroke Avenue is a large industrial estate on the eastern side of Ely Road/A10 and adjacent to the Denny End Road junction
2. The application site is in the south-western corner of the estate and comprises a large warehouse building with offices to the front, the floor space of which comprises 1848m² warehouse and 544m² offices, a total floor area of 2392m².
3. This full application, received 16th January 2004 proposes the change of use of the building for public worship, assembly and leisure.
4. The application is accompanied with a letter from the selling agents detailing the marketing that has been undertaken on the premises, the price that was initially asked and the later reduction in asking price, which they considered to be a sensible value with regards the market conditions.

The agent indicated that the response was disappointing and at the time of writing (13th January 2004) there was no tangible interest in the property from a conforming user.

HISTORY

5. An identical application was submitted in March last year and refused on two grounds; 1) the loss of an employment site and 2) concern that the use would be incompatible with its surroundings, particular in relation to a potential conflict between visitors to the premises and heavy vehicular traffic associated with the industrial uses of the estate.
6. At appeal the inspector did not agree with the second reason of refusal, considering that the estate was relatively well laid out with wide roads, footways and street lighting and with adequate off-street parking and vehicular manoeuvring spaces. Moreover most activity associated with a church use would take place at weekend or in the evenings when activities around the industrial units are generally less. However the appeal was dismissed on the first ground of refusal and the fact that the property had not been marketed sufficiently to establish that an occupier that complied with the lawful use was unlikely to be found within a reasonable period.

POLICY

7. Policy EM8 of Local Plan 2004 resists the conversion, change of use or re-development of employment sites to non-employment uses within village frameworks unless the existing use is generating environmental problems or where it is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand.
8. Policy CS5 of the Local Plan 2004 aims to avoid development where the site is liable to flooding or where risks are increased elsewhere.

CONSULTATIONS

9. Waterbeach Parish Council recommends refusal and comments "Inappropriate change of use. This site is a place of employment. Council consider that it is vital to retain working premises to retain the opportunity for residents to work in their village of abode thus reducing traffic on the A10 etc. and protecting the environment. Local/neighbouring businesses who may have been interested in acquiring the property were not aware of the sale. Evidence of other interested parties is obviously still needed for the current use."
10. Cambridge Fire and Rescue - Additional water supplies for fire fighting not required.
11. The Chief Environmental Health Officer- No objection

REPRESENTATIONS

12. One letter from a local company objecting on the following grounds:
 - Not much vacant accommodation on the estate and not aware of any recent efforts to market it for industrial purposes, which would be more suitable.
 - Inadequate parking at the premises for the proposed use could add to congestion in the estate.
 - Conflict between heavy traffic and pedestrians to the site, exacerbated if road congestion is worse.
 - Increase level of public access could pose a security risk.

13. One letter received from an interested party who disputes that there is no longer a commercial need for the premises. He advises that he made an offer in May because he wished to move his company from Cherry Hinton. The offer was refused pending the outcome of a planning appeal. In September he was approached by the selling agent as the appeal had not been successful and a price was agreed in November. However the sale fell through, to summarise, because he had learnt that the site was liable to flooding and because VAT was added on top of the agreed sale price, both factors which had not been apparent from the sales particulars.

Response from Sales Agent

14. Accepts that interest was expressed but at an unrealistic figure, substantially less than the asking price. Has checked with local companies who are not aware of any flooding problems, but the site is shown in the flood plain on the Environment Agency website. The prospective purchaser withdrew his interest in the purchase of the property. Another unrealistic purchase offer was made by the occupiers of the adjoining unit.

PLANNING COMMENTS

15. Although outside the village framework I consider Policy EM8 of Local Plan 2004 remains relevant to this location, an industrial site immediately adjoining the village.
16. There have been no environmental problems that I am aware of associated with the warehouse use of the site, but it has been vacant for some time. Marketing the premises has not resulted in a suitable complying user, at least not one willing to pay what is considered by the sales agents to be a reasonable market price.
17. The applicants use is a non complying use, but a use for which there is no specific policy and one for which suitable sites are difficult to find. Although not specifically an employment use, some staff would be employed at the church, using the offices at the front of the building. Part of the warehouse would be used to create an auditorium as the main meeting room for the church, the rest to create a large foyer and smaller meeting rooms.
18. No external additions or engineering works, which would impact on the indicative flood plain, are proposed. Moreover the Environment Agency does not wish to comment.
19. With regards conflict with the industrial use and commercial traffic on the rest of the site, most frequent activity associated with the church is likely to be evenings and weekends, at times when other premises would be less busy. The appeal Inspector concluded that the uses would not be incompatible, a conclusion with which I agree.
20. I consider the main issue therefore is whether it has been demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. It is generally accepted that marketing a property is the way to assess need. This has been done without finding a potential user at the market price other than the Cambridge Community Church. On this basis I recommend that the application be approved.

RECOMMENDATION

21. Approve
1. Standard Condition A - Time Limitation (RC A)
 2. The area shown hatched black on the plan attached to this Decision Notice shall be kept clear and available for car parking at all times. (Reason – To ensure there is adequate on-site parking and to reduce in inconvenience to other occupiers of the estate.)

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

TOWN AND COUNTRY PLANNING ACT 1990

This item is intended to update Members on appeals against planning decisions and enforcement action. Information is provided on appeals lodged, proposed hearing and inquiry dates, appeal decisions and when appropriate, details of recent cases in interest.

1. Decisions Notified By The Secretary of State

Ref. No.	Details	Decision and Date
E 353	Mr P McCarthy Plot 2 & R/o plot 3, Setchel Drove <u>Cottenham</u> Enforcement against change of use of site to use a residential caravan site.	Allowed 16/02/2004
S/1020/03/F	Mr P McCarthy R/o 2 Setchell Drove <u>Cottenham</u> Siting of 2 gypsy caravans and shower block (Delegated Refusal)	Allowed 16/02/2004
S/1179/03/F	Mr J. Lindsay Silver Acre, 17A High Street <u>Milton</u> Extension (Delegated Refusal)	Allowed 18/02/2004
S/0407/03/O	Cambridge Building Society R/o 37 High Street <u>Sawston</u> 4 flats (Delegated Refusal)	Dismissed 19/02/2004
S/0392/03/F	Mr & Mrs P Bridle 74 North End <u>Meldreth</u> Extensions (Delegated Refusal)	Dismissed 19/02/2004
S/1746/03/F	Lancaster Plc 140-146 High Street <u>Harston</u> Part demolition of existing building and alterations and extensions to former new car showroom and vehicle workshop. (Delegated Refusal)	Dismissed 23/02/2004

S/1993/02/F	Mr & Mrs Freeman & Mr & Mrs Aylward R/o 2 & 4 West Moor Avenue <u>Sawston</u> Dwelling (Delegated Refusal)	Allowed 24/02/2004
S/0274/03/O	Mr & Mrs Starr 53 Station Road <u>Harston</u> Erection of 2 dwellings following demolition of existing (Delegated Refusal)	Dismissed 24/02/2004
S/0204/03/F	Dr L Berman 34 West Green <u>Barrington</u> Replacement dwelling (Delegated Refusal)	Allowed 03/03/2004
S/1536/03/F	Mr M Lovelidge 3 The Stables <u>Cottenham</u> Extension (Delegated Refusal)	Allowed 03/03/2004
S/0275/03/LB	Mr & Mrs Anderson 40 Church Street <u>Thriplow</u> Alterations - Extension for Front Porch (Delegated Refusal)	Dismissed 04/03/2004
S/1999/02/O	Mr A Edgar Land North of The Beeches, 21 Green Lane <u>Linton</u> 4 Bungalows (Officer Recommendation to Approve)	Allowed 16/03/2004

2. Summaries of recent decisions of interest

Mr J Lindsay – First floor extension above garage – 17a High Street, Milton - Appeal allowed

The main issue in this appeal was the effect that the extension would have on the setting of the Lion and Lamb Public House, a grade II listed building. 17a High Street shares a common boundary marked by a hedge and close-boarded fencing.

The inspector found that the public house has extensive grounds to the side and rear. These provide a good deal of separation between the two properties. The proposed extension and the increased bulk of the dwelling would be readily apparent above the hedge, especially as the elevation would be solid brickwork, unrelieved by any openings.

Recent development, including the appeal property has brought built development closer to the listed building. This has been sanctioned by the Council and has changed the relationship of the listed building with its immediate surroundings. However, the appeal property is still well separated from the public house and the two dwellings could not be said to have a close physical relationship. There would still be sufficient space between the two buildings to preserve the independent and physically separate nature of the listed building.

Accordingly, the inspector concluded there would be no harm to the setting of the listed building. The appeal was allowed subject to approval of sample materials.

Mr & Mrs Freeman and Mr & Mrs Aylward – Dwelling - Land r/o 2 and 4 West Moor Avenue, Sawston - Appeal allowed

This appeal proposed the erection of a new dwelling between the appellants' properties and 27 Martindale Way. The application was refused because of its effect on the character and appearance of the area, the impact on light and outlook for neighbours and the safety and free flow of traffic.

The inspector noted that the site is situated in a post-war estate of mainly two-storey semi-detached and terrace dwellings of uniform design, materials and layout. The site is part of existing rear gardens and it was proposed to replace the existing outbuildings on the site with a chalet style dwelling.

The inspector found that the appearance of the estate has changed little over the years and largely retains its original formal and solid, if "uninspired" character. The uniformity of the immediate locality has, however, been changed by the construction of bungalows either side of West Moor Avenue to the north. The site was not considered to positively contribute to the open character of this part of the estate or to village character in general. In addition, it was not considered that the development would appear unduly cramped within its surroundings. Although the design of the dwelling would differ from neighbouring properties, the lack of any special quality in the estate and the introduction of the bungalows to the north justified a further visual variation in the street scene. It would not appear prominent in the street scene and also provide a small unit of accommodation.

In respect of neighbours' amenities, the concern was for the appellants' own properties at nos. 2 and 4. The inspector agreed there would be some impact because of a loss of outlook and overbearing presence. However, the unusual internal layout of no. 4, meant that the loss of amenity was not felt to be serious.

It was acknowledged that the estate roads are narrow and that it would be unacceptable to add to existing difficulties thorough an increase in demand for on-street parking. While the proposal did not meet the Council's standards for parking provision, it would be possible to impose a condition requiring additional parking spaces to cater for the existing and proposed dwellings. On that basis, there would be no adverse implications for the safe and free flow of vehicles along the public highway.

The appeal was allowed subject to conditions regarding materials, boundary treatment and a car parking layout.

The appellant also made an application for costs against the Council. This was on the grounds that the reasons for refusal had not been justified and officers had not been helpful in negotiations for an alternative scheme.

The inspector found that as the Council's objections were ones of principle, it was not unreasonable for it to maintain a consistent objection. While other bungalows have recently been allowed, the physical characteristics of the sites are clearly different. No precedents had been set. In the main the Council presented appropriate evidence to defend its decision. While the Council had not provided technical evidence to support an objection on overshadowing, neither had the appellant. The Council had not acted unreasonably and no award of costs was justified.

Dr L Berman – Replacement dwelling – 34 West Green, Barrington – Appeal allowed

The main issues in this case were whether the proposal would harm the setting of the adjoining listed building and the character of the village conservation area. It was agreed by the parties that the existing house is of no architectural quality and that a replacement dwelling was acceptable in principle. The Council's concerns were that the size, siting and design of the new dwelling were unacceptable.

On the first issue, the inspector did not accept the Council's contention that the height and form of the new dwelling would be intrusive. While most buildings fronting the Green have simple facades, this was not exclusively the case. There is variety in design elements, architectural details and materials, all of which add to visual interest. The inspector accepted the appellant's design approach and concluded that the Council was effectively trying to impose a particular architectural taste or style arbitrarily. The dwelling would therefore sit comfortably alongside the listed building.

While the new dwelling would be more assertive than the existing building, this was of a characterless design. The new dwelling would have its own identity and would actually enhance the conservation area.

The appeal was therefore allowed subject to conditions including details of external materials, finished floor levels, landscaping, boundary treatment, restriction of windows in the side elevations and restriction of pd rights.

Mr M Lovelidge – Two-storey extension - 3 The Stables, Cottenham – Appeal allowed

This application was refused because of its effect on the village conservation area. The stables is a short cul-de-sac of houses and bungalows, which are set close to the road giving the area a very enclosed feel.

The proposed extension would cover a small garden area between the house and the adjacent garage block. Its design and materials would reflect those of the existing house.

The extension would restrict the view from the street and create a continuous line of buildings. Despite this, the inspector did not find this would be harmful. The existing view of the garden is not significant as these are already restricted, being enclosed by a fence and vegetation. The extension would be in keeping with the enclosed nature of the cul-de-sac and by introducing windows in the front wall and roof, "would improve the present rather austere appearance of the building". The site adjoins the conservation area to the north. Only a distant glimpse of the extension would be possible and it would not change – and thus preserve – the character and appearance of the conservation area.

Mr A Edgar – Outline application for erection of four bungalows – Land at "The Beeches", 21 Green Lane, Linton – Appeal allowed

This application was refused by the Committee for three separate reasons. Members felt that the low density did not make the best use of land, that it would harm the conservation area and that the site should be developed in tandem with adjoining land to allow the possibility of affordable housing to be provided. The appeal was considered at a hearing attended by the Parish Council and adjoining residents. Residents considered that the site was in fact being overdeveloped.

An earlier scheme for three dwellings on the site and an additional piece of land has already been allowed. This additional area of land has since been sold to another developer and is already being developed as part of another scheme. In the light of this, the Council was forced to accept that the opportunity to develop a larger "site" has now been lost. The allegation that the proposal constitutes unacceptable piecemeal development was abandoned. A requirement for affordable housing could not be sustained.

The best use of land would require a minimum of 30 dph in accordance with development plan policies. This would result in 10 dwellings, rather than the four proposed. The appellant claimed that this would necessitate houses being erected rather than bungalows. Bungalows had previously been accepted and houses would lead to problems of overlooking of adjoining properties. Furthermore, the highway authority expressly objected to anything more than five dwellings being served off a private drive.

The inspector noted that the Council had no evidence to suppose the stance of the highway authority was wrong, or that as many as 10 houses could be satisfactorily accommodated on the site.

While it was argued, that a fewer number, though greater than four could be satisfactorily accommodated, the inspector concluded that this was a site where a lower density should be accepted. Any concerns for the provision of smaller units of accommodation could be dealt with in the submission of reserved matters.

Only part of the site lies within the conservation area. In the absence of any details at this stage, it was not possible to comment definitively on the impact on the character of the conservation area. Only two trees would be lost and these are both horse chestnuts which both parties accepted are in poor condition and could be removed.

Local residents expressed fears for increased traffic generation along Green Lane and Beech Way. The inspector was satisfied that the proposed increase in traffic was acceptable, particularly as the junction with Green Lane and the High Street would soon be alleviated by loading/unloading restrictions.

The appeal was therefore allowed subject to approval of reserved matters for the siting, design, external appearance of the buildings and landscaping. Additional conditions were also imposed relating to materials, boundary treatment and a limitation on when the horse chestnut trees are to be removed in order to protect any bats that may be present.

3. Appeals received

Ref. No.	Details	Date
S/2256/03/F	R Adlington Wood View, Potton End <u>Eltisley</u> Temporary Structure above garage (retrospective) (Delegated Refusal)	17/02/2004
S/1999/03/F	Mr & Mrs Hoddinott 26 Mill Lane <u>Sawston</u> Extension (Delegated Refusal)	19/02/2004
S/2042/03/F	Mr & Mrs Heron Byron Lodge, 3 Royston Road <u>Harston</u> Extension (Delegated Refusal)	20/02/2004
S/1539/03/F	Mr & Mrs Heron Byron Lodge, 3 Royston Road <u>Harston</u> Extension (Officer Recommendation to Approve)	20/02/2004
S/1879/03/O	Vision Homes Cinques Road <u>Gamlingay</u> Residential development (Delegated Refusal)	24/02/2004

S/1647/03/F	<p>Mr R Shipsey & Ms J List Croxley House, Royston Road <u>Litlington</u> Extension to dwelling & erection of triple garage (Delegated Refusal)</p>	25/02/2004
S/2505/03/F	<p>D Flynn, M O'Brien, J Flynn, P Flynn, D O'Brien & D Quilligan Plots 1-6 off Water Lane <u>Cottenham</u> Private gypsy site for 6 families (Non-Determination)</p>	25/02/2004
S/1964/03/F	<p>D Cheesley R/o 10 Duck End <u>Girton</u> Bungalow (Delegated Refusal)</p>	27/02/2004
S/2204/03/F	<p>Mr J Tilley The Old Fire Engine Shed, High Street <u>Sawston</u> Conversion of former fire engine shed to offices (Delegated Refusal)</p>	01/03/2004
S/2624/03/F	<p>Country Homes and Gardens Royston Garden Centre, Dunsbridge Turnpike <u>Shepreth</u> Variation of conditions 1, 2, 10, & 11 of S/1333/02 in respect of revised landscaping details (Non-Determination)</p>	02/03/2004
S/2141/03/F	<p>Mr & Mrs Willis 2B Church Road <u>Teversham</u> Outbuilding providing swimming pool, changing rooms and ancillary facilities for private use (Officer Recommendation to Refuse)</p>	04/03/2004
S/1559/03/F	<p>Taylor Woodrow Developments Off Chivers Way (Access off Kay Hitch Way) Histon 57 Dwellings (Officer Recommendation to Refuse)</p>	08/03/2004

S/1528/03/F	Mr I Harvey 36 Dubbs Knoll Road <u>Guilden Morden</u> Appeal against condition 2 of approval requiring approval of sample materials (Officer Recommendation to Approve)	09/03/2004
S/2194/03/F	Mr C Taylor 45 Spring Lane <u>Bassingbourn-cum-Kneesworth</u> Construction of raised decked area, path and sunken patio/lawn (part retrospective) (Delegated Refusal)	10/03/2004
S/2358/03/O	Mr C Wilson 12 Leaden Hill <u>Orwell</u> 2 bungalows (Delegated Refusal)	15/03/2004
S/2184/03/F	S Markley Walnut Tree Cottage, Camps End <u>Castle Camps</u> Extensions (Delegated Refusal)	16/03/2004
S/2542/03/F	Mr K Bradley 2 Joinery Yard, off Glebe Road <u>Barrington</u> Extension (Delegated Refusal)	17/03/2004

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 12 May 2004

Ref. No.	Details	Date/Time/Venue
S/1935/02/F	Mr & Mrs M A G Francis Adj The Old Police Station <u>Fowlmere</u> House (Informal Hearing)	20/04/2004 Committee Room 2 10.00am

S/0424/03/F	Mr W Willett Appletree Mobile Home Park, Histon Road <u>Cottenham</u> Reorganization & extension to mobile home park and land adjoining Histon Road, Cottenham. (Informal Hearing)	11/05/2004 Committee Room 2 10.00am
S/1472/02/F	Trustees of the Henry Settlement Mines Farm, Weston Green <u>Weston Colville</u> Erection of a country house, staff cottage & stables together with parkland, landscaping and excavation of lakes (Informal Hearing)	12/05/2004 Committee Room 1 10.00am

5. Appeals withdrawn or postponed

Ref. No.	Details	Reason and Date
S/6200/03/RM	MCA Developments Ltd Land East of Monk Drive, <u>Cambourne</u> Construction of a multi use games area (Local Inquiry)	Held In Abeyance

6. Advance notification of future Local Inquiry and Informal Hearing dates (subject to postponement or cancellation)

Ref. No.	Details	Date
S/1127/03/F	J Jefford The Bungalow, Long Drove <u>Waterbeach</u> Retention of building and use as store and security office together with boundary screening to existing scrap yard. (Informal Hearing)	25/05/2004 Confirmed
S/0599/03/F	Mrs E Mitcham Barn Farm, East Hatley <u>Hatley</u> Conversion of barn into dwelling and erection of garaging (Informal Hearing)	02/06/04 Confirmed
S/1819/02/F	Mr G North The Bogs, The Cinques <u>Gamlingay</u> Removal of mobile home personal occupancy condition. (Local Inquiry)	08/06/2004 Confirmed

S/0455/03/F	<p>Excelcare Etheldred House, Clay Street <u>Histon</u> Erection of nursing home (95 bed), District nurses centre, and alterations to access following demolition of existing (Informal Hearing)</p>	<p>15/06/2004 Confirmed</p>
S/6182/03/O	<p>MCA Developments Ltd <u>Cambourne</u> Development comprising 1,744 new dwellings, primary schools, public open space and associated infrastructure. (Local Inquiry)</p>	<p>22/06/2004 Confirmed to sit for 8 days</p>
S/0208/03/RM	<p>Persimmon Homes (East Midlands) Ltd Land West Of <u>Longstanton</u> Erection of 97 dwellings and ancillary works (Local Inquiry)</p>	<p>22/06/2004 Confirmed</p>
S/1594/03/F	<p>Keith Collier Engineering Ltd Unit 6, Riverview Farm, Overcote Road, <u>Over</u> Extension to workshop (Informal Hearing)</p>	<p>29/06/2004 Confirmed</p>
S/1202/03/LB	<p>Mr & Mrs Bryce-Smith Home Farm, 10 High Street <u>Shepreth</u> Extension (Informal Hearing)</p>	<p>30/06/2004 Confirmed</p>
S/1203/03/F	<p>Mr & Mrs Bryce-Smith Home Farm, 10 High Street <u>Shepreth</u> Extension (Informal Hearing)</p>	<p>30/06/2004 Confirmed</p>
E 501	<p>Mr H Price Primrose Meadow, Cow Lane <u>Rampton</u> Enforcement against use of land as residential caravan site (Local Inquiry)</p>	<p>06/07/2004 Confirmed</p>
S/0780/03/F	<p>A Duke & Sons Off New Road <u>Melbourn</u> 2 houses (Informal Hearing)</p>	<p>13/07/2004 Confirmed</p>

S/0181/03/LDC	Shelford Lodge Ltd 144 Cambridge Road <u>Great Shelford</u> Certificate of lawfulness for siting & use of mobile home for residential accommodation (Local Inquiry)	14/07/2004 Offered/
EP246A	Shelford Lodge Ltd 144 Cambridge Road <u>Great Shelford</u> Enforcement of removal of mobile home (Local Inquiry)	14/07/2004 Offered/
9 Appeals	Plots 7-16 Pineview Smithy Fen <u>Cottenham</u> Siting of a travellers' mobile homes (Local Inquiry)	20/07/2004 Offered/Accepted
E461C	Mr P O'Brien Land off Water Lane <u>Cottenham</u> Enforcement against change of use to residential caravan site (Local Inquiry)	20/07/2004 Offered/Accepted
S/2447/02/F	Mr J Flynn 6A Orchard Drive, Smithy Fen <u>Cottenham</u> 1 Mobile Home, 1 touring caravan and day room (Local Inquiry)	20/07/2004 Offered/Accepted
S/2370/02/F	J Culligan 7 Orchard Drive, Smithy Fen <u>Cottenham</u> Caravan & day room (Local Inquiry)	20/07/2004 Offered/Accepted
S/0177/03/F	Mr J Biddall Kneesworth Road <u>Meldreth</u> Change of use of land to travelling show peoples quarter (Local Inquiry)	27/07/2004 Confirmed

S/1058/03/F	<p>Mr & Mrs Sherwood R/o 117 High Street <u>Melbourn</u> Erection of a dwelling & double garage (Informal Hearing)</p>	<p>03/08/2004 Confirmed</p>
E 502	<p>Mr H Price Adj Moor Drove, Cottenham Road <u>Histon</u> Operational Development (Local Inquiry)</p>	<p>10/08/2004 Confirmed</p>
E 502A	<p>Mr H Price Adj Moor Drove, Cottenham Road <u>Histon</u> Enforcement against material change of use to storage and residential use of caravans. (Local Inquiry)</p>	<p>10/08/2004 Confirmed</p>
S/1934/03/F	<p>Mr J Crickmore The Barn, Chesterton Fen Road <u>Milton</u> Change of use to tropical plant nursery comprising erection of 3 glasshouses, general purpose shed, alteration and extensions to existing barn/stable for display and sales, retention of mobile home and provision of car parking. (Local Inquiry)</p>	<p>07/09/2004 Confirmed</p>
S/1559/03/F	<p>Taylor Woodrow Developments Off Chivers Way (Access off Kay Hitch Way) <u>Histon</u> 57 Dwellings (Informal Hearing)</p>	<p>03/11/2004 Offered</p>

This page is intentionally left blank

INDEX OF CURRENT ENFORCEMENT CASES
7th APRIL 2004

Ref.No	Location	See Page No. for full update	Remarks
18/98	Setchell Drove COTTENHAM	1-9	Prosecution files submitted for plots 7 and 10.
26/98	Riverside Stables LITTLE ABINGTON	9-13	Site being monitored.
34/98	Camside Farm Chesterton Fen Road MILTON	13-17	Awaiting determination of S/2285/03/F.
7/99	The Old Fire Engine Shed High Street SAWSTON	17-18	Site being monitored.
14/99	Carefield Button End HARSTON	18-22	Awaiting outcome of planning appeal heard on 17 th February 2004.
4/01	1 Meeting Lane MELBOURN	22-24	Negotiations continue.
4/02	86 Boxworth End SWAVESEY	24-25	Site continues to be monitored.
5/02	Land R/O 2 Denmark Road COTTENHAM	26-27	Enforcement Notice complied with. Remove from active list.
10/02	The Bungalow Long Drove WATERBEACH	27-28	Enforcement Notice complied with. Remove from active list.
12/02	The Stables Chesterton Fen Road MILTON	29	Prosecution file submitted to Legal Office. Appeal against non determination of S/1934/03/F fixed for 7 th September 2004.

17/02	Land at Sandy Park Chesterton Fen Road MILTON	30	Awaiting outcome of appeal.
18/02	Rose and Crown Road SWAVESEY	30-32	Case referred back to Planning Inspectorate. Awaiting date by the Planning Inspectorate to be fixed for new hearing.
21/02	Land at Chesterton Fen Road, (Ponyfield) MILTON	32	Compliance period being extended subject to negotiations.
6/03	The Oaks Meadow Road WILLINGHAM	33	Enforcement Notice appeal dismissed. Compliance date 4 th November 2004.
7/03	Land adjacent to Setchell Drove COTTENHAM (A Land)	33-34	Appeal allowed on 14 th October 2003. Subject to conditions which are currently being considered.
8/03	Land adjacent to Setchell Drove COTTENHAM (B Land)	34-35	Appeal against Enforcement Notice dismissed on 18 th November 2003. A further appeal against another Enforcement Notice is provisionally fixed for 20 th July.
9/03	Land adjacent to Setchell Drove COTTENHAM (G Land)	35-36	Appeal dismissed on 18 th November 2003. Compliance date 18 th February 2004. Enforcement Notice not complied with. An appeal against non-determination fixed for 20 th July.
10/03	Land at Plot 2 and R/O Plot 3 Setchell Drove COTTENHAM	36-37	Appeal allowed. Legal to update about possible legal grounds to challenge decision.
13/03	1 Priest Lane WILLINGHAM	37	Planning appeal allowed. Remove from active list.
14/03	4 St Andrews Close STAPLEFORD	37	Enforcement Notice and refusal of planning permission appealed. Written representations. Date for site visit not yet fixed.

15/03	Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM	38	Prosecution file submitted to Legal Office for breach of Enforcement Notices.
16/03	Shelford Lodge Cambridge Road COTTENHAM	38	Enforcement Notice issued 17 th December 2003. Subject of issue of appeal. Provisional date fixed for 14 th July.
17/03	69 Wimpole Road BARTON	38-39	Prosecution for unauthorised work on listed building. Appeared at Cambridge Magistrates Court. Fined £5,000 with £1,260 costs. Site being monitored by Conservation Department.
18/03	Primrose Meadow Cow Lane RAMPTON	39	Enforcement Notice and refusal of planning permission appealed. Public Inquiry fixed for 6 th July.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	39	Enforcement Notices and refusal of planning permission appealed. Public Inquiry fixed for 10 th August.
20/03	9 Grange Road DUXFORD	39	Unauthorised dormer removed. Remove from active list.
21/03	Woodview Potton End ELTISLEY	40	File submitted to Legal Office for issue of Enforcement Notice
22/03	The Bury Newmarket Road STOW-CUM-QUY	40	File submitted to Legal Office for issue of Enforcement Notice

This page is intentionally left blank

ENFORCEMENT ACTIONPROGRESS REPORT – 7th April 2004

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
18/98 B/1/45/20 Mobile Home Site Setchell Drove COTTENHAM	<p>A. Stationing of caravans without planning permission.</p> <p>B. Unauthorised building works.</p> <p>C. Unauthorised Engineering works.</p>	<p>Planning Committee 1st July 1998 - Item 26.</p> <p>Members gave delegated authority to take Enforcement Action in respect of those breaches of planning control which could not be regularised by the submission of a planning application or resolved by negotiation.</p>	<p>Numerous site visits and meetings have taken place with the various owners and Breaches of Planning Control identified and documented. A local solicitor is representing the twelve families on the extended former Bury Holding site, and is due to submit a joint planning application in the next few weeks. Work is also proceeding on the drafting of Enforcement Notices in respect of unauthorised and unacceptable buildings on the above site, and in respect of unauthorised buildings and engineering works on the land to the rear of it.</p> <p>Planning applications have been submitted and are currently being determined.</p> <p>Draft instructions for Enforcement Notices prepared in respect of those breaches of planning control unlikely to be acceptable and which cannot be resolved by way of negotiation.</p> <p>Planning application and accompanying Section 106 Agreements being determined and negotiated. Breaches of Planning Control on site identified and issue of necessary Enforcement Notices to be undertaken hopefully within the next four weeks.</p> <p>Eleven Enforcement Notices have now been issued and served to address the various breaches of planning control. These take effect on 19th July 1999 and all have a compliance period of six months. It is anticipated that several of the</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Enforcement Notices will be subject of an appeal.</p> <p>A total of eleven appeals have been lodged in respect of the recently issued and served Enforcement Notices. Some issues of appeal may be resolved if the current planning application is determined in favour of the applicants.</p> <p>The planning consent for the 12 pitches is in the process of being drafted, and the outcome of the various appeals lodged awaited.</p> <p>The enforcement appeals have now been determined the issue of the Planning Inspectorate's report 23rd February 2000. Subject to a few minor changes, all appeals were disallowed, and brief details follow. Monitoring will take place to ensure compliance.</p> <p>Plot 2 - To clear the rear land all hardcore and hardstandings, motor vehicles etc by 23rd August 2000.</p> <p>Plot 3 – Clear land to remove all hardcore and hardstandings, structures, caravans, motor vehicles etc by 23rd August 2000.</p> <p>Plot 4 – Clear land to remove all hardcore, structures, caravans etc from the land by 23rd August 2000.</p> <p>Plot 5 – Clear land to remove from the land all hardcore, structures, caravans, vehicles etc by 23rd August 2000.</p> <p>Plot Fourwinds - Front land - to reduce the size of the existing utility room/dayroom and garage so as not to exceed a floor area of 20.25 sq. metres by</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>23rd August 2000. Rear land - to remove all hardcore, structures, caravans, motor vehicles etc from the land by 23rd August 2000.</p> <p>Plot 7A – Front land - To demolish the existing building or to reduce it in size so as not to exceed a floor area of 20.25 sq. metres by 23rd February 2001. Rear land - To remove all hardcore etc by 23rd August 2000.</p> <p>Plot 7 – Front land - To demolish the existing building of reduce the size so as not to exceed a floor area of 20.25 sq. metres by 23rd August 2000. Rear land – To remove all hardcore, structures, motor vehicles etc from the land by 23rd August 2000.</p> <p>Plot 8 – Clear land remove all hardcore etc by 23rd August 2000.</p> <p>Plot 9 - The requirements of the Enforcement Notice were regularised by the granting of planning permission, and the Enforcement Notice is to be withdrawn.</p> <p>Plot 10 - Due to an error the Enforcement Notice was not appealed but the site is currently subject to an planning refusal appeal, and it is intended to await the outcome of this before implementing further action.</p> <p>Plot 11 – Front land - The breach of planning control identified in the Enforcement Notice has largely been addressed by the granting of planning permission. Site to be monitored to ensure compliance with the relevant consent. Rear land - To remove all hardcore, caravans, structures from the land by 23rd February 2001.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Plot 12 – Rear land - To remove all hardcore etc from the land by 23rd August 2000.</p> <p>5.7.2000 Site will continue to be monitored to ensure compliance with the requirements of the various Enforcement Notices with the earliest compliance period ending 23rd August 2000.</p> <p>4.10.2000 A site visit made 30th August 2000 revealed the following:</p> <p>Plot 2 – Front land in order, small amount of work on rear land to be done</p> <p>Plot 3 – Front and rear land all in order</p> <p>Plot 4 – Front land in order but rubbish and Hardcore still to be removed from rear land.</p> <p>Plot 5 – Front land in order. Most of the rear land has been cleared with only a small amount of rubbish and hardcore to be removed.</p> <p>Plot Fourwinds – The garage on the front land has to be reduced in size, and the rear land has still to be cleared of hardcore.</p> <p>Plot 7a – Structure on front land to be removed/reduced in size – compliance date 23rd February 2002. Rear land clear.</p> <p>Plot 7 – Structure on front land to be removed/reduced in size – compliance date 23rd February 2002. The open sheds/stables on rear land are the subject of a current planning</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>application, and action in respect of the Enforcement Notice will not be taken until determined.</p> <p>Plot 8 – Front land all in order. Rear land is joined with the rear land of Plot 7 and forms part of the planning application referred to in the above.</p> <p>Plot 9 – Front land all in order. Rear land is not subject to enforcement and there is no breach of planning control.</p> <p>Plot 10 – Structure on front land to be removed/reduced in size – compliance date 23rd February 2002. Rear land – all in order.</p> <p>Plot 11 – Front land all in order. Caravans and hardcore have already been removed from the rear land, there is a small structure still to be removed – compliance date 23rd February 2001.</p> <p>Plot 12 – Front land all in order. Rear land most of the rubbish and hardcore removed with work progressing to remove remainder.</p> <p>Subject to commitments, it is intended to visit those sites identified above as still requiring works to be done to comply with the Enforcement Notices. Any breaches identified at that time will be considered for a prosecution. A verbal update will be given.</p> <p>3.1.2001</p> <p>Due to other commitments it has not been possible to make arrangements with the owner of Plot Fourwinds to conduct a formal interview in respect of the oversized utility room/garage, but will be</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>actively pursued in the new year.</p> <p>The Enforcement Notice in respect of the rear land Plot 11 becomes effective 23rd February 2001 and will be monitored for compliance.</p> <p>The Enforcement Notices in respect of oversized buildings on the front land Plots 7a, 7 and 10 becomes effective 23rd February 2002.</p> <p>The above mentioned five plots will continue to be monitored but it is recommended that reference to the other plots be moved to the non-active list.</p> <p>2.5.2001</p> <p>Allegations of breaches of the Enforcement Notice on the rear land have recently been received and it is intended to conduct a thorough inspection with any confirmed breaches which cannot be resolved by way of negotiation to be the subject of a request for prosecution.</p> <p>Those sites subject to enforcement notice but still within the compliance period will continue to be monitored.</p> <p>4.7.2001</p> <p>Plots still being monitored.</p> <p>Plot Fourwinds - utility room/garage still to be reduced in size. Visited 3rd May 2001 occupiers away revisit scheduled for 2nd July 2001.</p> <p>Plot 7A Structure on front land to be removed/reduced in size – compliance date 23rd February 2002.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Plot 7 – Structure on front land to be removed/reduced in size – compliance date 23rd February 2002.</p> <p>Plot 10 – Structure on front land to be removed/reduced in size – compliance date 23rd February 2002.</p> <p>3.10.2001</p> <p>At Planning Committee 4th July 2001 approval for stable/tack room and hardstanding on Plots 5, Fourwinds, 7A and 10 was granted, subject to the signing of a Section 106 Agreement. At the time of drafting, signing of the Section 106 Agreement had not been completed.</p> <p>The structures on the front land of Plots 7A, 7 and 10 will continue to be monitored – compliance period ends 23rd February 2002.</p> <p>2.01.2002</p> <p>Attempts to make contact with the owner of Fourwinds for a formal interview have been unsuccessful, but will continue. The occupiers of Plots 7A, 7 and 10 will be reminded of the date for compliance – 23rd February 2002, and the Plots will continue to be monitored.</p> <p>3.4.2002</p> <p>The requirements of the Enforcement Notices in respect of over size buildings on the front part of Plots Fourwinds, 7A, 7 and 10 have not been met. Arrangements are in hand for those concerned to take part in a formal interview, and once they have</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>taken place (or declined) prosecution files will be compiled and forwarded to the Legal Office for processing.</p> <p>3.7.2002</p> <p>The owners of the oversized structures on the front land of Plot 7, 7A and 10 have been formally interviewed as to why they have not been reduced in size, and discussions are taking place to agree a way forward to ensure maximum success in any ensuing Court proceedings.</p> <p>2.10.2002</p> <p>Further discussions with local Members being planned to consider a number of issues relating to development in this area.</p> <p>8.1.2003</p> <p>Prosecution files submitted to Legal Office for Plots 7, 7A and 10</p> <p>2.4.2003</p> <p>Planning applications S/0024/03/F and S/0025/03/F received for 7A and 10 Setchell Drove have now been refused.</p> <p>Case listed at Cambridge Magistrates Court 19th March 2003 for breach of Enforcement Notice. Adjourned to 9th April 2003</p> <p>2.7.2003</p> <p>On 9th April the owners of Plots 7, 7A and 10 appeared before Cambridge Magistrates Court.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>They were each fined £200 with £45 costs. An appeal was made against the refusal of planning permission for the retention of a day room on Plot 10 S/0024/03 refers but the appeal has now been withdrawn.</p> <p>The owners of Plots 7, 7A and 10 have moved off the site and Plots 7 and 10 are now occupied. Planning Contravention Notices have been issued to establish details of ownership before commencing further proceedings.</p> <p>1.10.2003</p> <p>The owners of Plots 7 and 10 have been reported for being in breach of Enforcement Notices. Prosecution file being submitted to Legal Office.</p> <p>Owner of Plot 7A not identified. Enquiries continue.</p> <p>7.1.2004</p> <p>Prosecution file submitted to Legal Office for Plots 7 and 10. Enquiries continue concerning Plot 7A.</p> <p>7.4.2004</p> <p>Prosecution files submitted for oversize buildings on Plots 7 and 10</p>
<p>26/98 B/1/45/61 Riverside Stables Bourn Bridge Road LITTLE ABINGTON</p>	<p>Without the benefit of planning permission</p> <p>A. The stationing of a mobile home for residential</p>	<p>Planning Committee 7th October 1998 - Item 18.</p> <p>Members authorised enforcement action in respect of identified breaches of planning control which could not be resolved by means of negotiation.</p>	<p>Negotiations to address the breaches of planning control were unsuccessful, and Legal department have now been requested to issue the necessary Enforcement Notice.</p> <p>Enforcement Notice issued 14th January 1998, and has been appealed. To await outcome of appeal.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
	<p>purposes.</p> <p>B. Unauthorised engineering works.</p> <p>C. Change of use - storage of motor vehicle and vehicle parts.</p>	<p>A. To clear land of all items not associated with agriculture and to use the land only for the purposes of agriculture.</p> <p>B. A period of three months to comply with the Notice.</p> <p>C. Proceedings in the Magistrates Court be authorised in the event of failure to comply with the Notice and subject to there being no material change in the circumstances</p>	<p>Hearing scheduled for 5th October 1999.</p> <p>Hearing re-scheduled to 11th January 2000.</p> <p>Subject to some minor alterations to the Enforcement Notice, the appeal was dismissed 13th March 2000, there is a compliance period of 3 months - 13th June 2000 and the site will be monitored to ensure full compliance.</p> <p>5.7.2000</p> <p>Inspection made 19th June 2000 revealed no movement towards complying with the requirements of the Enforcement Notice.</p> <p>The owner(s) to be interviewed with a view to instigating a prosecution for non-compliance with the requirements of the Enforcement Notice.</p> <p>4.10.2000</p> <p>The appellant appealed to the High Court, with his appeal being dismissed 3rd July 2000. Compliance period ends 3rd October 2000.</p> <p>3.1.2001</p> <p>The planning application verbally referred to 4th October 2000 has been registered under Council's reference S/1868/00/F and is to be refused. A verbal update will be given to Members.</p> <p>2.5.2001</p> <p>No recent visits have been made due to the foot and mouth situation, but it thought full compliance with the requirements of the Enforcement Notice have been met. Contact with the owner is being</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>sought in order to formally inform him a date for compliance in accordance with Section 173A (3) Town and Country Planning Act 1990, with a suggested date of 30th June 2001.</p> <p>4.7.2001</p> <p>Letters sent 16th May 2001 giving 30th June 2001 as new compliance date. It is highly unlikely that a visit will be possible between that date and the date of this meeting, but the site will be monitored and appropriate action taken.</p> <p>3.10.2001</p> <p>The refused planning application under reference S/1868/00/F has now been appealed. The enforcement compliance period, in accordance with our usual practice in such circumstances, will be extended to coincide with the outcome of the appeal.</p> <p>2.1.2002</p> <p>Planning refusal S/1868/00/F was dismissed at appeal on 9th October 2001. The amended compliance date is 1st March 2002.</p> <p>3.4.2002</p> <p>The requirements of the Enforcement Notice were not met within the prescribed time, and as a result the owner/occupier was formerly interviewed 28th February 2002, and a prosecution file is being compiled for forwarding to the Legal Office for proceedings in the Magistrates Court.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>3.7.2002</p> <p>The prosecution file is in the final stages of completion, and will be forwarded to Legal to commence Court proceedings as soon as possible.</p> <p>2.10.2002</p> <p>Prosecution file submitted to Legal Office</p> <p>8.1.2003</p> <p>Summons issued case adjourned on 4th December to 11th December 2002</p> <p>2.4.2003</p> <p>On 19th March 2003 the case was adjourned to 2nd April 2003.</p> <p>2.7.2003</p> <p>The case has been committed to Crown Court and a trial date has been set for the week commencing 4th August. A pre-trial hearing is listed for the 14th July.</p> <p>1.10.2003</p> <p>Case adjourned to November.</p> <p>7.1.2004</p> <p>On 13th November 2003 the defendant appeared before Cambridge Crown Court and pleaded guilty. He was fined £1,500 with £8,000 costs. A site visit will be made in January to establish if further action is required.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
34/98 B/1/45/72 and S/0133/97/O Camside Farm Chesterton Fen Road MILTON	Without planning permission the stationing of two mobile homes for residential use.	<p>Planning Committee 2nd December 1998 - Item 20</p> <p>Members authorised</p> <p>(i) To seek an injunction .</p> <p>(ii) To issue an Enforcement Notice if the application for an injunction was refused.</p> <p>(iii) A Period of three months to comply with any Enforcement Notice issued.</p> <p>(iv) That in the event of failure to comply with the Notice and subject to there being no material change in circumstances proceedings be taken in the Magistrates Court.</p>	<p>7.4.2004</p> <p>No vehicles on site. Site continues to be monitored.</p>
			<p>The necessary information and documentation to seek an injunction is currently being processed.</p> <p>Letters of intended actions served upon contravenors, who subsequently submitted a planning application to retain the two mobile homes and also an application for a Lawful Development Certificate alleging lawful use of the two mobile homes as bedroom use only. Injunctive action held pending determination of the above applications.</p> <p>On advice from the Legal department an Enforcement Notice was issued under reference E342 8th June 1999 requiring (a) removal of the mobile homes from the site together with ancillary works, (b) cease to use the land as a general dealers yard, (c) restore the land to its condition before the breaches of planning control took place, (d) use the land only for agriculture and paddock with stables as before. The Notice takes effect 15th July 1999 and has a compliance period of 6 months.</p> <p>The Enforcement Notice has been appealed. The site is also part of the general review of travellers accommodation in the Chesterton Fen Road area.</p> <p>The outcome of the appeal against the Enforcement Notice is awaited.</p> <p>The appeal was dismissed 10th January 2000 with</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>the compliance period being varied to 9 months (10th October 2000).</p> <p>5.7.2000 Compliance period ends 10th October 2000.</p> <p>4.10.2000 Still within the period before compliance which ends 10th October 2000.</p> <p>3.1.2001 Arrangements were made to formally interview two of the appellants 8th December 2000 at these offices, and both attended together with their Counsel and Solicitor. On the advice of their legal advisers both declined a formal interview, with their Counsel agreeing to write to our Head of Legal Services by the end of January 2001 listing those issues his clients wished to be considered in connection with any intended prosecution. Counsel indicated that the Human Rights Act 2000 would feature greatly in his submissions.</p> <p>2.5.2001 Summonses returnable to Cambridge Magistrates Court 16th May 2001 were served 18th April 2001.</p> <p>4.7.2001 A plea of not guilty was entered at Cambridge Magistrates Court 8th June 2001 and the case committed to Crown Court for trial, and will be listed in due course.</p> <p>3.10.2001 A pre-trial hearing scheduled for 23rd September 2001.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.1.2002</p> <p>The case has been adjourned by Judge Howarth, generally, until the outcome of another case dealing with a human rights point which the defendant's Counsel asserts has a bearing on the Webb's liability. Likely to be several months.</p> <p>3.4.2002</p> <p>The outcome of the case referred to at 2.01.2002 is still awaited.</p> <p>3.7.2002</p> <p>The trial has now been fixed for November. It is expected that the first day will be to hear legal arguments, followed by a further five days.</p> <p>2.10.2002</p> <p>Trial still pending.</p> <p>8.1.2003</p> <p>On 8th November 2002 the defendants appeared before Norwich Crown Court. They pleaded guilty and were fined as follows:</p> <p>A Webb (Senior) fined £3,500, costs £1,500, 2 months imprisonment in default of payment of fines.</p> <p>A Webb fined £1,000, £1,500 costs.</p> <p>M Webb fined £1,000, £1,500 costs.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>A letter has been sent by the Legal Office to the defendants legal representative informing them that a further site visit will be made on 10th February 2003. If the Enforcement Notice has not been complied with consideration will be given to further prosecutions.</p> <p>2.4.2003</p> <p>A further summons has been issued for breach of the Enforcement Notice. Case listed at Cambridge Magistrates Court 30th April 2003.</p> <p>2.7.2003</p> <p>Case adjourned to 18th June 2003. A verbal update will be given.</p> <p>1.10.2003</p> <p>Case adjourned to November.</p> <p>7.1.2004</p> <p>On 11th November 2003 the defendants appeared before Cambridge Crown Court. They pleaded guilty and were convicted as follows:</p> <p>A Webb (Senior) – Conditional Discharge for 2 years. A Webb – Fined £2,500 M Webb – Fined £2,500 Costs of £3,000 were awarded. A planning application S/2285/03/F has been submitted, which if approved, would allow the defendants to move the mobile homes subject of the Enforcement Notice to the new site.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
7/99 B/1/45/81 – 1/99 The Old Fire Engine Shed Site High Street SAWSTON	The unauthorized use of the site for a car sales business.	Planning Committee 3 rd March 1999 – Item 5 Authority (i) To issue an Enforcement Notice to cease using the site for car sales with a one month compliance period. (ii) To take proceedings in the Magistrates Court in the event of failure to comply with the Notice and subject to there being no material change in the circumstances.	The situation will be monitored and a timescale agreed once the planning application has been determined. 7.4.2004 Awaiting determination of planning application S/2285/03/F
			3 rd March 1999 Planning Contravention Notice served on occupier and once the necessary details are obtained, instructions will be issued for the issue of an Enforcement Notice. Enforcement Notice under reference E352 issued 21 st April 1999 requiring cessation of the use of the land for the storing and selling of motor vehicles. The Notice was scheduled to take effect 1 st June 1999 with a one month compliance period but an appeal in respect of it has been lodged. To await outcome of appeal. The appeal was dismissed, and the site is being monitored to ensure that the requirements are complied with. A further unauthorized use not covered by the Enforcement Notice has been identified, and is the subject of a separate report to this meeting. As reported verbally to Members 5 th January 2000, the breach identified in Enforcement E352 had ceased, but a new and unauthorized use had been identified and is the subject of entry 1/2000.

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.4.2003</p> <p>As a result of further storage of motor vehicles on the site proceedings for being in breach of the Enforcement Notice were taken on at Cambridge Magistrates Court on 29th January 2003. The owner was fined £300 with costs of £120. A letter has been sent to the owner confirming that if vehicles still remain on the site after 29th April 2003 a further prosecution will be considered.</p> <p>2.7.2003</p> <p>A further investigation has commenced concerning the continued storage of motor vehicles on the site.</p> <p>1.10.2003</p> <p>Prosecution file submitted to Legal Office. Summons applied for. Awaiting hearing date from Magistrates Court.</p> <p>7.1.2004</p> <p>On 8th October 2003 at Cambridge Magistrates Court the defendant was fined £150 with £120 costs. Further monitoring of the site is taking place.</p> <p>7.4.2004</p> <p>Monitoring of site continues.</p>
14/99 Mrs Patricia Hedges 'Carefield' Button End	Without planning permission the material change of use of land from agriculture to the siting of	An Enforcement and Stop Notice were issued under delegated authority and the matter was a report to Planning Committee 4 th August 1999 at Item 14, when Members authorised proceedings in the Magistrates	The Enforcement Notice was issued 23 rd July 1999 and takes effect 6 th September 1999 with a compliance period of 14 days. The Stop Notice was issued 26 th July 1999 and took effect 27 th July

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
HARSTON	caravans, including the delivering to the land of paving slabs, sand and the erection of a shed not requisite for agricultural purposes.	Court against the owner/occupier in the event of failure to comply with the Notices and to apply for the issue of an Injunction if the former proved ineffective.	<p>1999. Both Notices were served on the 26th July 1999. The Stop Notice was not complied with, and following a formal interview with the occupier, a prosecution file was submitted to Legal Department. The Head of Legal Services is of the opinion that that with particular reference to Article 8 of the European Convention on Human Rights a prosecution, representing an interference by this Authority as a Public Authority with the exercise of that persons right to respect for private and family life, would be entirely in accordance with the law, he was not satisfied that such a course of action is necessary in the public interest set out in the Article until either the Enforcement Notice takes effect or an appeal is lodged and the appeal is determined on planning principles in favour of the Local Planning Authority.</p> <p>An appeal against the Enforcement Notice has been lodged, and is currently being determined.</p> <p>An informal hearing in respect of the Enforcement Notice was heard 8th December 1999, and the outcome is awaited.</p> <p>Appeal dismissed 10th January 2000. Compliance period varied to 4 months - 10th May 2000.</p> <p>4.10.2000</p> <p>The formal interview was conducted 12th July 2000 and this was followed with a meeting involving the Local Member on 24th July 2000 to consider the points raised. The appellant is scheduled to undergo major surgery at Addenbrookes Hospital and negotiations to establish the time-scale with a view to extending the compliance period are being conducted by the Head of Legal Services.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>5.7.2000 Solicitors acting for applicant have requested an extension to the compliance period on medical grounds. A formal interview has been arranged for 4th July 2000 to be followed by a meeting with the Head of Legal Services and Local Member, before making any recommendation to Members.</p> <p>4.10.2000 The formal interview was conducted 12th July 2000 and this was followed by a meeting involving the local Member on 24th July 2000 to consider the points raised. The appellant is scheduled to undergo major surgery at Addenbrookes Hospital and negotiations to establish the timescale with a view to extending the compliance period are being conducted by the Head of Legal Services.</p> <p>3.1.2001 The Head of Legal Services will give Members an update.</p> <p>2.5.2001 This matter is ready to proceed to prosecution as and when considered appropriate with special regard to the personal circumstances of the occupier.</p> <p>4.7.2001 Our Legal Department continues to negotiate with the occupiers legal advisers in an endeavour to negotiate a way forward.</p> <p>3.10.2001 Negotiations still being conducted by Legal Department.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.1.2002 No change – negotiations still being conducted by Legal Department.</p> <p>3.4.2002 Our Legal Department is still engaged in the exchange of correspondence with solicitors representing the owner, with the possibility that the matter will be put before the Court in the near future.</p> <p>3.7.2002 No change. The occupier is still waiting for her hip operation.</p> <p>2.10.2002 No change. Head of Legal Services to give an update.</p> <p>8.1.2003 It has now been confirmed that the operation has taken place. As a result of consultations with the Chairman and the Local Member it was agreed that a site visit would be made after 11th February 2003 and that if the Enforcement Notice had not been complied with legal proceedings will be commenced. A letter has been sent to the occupier confirming the action that will be taken.</p> <p>2.4.2003 On 8th January 2003 it was agreed not to proceed with the prosecution until the outcome of planning</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>application S/0040/03/F was known. To be considered at Committee 2nd April 2003.</p> <p>2.7.2003</p> <p>Planning permission for S/0040/03/F refused. A file is being prepared to commence legal proceedings.</p> <p>1.10.2003</p> <p>Appeal against refusal of planning permission S/0040/03/F. Inquiry date 17th February 2004. Waiting for outcome of appeal before proceeding with prosecution.</p> <p>7.1.2004</p> <p>Further development of the site has taken place. A request for a further Enforcement Notice has been submitted to the Legal Office.</p> <p>7.4.2004</p> <p>Awaiting outcome of planning appeal heard on 17/18th February 2004.</p>
4/01 S/0337/97/LB 1 Meeting Lane MELBOURN Cambridge	Unauthorised extension to a listed building – rear porch.	<p>Planning Committee 6th June 2001 – Item 30. Members authorised the serving of a listed building's Enforcement Notice to cure the removal of the porch and the making good of the rear elevation of the listed building and further for the Conservation Manager and the Legal Officer to bring an action against the owner in the Magistrates Court in respect of the unauthorised works which have effected the character of a listed building.</p>	<p>4.7.2001</p> <p>Conservation Manager and Legal Officer to carry out Members' instructions.</p> <p>3.10.2001</p> <p>Enforcement Notice issued 7th July 2001 to take effect 15th August 2001 with a one month compliance period – 15th September 2001.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>No appeal lodged, inspection revealed porch not removed, prosecution file being prepared by Conservation Section.</p> <p>2.1.2002</p> <p>An appeal against refusal has been lodged, and the prosecution in respect of non-compliance with the Enforcement Notice will be adjourned pending the outcome of the appeal.</p> <p>3.4.2002</p> <p>Informal hearing for appeal against refusal of planning permission is scheduled for 23rd April 2002. The prosecution resulting from non-compliance with the Enforcement Notice is pending the result of this hearing.</p> <p>3.7.2002</p> <p>The appeal against the refusal to grant listed building consent was dismissed 9th May 2002. Negotiations by the Conservation Section are under way to try and agree an acceptable timescale to remove the rear porch and make good the rear elevation.</p> <p>2.10.2002</p> <p>An application S/1656/02/LB has been submitted which should resolve the matter.</p> <p>8.1.2003</p> <p>Our Legal Department is still engaged in correspondence with the owner, with the possibility that the matter will be put before the court in the near future.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.4.2003</p> <p>It has not been possible at this time to serve the summons as the owner is abroad.</p> <p>2.7.2003</p> <p>No change.</p> <p>1.10.2003</p> <p>No change.</p> <p>7.1.2004</p> <p>It has been confirmed that the owner is still abroad. He has appointed an agent to manage the site and to try and resolve the outstanding matters. Negotiations continue.</p> <p>7.4.2004</p> <p>No change.</p>
<p>4/02 B/1/45/88 86 Boxworth End SWAVESEY</p>	<p>Untidy site – the Town and Country Planning Act 1990 Section 215. Unauthorised sale and storage of reclaimed materials.</p>	<p>Planning Committee 6th March 2002 Item 4. Members authorised the issue of a Section 215 Notice with a 2 month compliance period, and in the event of non-compliance with the Notice proceedings in the Magistrates Court. It was also agreed that if the above was unsuccessful, Enforcement Notice requiring the unauthorised use to cease and the site to be cleared of unauthorised materials to be issued with a two month compliance period together with proceedings in the Magistrates Court in the event of non-compliance and there being no material change in the circumstances.</p>	<p>3.4.2002</p> <p>The necessary file is being completed to enable the Legal Department to issue a Notice under Section 215 of the Town and Country Planning Act 1990.</p> <p>3.7.2002</p> <p>An Amenity Notice was issued 22nd April 2002, to take effect 23rd May 2002 with a two month compliance period – 23rd July 2002. Inspection 14th June 2002 revealed that the front garden was</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>virtually clear of the items referred to in the Notice.</p> <p>2.10.2002</p> <p>Further monitoring of the site required. To remain on active list.</p> <p>8.1.2003</p> <p>No further action required at this time. To be removed from active list.</p> <p>2.4.2003</p> <p>Further complaints about unauthorized storage on site. Enforcement Notice E458 issued 6th March 2003, to take effect on 15th April 2003 with a three month compliance period – 15th June 2003.</p> <p>2.7.2003</p> <p>Enforcement Notice E458 withdrew. Enforcement Notice E458A issued on 6th March 2003 took effect On 30th April 2003 with a 3 month compliance period - 30th July 2003.</p> <p>1.10.2003</p> <p>Enforcement Notice virtually complied with. Site being monitored.</p> <p>7.1.2004</p> <p>No change. Site continues to be monitored.</p> <p>7.4.2004</p> <p>Site continues to be monitored.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>5/02 B/1/45/20 & S/0086/02/F Land to rear of 2 Denmark Road COTTENHAM</p>	<p>The unauthorised erection of a storage building.</p>	<p>Planning Committee 6th March 2002 Item 9. Members authorised :</p> <p>a) The issue of an Enforcement Notice to cease using the building for storage purposes and to demolish it and remove the foundation slab.</p> <p>b) A period of 12 months to comply with the Notice.</p> <p>c) That proceedings in the Magistrates Court be authorised in the event of failure to comply with the Notice and subject to re-consideration of all material factors.</p>	<p>3.4.2002 The necessary paperwork is being prepared to enable the Legal Department to issue the necessary Enforcement Notice.</p> <p>3.7.2002 The necessary paperwork has now been forwarded to Legal, requesting the issue of an Enforcement Notice.</p> <p>2.10.2002 Enforcement Notices E452A and E452B were issued 19th August 2002 to take effect 23rd September 2002 with a 12 month compliance period – 23rd September 2003 (subject to appeal).</p> <p>8.1.2003 Enforcement Notice appealed.</p> <p>2.4.2003 Appeal dismissed 5th March 2003. Enforcement Notice takes effect 5th March 2004.</p> <p>2.7.2003 No change.</p> <p>1.10.2003 No change.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.1.2004</p> <p>No change.</p> <p>7.4.2004</p> <p>Enforcement Notice complied with. Remove from active list.</p>
<p>10/02 B/1/45/93 The Bungalow Long Drove WATERBEACH</p>	<p>Unauthorised dwelling</p>	<p>Delegated authority 9th February 2001 to issue a Stop and Enforcement Notice. To cease all work and to demolish the building.</p>	<p>2.10.2002 (Late Entry)</p> <p>Enforcement Notice E419 issued 9th February 2001 to take effect on 25th March 2001. Compliance period three months. Stop Notice issued 9th February 2001 took effect on 13th February 2001. Appeal against Enforcement Notice dismissed on 11th October 2001.</p> <p>1st May report to Planning Committee (Item 8) Members authorised prosecution but to be held in abeyance to give the owner an opportunity to state his case for an extension to the compliance period. A prosecution file has now been submitted to the Legal Department.</p> <p>8.1.2003</p> <p>Case adjourned to 8th January 2003 at Cambridge Magistrates Court.</p> <p>2.4.2003</p> <p>At Cambridge Magistrates Court on 8th January fined £4,000 with £120 costs. Defendant given further two months to comply with Enforcement Notice otherwise further proceedings would be commenced. The building still remains therefore a</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>further prosecution file has been submitted to the Legal Department.</p> <p>2.7.2003</p> <p>14th May case adjourned for trial at Cambridge Magistrates Court on 11th August 2003. A planning application S/1127/03/F has been submitted for the retention of the building as a store and security office.</p> <p>1.10.2003</p> <p>Case adjourned to Cambridge Magistrates Court 17th November 2003.</p> <p>7.1.2004</p> <p>The defendant appeared before Cambridge Magistrates Court on 17th November 2003 and was fined £6,000 with costs of £1,642.</p> <p>A site visit will be made in January to confirm the situation on site with a view to the submission of a further prosecution file.</p> <p>An appeal has been lodged against the refusal of planning permission for S/1127/03/F and has been listed for a hearing on 25th May 2004.</p> <p>7.4.2004</p> <p>Enforcement Notice complied with. Remove from active list.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>12/02 B/1/45/72 & S/1230/02/F The Stables Chesterton Fen Road MILTON</p>	<p>Unauthorised mobile home for residential use.</p>	<p>Development and Conservation Control Committee 7th August 2002. – Item 7</p> <p>Members authorised:-</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to cease using the land for the stationing of a mobile home and associated hardstanding. 2. A compliance period of 6 months to comply with the Notice. 3. Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to reconsideration of all material factors. 	<p>2.10.2002 File submitted to Legal Department for issue of Enforcement Notice.</p> <p>8.1.2003 Enforcement Notice issued 5th September 2002 to take effect on 20th October 2002. Enforcement Notice appealed Date fixed for 8th April 2003.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 7th May appeal dismissed. Compliance date 7th November 2003.</p> <p>1.10.2003 No change. Compliance date 7th November 2003.</p> <p>7.1.2004 Enforcement Notice not complied with therefore a prosecution file is being prepared. A planning application S/1934/0/F is currently being determined. The application seeks to retain the mobile home in connection with the use of the site as a tropical plant nursery.</p> <p>7.4.2004 Prosecution file submitted to Legal Office. An appeal against non-determination of S/1934/03/F has been listed for 7th September 2004.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>17/02 S/1452/02/F Land at Chesterton Fen Road MILTON</p>	<p>Without planning permission the stationing of mobile homes/caravans for residential use.</p>	<p>At Development and Conservation Control Committee 2nd October. Item 11. Members authorised:</p> <ol style="list-style-type: none"> 1) To issue an Enforcement Notice (should officers consider this necessary) to cease using the land for the stationing of mobile homes and associated hardstanding areas. 2) Should an Enforcement Notice be issued a six month compliance period. 3) Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to there being no material change in circumstances. 	<p>8.1.2003 Interviews with occupiers of land have commenced.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 Planning application S/0903/03/F to S/0931/03/F submitted for siting of gypsy caravans. Applications currently being considered. Awaiting outcome before proceeding with investigation.</p> <p>1.10.2003 Planning applications S/0903/03/F and S/0931/03/F refused. Appeal lodged.</p> <p>7.1.2004 Inquiry listed for 9th March 2004.</p> <p>7.4.2004 Awaiting outcome of appeal.</p>
<p>18/02 B/1/45/88</p>	<p>Without planning</p>	<p>At Development and Conservation Control Committee</p>	<p>8.1.2003</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
Rose and Crown Road SWAVESEY	permission using agricultural land for the siting of caravans/mobile homes for residential purposes and carrying out ancillary building works including laying of drains, septic tanks, mains electricity connections, accesses and hardstandings.	2 nd October 2002 Section 4 Travellers in Swavesey Members were informed that under delegated powers Enforcement Notice E454 which takes effect on 30 th October 2002 with a compliance period of one month and Stop Notices E454A and E454B had been issued. Members authorised proceedings in the Magistrates Court against the occupiers of the land.	<p>The case was adjourned at Cambridge Magistrates Court on 4th December 2002 to 17th February 2003.</p> <p>2.4.2003</p> <p>Appeal against Enforcement Notices withdrawn.</p> <p>Appeal against refusal of planning permission for S/1966/02/F to S/1973/02/F continues. Appeal date fixed for 30th April 2003. The compliance period for the Enforcement Notices extended to 6 months and take effect on 20th July 2003.</p> <p>Proceedings in the Magistrates Court adjourned to 16th April.</p> <p>2.7.2003</p> <p>Appeal against planning permission dismissed on 19th May 2003. Proceeding in the Magistrates Court for breach of Stop Notice adjourned to 25th June 2003.</p> <p>1.10.2003</p> <p>Challenge to Inspector's decision being made to the High Court by the owners. Prosecution for breach of Stop Notices adjourned pending outcome.</p> <p>7.1.2004</p> <p>Appeal allowed by High Court. Case referred back to Planning Inspectorate to reconsider.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.4.2004</p> <p>No date yet fixed for new appeal.</p>
<p>21/02 B/1/45/72 & S/1837/02 Land at Chesterton Fen Road, MILTON (known as 99 Ponyfield)</p>	<p>Unauthorised siting & residential use of mobile home.</p>	<p>Development & Conservation Committee 4th December 2002. Item 2.</p> <p>(1) Members authorised enforcement action.</p> <p>(2) A period of 6 months to comply with Notice.</p> <p>(3) That proceedings in the Magistrates Court be authorised in the event of failure to comply with such Notice and subject to reconsideration of all material factors.</p>	<p>8.1.2003</p> <p>Draft instructions for Enforcement Notice in respect of breach of planning control sent to the Legal Department.</p> <p>2.4.2003</p> <p>Enforcement Notice E456 7th February 2003. Takes effect on 31st March 2003 with a 6 month compliance period on 1st October 2003.</p> <p>2.7.2003</p> <p>Enforcement Notice appealed.</p> <p>1.10.2003</p> <p>22nd July 2003 appeal dismissed. Compliance date for Enforcement Notice 22nd January 2004.</p> <p>7.1.2004</p> <p>No change.</p> <p>7.4.2004</p> <p>Compliance date being extended, subject to negotiations.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>6/03 S/2311/02/F Mobile Home The Oaks Meadow Road WILLINGHAM</p>	<p>Material change of use of land</p>	<p>Development and Conservation Control Committee 5th February 2003 – Item 32 Members authorised:</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to cease the use and the removal of the converted portakabin, touring caravan and washroom. 2. A period of 6 months to comply with the Enforcement Notice. 3. That proceedings in the Magistrates Court in the event of failure to comply with such a Notice and subject to all material factors. 	<p>2.4.2003 File submitted to Legal Office 14th February 2003 for issue of Enforcement Notice.</p> <p>2.7.2003 Enforcement Notice E463 issued 25th March 2003 to take effect 7th May 2003. Compliance period 6 months. Enforcement Notice appealed. Hearing fixed for 23rd September 2003</p> <p>1.10.2003 No change.</p> <p>7.1.2004 On 4th November 2003 an appeal was dismissed. Compliance period extended to 12 months. Compliance date 4th November 2004.</p> <p>7.4.2004 No change.</p>
<p>7/03 B/1/45/20 Land between Setchell Drove and Water Lane Smithy Fen COTTENHAM (A Land)</p>	<p>Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings</p>	<p>Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9.</p> <p>Stop Notice E460A issued 20th March to take effect on 25th March 2003. Enforcement Notice E460 issued 19th March to take effect 30th April 2003. Compliance period 3 months – 30th July 2003.</p>	<p>2.7.2003 Failed to comply with Stop Notice. Case listed at Cambridge Magistrates Court 25th June 2003. Enforcement Notice appealed. Hearing 14th October 2003.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.10.2003 Inquiry moved to 17th September 2003. Proceedings adjourned pending outcome of appeal.</p> <p>7.1.2004 On 14th October 2003 an appeal was allowed. Proceedings withdrawn as a result of appeal. Conditions imposed by appeal decision to be monitored. Remove from active list.</p> <p>7.4.2004 The appeal was allowed subject to conditions which were required within 3 months.</p> <ol style="list-style-type: none"> 1. a scheme for the layout of the site. 2. the provision of foul and surface water drainage. 3. boundary treatment and landscaping. 4. within 11 months a Scheme of Works shall have been approved. Details submitted are currently being considered and consulted upon.
8/03 B/1/45/20 Land between Setchell Drove and Water Lane Smithy Fen COTTENHAM (B Land)	Material change of use of land – forming an earth bund, laying hardcore and hardstanding	Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2 nd April 2003 – Item 9. Stop Notice E461A issued 20 th March 2003. Enforcement Notice E461 issued 19 th March 2003 to take effect on 30 th April 2003. Compliance period 3 months – 30 th July 2003.	<p>2.7.2003 Enforcement Notice appealed. Planning applications S/0456/03/F, S/0457/03/F, S/0871/03/F, S/0872/03/F and S/0873/03/F refused.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.10.2003</p> <p>Enforcement appeal hearing on 14th October 2003. Stop Notice E461D and Enforcement Notice E461C issued 29th August 2003 prohibiting the use of the land for the stationing of caravans/mobile homes for residential purposes.</p> <p>Stop Notice took effect 5th September 2003. Enforcement Notice takes affect on 30th September 2003 with a 3 month compliance period.</p> <p>Site visit on 8th September 2003 confirmed that there were caravans on site in breach of the Stop Notice. Investigations commenced.</p> <p>7.1.2004</p> <p>On 18th November 2003 appeal dismissed. Compliance date 18th February 2004. Appeal outstanding on Enforcement Notice E461C. Listed for hearing on 10th February 2004. There were no caravans on this site on 5th December 2003.</p> <p>7.4.2004</p> <p>Appeal Inquiry pending. Date not fixed.</p>
<p>9/03 B/1/45/20 Land between Setchell Drove and Water Lane COTTENHAM (G Land)</p>	<p>Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings</p>	<p>Delegated authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9.</p> <p>Enforcement Notice E459 issued 19th March to take effect 30th April 2003. Compliance period 3 months – 30th July 2003.</p>	<p>2.7.2003</p> <p>Enforcement Notice appealed. Hearing on 14th October 2003. Planning application S/0377/02/F refused on 13th March 2003.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.10.2003 Refusal of planning permission and Enforcement Notice appealed. Hearing on 14th October 2003.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004.</p> <p>7.4.2004 Enforcement Notice not complied with. Requires further investigation. An appeal against non-determination of planning application S/2505/03/F has provisionally been arranged for 20th July.</p>
<p>10/03 B/1/45/20 Land at Plot 2 and R/O Plot 3 Setchell Drove COTTENHAM</p>	<p>Material change of use of land as a residential caravans site ancillary provision of drains and construction of access and hardstandings</p>	<p>Delegate authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9. Stop Notice E353N issued 19th May 2003 took effect 25th May 2003. Enforcement Notice E353N issued 19th May 2003 takes effect 30th June 2003.</p>	<p>2.7.2003 Enforcement Notice appealed. Stop Notice not complied with. Prosecution file being prepared.</p> <p>1.10.2003 Planning application S/1020/03/F refused 26th June 2003. Appeal against refusal of planning permission and Enforcement Notice. Hearing on 4th November 2003.</p> <p>7.1.2004 Hearing moved to 29th January 2004.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.4.2004</p> <p>Appeal allowed. Legal to update about possible legal grounds to challenge Planning Inspector's decision.</p>
<p>13/03 B/1/45/100 & S/1436/03/F 1 Priest Lane WILLINGHAM</p>	<p>Unauthorised fence and unauthorised alteration and extension of car-port</p>	<p>At Development and Conservation Control Committee on 3rd September 2003 – Item 33. Members authorised:-</p> <p>The issue of an Enforcement Notice for the removal of the unauthorised fence and the removal of the unauthorised alteration and extension of the car port.</p>	<p>1.10.2003</p> <p>File submitted to Legal Office for issue of Enforcement Notice.</p> <p>7.1.2004</p> <p>No change.</p> <p>7.4.2004</p> <p>Planning appeal allowed. Remove from active list.</p>
<p>14/03 B/1/45/85 & S/1472/03/F 4 St Andrews Close STAPLEFORD</p>	<p>Unauthorised extension</p>	<p>At Development and Conservation Control Committee on 3rd September 2003 – Item 25. Members authorized:-</p> <p>The issue of an Enforcement Notice for the removal of the unauthorised extension.</p>	<p>1.10.2003</p> <p>File being prepared for issue of Enforcement Notice.</p> <p>7.1.2004</p> <p>Enforcement Notice E468 issued 29th October 2003. Takes effect 1st December 2003. Compliance period 6 months. Appeal against refusal of planning permission and Enforcement Notice.</p> <p>7.4.2004</p> <p>No change.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>15/03 B/1/45/20 Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM</p>	<p>Material change of use of land as a residential caravan site.</p>	<p>Breach of Planning Enforcement Notices E353B, E353C and E353D issued 9th June 1999.</p>	<p>1.10.2003 File submitted to Legal Office for breach of Enforcement Notices. 7.1.2004 No change. 7.4.2004 No change.</p>
<p>16/03 B/1/45/39 & S/0181/03/LDC Shelford Lodge Cambridge Road GREAT SHELFORD</p>	<p>Unauthorised mobile home</p>	<p>Delegated authority given to issue an Enforcement Notice to remove the mobile home from the site.</p>	<p>7.1.2004 File submitted to Legal Office for issue of Enforcement Notice 7.4.2004 Enforcement Notice P246A issued 17th December 2003. Subject of an appeal provisionally arranged for 14th July.</p>
<p>17/03 B/1/45/8 69 Wimpole Road BARTON</p>	<p>Unauthorised work on listed building</p>	<p>Delegated authority given to prosecute for unauthorised work.</p>	<p>7.1.2004 Case listed at Cambridge Magistrates Court on 10th December 2003. Case adjournment to 17th December 2003. A verbal update will be given. 7.4.2004 Prosecution for unauthorised work on listed building. Defendant appeared at Cambridge</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
18/03 B/1/45/80 & S/2229/03/F Primrose Meadow Cow Lane RAMPTON	Material change of use of land as a residential caravan site ancillary provision of drains and construction of accesses.	At Development and Conservation Control Committee on 3 rd December 2003. Item 12. Members authorized. 1. The issue of an Enforcement Notice and Stop Notice to prevent further development of the site.	Magistrates Court on 28 th January 2004. Fined £5,000 with £1,260 costs. Site being monitored by Conservation Department. 7.1.2004 Enforcement Notice E501 and Stop Notice E501A issued 5 th December 2003. The Stop Notice takes effect on 10 th December 2003. The Enforcement Notice takes effect on 15 th January 2004. Planning application S/2229/03/F to be determined. 7.4.2004 Enforcement Notice and refusal of planning permission appealed. Public Inquiry provisionally arranged for 6 th July.
19/03 B/1/45/51 & S/2230/03/F Land adjacent to Moor Drove Cottenham Road HISTON	Without planning permission carrying out operational development by the laying of hardcore roadways and septic tanks on the site.	Delegated authority to take Stop and Enforcement action. Stop Notice E502 issued 11 th December 2003 to take effect on 15 th December 2003. Enforcement Notice E502 issued 11 th December 2003 to take effect on 12 th January 2004. Compliance period 3 months.	7.1.2004 Stop and Enforcement Notices issued 7.4.2004 Enforcement Notices and refusal of planning permission appealed. Public Inquiry arranged for 10 th August.
20/03 B/1/45/24 & S/2203/03/F 9 Grange Road DUXFORD	Unauthorised dormer	At Development and Conservation Control Committee on 7 th January 2004. Item 7 Members authorised:- The issue of an Enforcement Notice for the removal of the unauthorised dormer.	7.4.2004 Unauthorised dormer removed. Remove from active list.

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
21/03 B/1/45/26 & S/2256/03/F Woodview Potton End ELTISLEY	Unauthorised structure above garage.	Delegated authority given to issue an Enforcement Notice to remove the unauthorised structure above the garage.	<p>7.4.2004</p> <p>File submitted to Legal Office for issue of Enforcement Notice.</p> <p>Planning application, S/2256/03/F, refused.. Appeal pending.</p>
22/03 B/1/45/87 The Bury Newmarket Road STOW-CUM-QUY	Unauthorised extension	Delegated authority given to issue an Enforcement Notice to remove the unauthorised extension to an office building.	<p>7.4.2004</p> <p>File submitted to Legal Office for issue of Enforcement Notice.</p>

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation 7th April 2004
Control Committee

AUTHOR/S: Finance and Resources Director

**PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH NO. 7 GAMLINGAY
SECTION 119 HIGHWAYS ACT 1980**

Recommendation: To respond to consultation

Purpose

1. To consider a proposal from Cambridgeshire County Council.

Effect on Corporate Objectives

2. The footpath and bridleway network in South Cambridgeshire makes a significant contribution to the quality of people's lives, and encourages them to travel other than by car.

Background

3. Cambridgeshire County Council is considering a proposal to divert a section of Public Footpath No. 7 in Gamlingay, as shown on the plan attached at **Appendix 1**. The diversion is proposed under section 119 of the Highways Act 1980 to allow the landowner to make more efficient use of their land. The proposed new route will leave Everton Road through a hand gate (to be installed) and run in an easterly direction along the south side of a new fence line (to be erected), to rejoin the existing line of the footpath. The new route will have a minimum unobstructed width of 2 metres.

Financial Implications

4. There are no specific financial implications.

Legal Implications

5. There are no specific legal implications.

Staffing Implications

6. There are no specific staffing implications.

Consultations

7. The Conservation Manager does not object. Any comments received subsequent to the dispatch of the agenda from the local Member (Councillor SGM Kindersley), Area Planning Officer or Senior Planning Policy Officer (Transport) will be reported verbally at the meeting.

Conclusion

8. This Council's response has been requested by 30th April 2004.

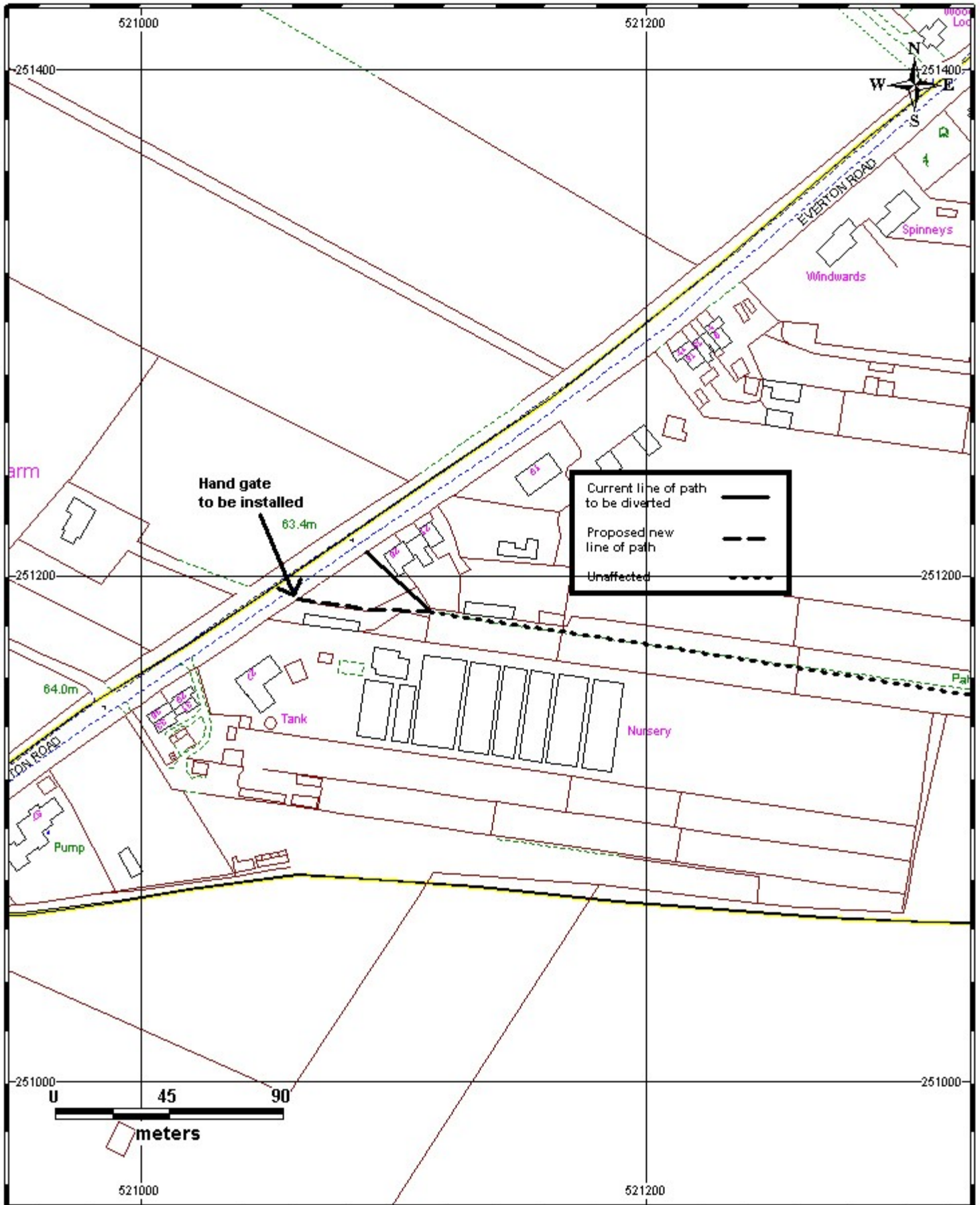
Recommendations

9. The Committee's comments are requested so that a formal response can be submitted to Cambridgeshire County Council, enabling progress to be made in reorganising the rights of way network in Gamlingay.

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

- None

Contact Officer: Ian Senior – Democratic Services Officer
Telephone: (01223) 443028



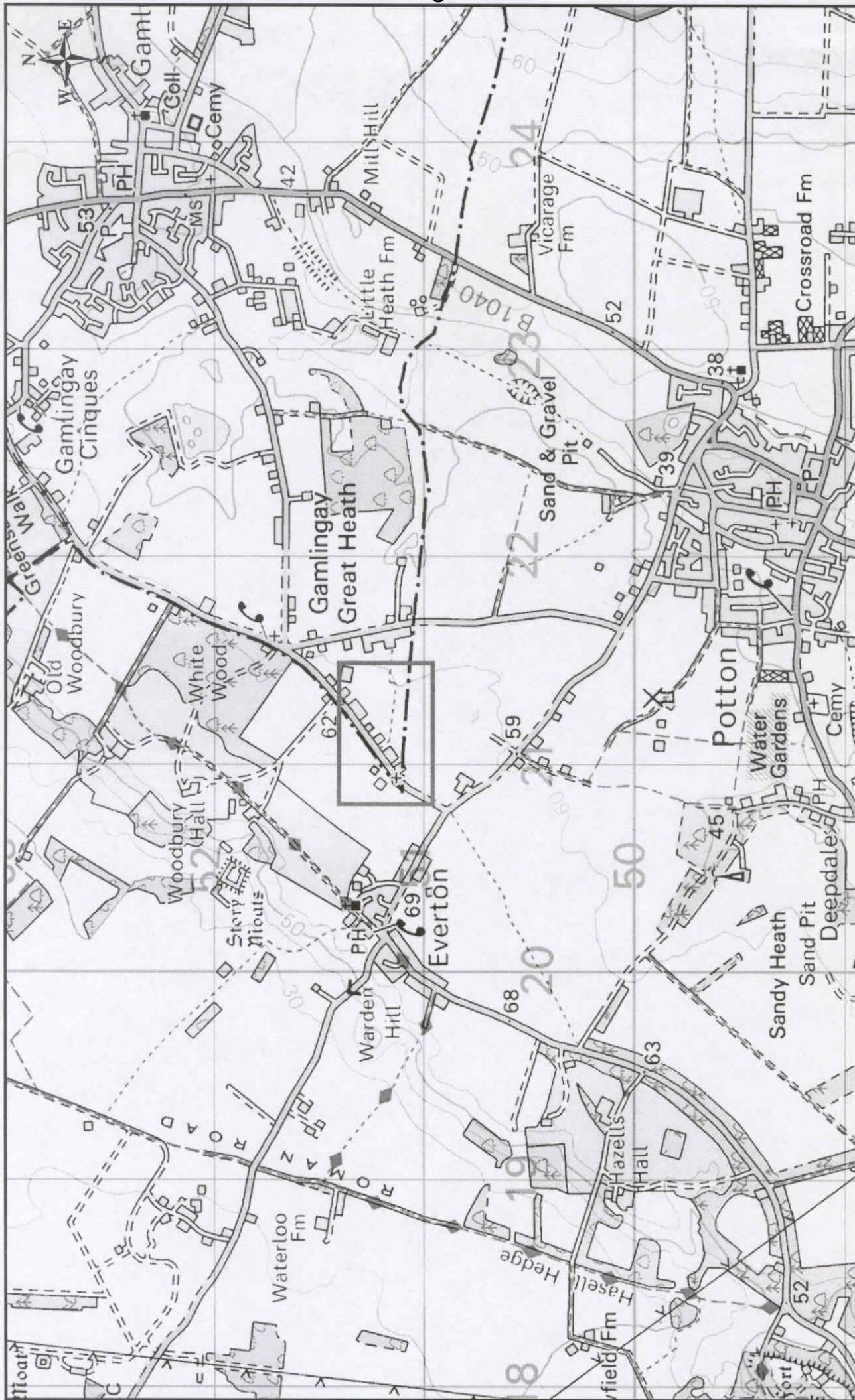
Scale: 1:2000

Date: 19/03/2004

By: Paul Mumford

Based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorized reproduction infringes copyright and may lead to prosecution. Cambridgeshire County Council 100023205 2004

This page is intentionally left blank



Based upon Ordnance Survey material with the permission of the
 Controller of Her Majesty's Stationery Office © Crown copyright.
 Unauthorised reproduction infringes copyright
 and may lead to prosecution. Cambridgeshire County Council 100023205 2004

Scale: 1:25000
 Date: 19/03/2004
 By: Paul Mumford

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation 7th April 2004
Control Committee
AUTHOR/S: Finance and Resources Director

**PUBLIC FOOTPATH RE-ORGANISATION SCHEME IN WEST WRATTING
FOOTPATH NO. 8**

Recommendation: To respond to consultation

Purpose

1. To consider a proposal from Cambridgeshire County Council.

Effect on Corporate Objectives

2. The footpath and bridleway network in South Cambridgeshire makes a significant contribution to the quality of people's lives, and encourages them to travel other than by car.

Background

3. This Council has already been consulted on a number of other elements of this complex reorganisation.

Considerations

4. In response to a request from West Wrattling Parish Council, Cambridgeshire County Council is consulting on an alternative to the proposed new route for Public Footpath No. 8 in West Wrattling. The latest proposal is for a cross-field path. The plan attached as **Appendix 1** to this report shows "Option A", about which South Cambridgeshire District Council has already been consulted, and "Option B", which is the Parish Council's preferred line for the path.

Options

5. This Authority has been asked to pass its views to the County Council, which is the Order-making Authority. Its two options are referred to in paragraph 4 above, and clearly marked on the attached plan.

Financial Implications

6. There are no specific financial implications.

Legal Implications

7. There are no specific legal implications.

Staffing Implications

8. There are no specific staffing implications.

Consultations

9. Consultation has taken place with the local Member (Councillor RE Barrett), Area Planning Officer, Senior Planning Policy Officer (Transport) and the Conservation Manager. Any comments received subsequent to dispatch of this agenda will be reported verbally at the meeting.

Conclusion

10. All consultation responses made about the footpath reorganisation scheme are being held on file by Cambridgeshire County Council, and will be brought to the attention of the Assistant Director (Environment) when he considers the full scheme. Such responses have been requested by 20th April 2004.

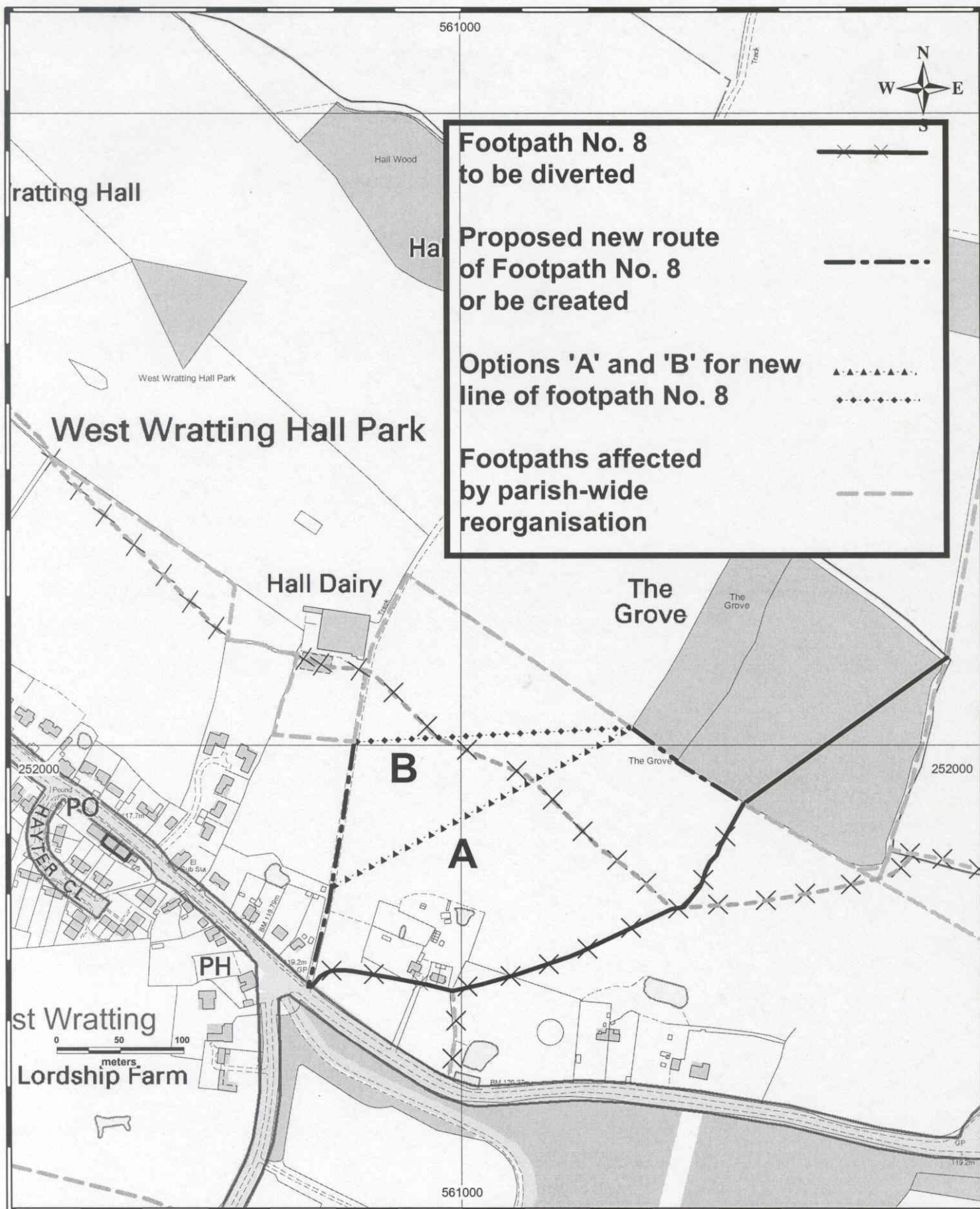
Recommendations

11. The Committee's comments are requested so that a formal response can be submitted to Cambridgeshire County Council, enabling progress to be made in reorganising the rights of way network in West Wratting.

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

- Development and Conservation Control Committee, Agendas and Minutes – 7th May 2003, 4th June 2003 and 5th November 2003

Contact Officer: Ian Senior – Democratic Services Officer
Telephone: (01223) 443028



Scale: 1:4000

Date: 16/01/2004

By: Paul Mumford

Based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes copyright and may lead to prosecution. Cambridgeshire County Council LA07649X 2004

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO	Development Control and Conservation Committee	7 th April 2004
AUTHOR/S:	Director of Development Services	

**CAMBOURNE SECTION 106 AGREEMENT:
FACILITIES AND TIMING OF PROVISION**

Members will visit Cambourne to see progress being made on some of these facilities on Monday 5th April.

Purpose

1. The last meeting of this Committee received a report on the lack of provision of certain facilities required to be provided at Cambourne as a result of the Section 106 Agreement dated 20th April 1994. It agreed that the Council's stance should be that no further planning permissions for market housing should be granted at Cambourne until the Community Centre, Multi-Use games Area (MUGA) and Burial ground have been provided. A monthly update on progress was required. This report therefore updates Members on the progress of the provision of these facilities, as well as updating Members on the progress of other facilities that should have been provided by now but are not part of the Council's stance.

Background

2. There are now over 1230 houses occupied at Cambourne. To recap, the "missing" facilities that should have been provided by the trigger point of 1,000 houses occupied are:
 - a) Community Centre (required by S106 at 1000 houses)
 - b) Multi-Use Games Area (MUGA) comprising part Astroturf and part hard surface playing courts (required by S106 at 1000 houses)
 - c) Burial Ground (required by S106 at 1000 houses)
 - d) Parish Council funding (required by S106 at 1000 houses)
 - e) Playing fields (required by the S106 to be provided in phases throughout the development).
 - f) Skateboard area and other teenage play equipment to include basketball net (required by Cambourne Play Strategy at 1000 houses)
 - g) Cricket Pavilion (required by the S106 to be phased in accordance with the Masterplan and by planning permission for Lower Cambourne Village Green at 450 homes in Lower Cambourne respectively)
 - h) Allotments (required by the S106 to be provided by phased provision throughout the development)
 - i) Lower Cambourne Village Green cricket pitch, recycling area (required by planning permission for Lower Cambourne Village Green at 31/3/02 and 100 homes in Lower Cambourne respectively)
 - j) Trailer park (required by S106 at 300 houses)

3. The progress at the time of report writing (20th March 2004) with each of the facilities has not changed significantly on the ground since the last meeting, Any update or comment from the developers will be reported verbally. Some of the facilities are awaiting the submission of information under planning conditions before they can commence, and these are briefly described below:
 - a) Community Centre. The developers commenced on site in February, with an anticipated completion date of October 2004. Conditions outstanding prior to commencement are condition 1 – landscaping scheme; condition 2 – materials; condition 3 – signage, seating, hard surfacing; condition 8 – ecological enhancement; condition 13 – cycle store and bin store. An application to use the former Concept Centre as a temporary/interim 'community

centre' was granted at last month's Planning Committee meeting. I am awaiting information as to when this is likely to be open and ready for use.

- b) Multi-Use Games Area (MUGA). The developers commenced work in February with a completion date of Easter. Members considered the application for this at its February Meeting. Delegated powers of approval were given, additional information has since been provided by the applicant, the remaining issues will be dealt with by planning condition; the permission is about to be issued.
 - c) Burial Ground. Planning permission was granted on 2nd December. The developers commenced on site in February, with completion programmed for May/June 2004.
 - d) Parish Council. The Order has now been made and sealed. Elections for the Cambourne's Parish Council which will have 13 Members will be on 10th June 2004.
 - e) Playing fields. Planning permission was granted on 10th December. The developers hope to make the playing fields ready for use by May/June 2004.
 - f) Skateboard and play area. A separate application was submitted on 4th December, and meetings have recently taken place between the developers and young people in Cambourne, about the design of the actual equipment. Amended plans to reflect this are awaited. The developers hope to start on site this month, for completion by July (school summer holidays).
 - g) Cricket Pavilion. An application has now been received and amended plans are required. The application is the subject of an earlier item on this agenda. The developers hope to start on site in April/May 2004.
 - h) Allotments. The developers have started on site, for completion in October 2004.
 - i) Cricket pitch and recycling area at Lower Cambourne Village Green. The cricket pitch has been provided but has not been built to the Council's satisfaction and remedial works are being discussed between SCDC and the developers. The recycling area is the subject of discussion in terms of providing the bottle banks, etc.
 - j) Trailer park. Planning permission was granted for it in June 2003. The access is via an adjacent housing site which is awaiting planning permission (Section 106 agreement still awaited at the time of writing). The planning permission will be subject to a condition that the houses shall not be occupied until the trailer park is provided, ensuring an incentive for the developers to provide it. However, there is an existing access which is allowed to be used temporarily and officers are pursuing a commitment to a date for the trailer park's provision on the basis of the temporary use of that access. Meanwhile, several conditions are still outstanding prior to commencement: condition 2 – detailed layout; condition 3 – lighting; condition 4 – boundary treatment; condition 5 – water/electricity/drainage; condition 7 – management regime; condition 10 – access timing.
- h) Landscaping. Since the last committee meeting, Officers have met with the developers to run through progress being made on 27 sites where planting is expected this season (by the end of March 2004), which includes the majority of required sites.

Considerations

- 4. The Council's stance against granting any more market housing permissions until the Community Centre, MUGA and Burial Ground have been provided should remain in force, for the time being. Whilst initial work has started on site on these three facilities, which Members will see on their visit to the site on 5th April, it is still very early days, and I consider at this stage it would be premature to alter the stance until substantially more progress has been made on delivering these outstanding facilities.
- 5. Financial Implications

Not granting planning permission for market housing until these facilities have been provided may result in developers appealing against non-determination once the eight weeks for determining each application expires. The first housing scheme to be affected by this stance is the subject of an earlier item on this agenda (ref S/6233/04/F).

6. Legal Implications

In the unlikely event of developers not progressing positively with the works, there are, as always, both financial and legal implications of taking the developers to court.

7. Staffing Implications

Officers will continue to negotiate future housing schemes on the basis that, once the facilities have been provided, planning permissions can be issued when ready, thereby continuing to spread the workload over time.

8. Sustainability Implications

Provision of these facilities is important for community sustainability.

9. Conclusions/Summary

Positive work is taking place in terms of the developers submitting information for approval under conditions or as planning applications, and initial ground work has now started on the Community Centre. It is still early to see significant action on the ground apart from the MUGA. It is still going to be some months before these facilities are available, in the meanwhile houses continue to be occupied.

I consider at this stage it would be premature to alter the stance until substantially more progress has been made on delivering these outstanding facilities.

10. Recommendations

RECOMMENDED that:

Members agree the Council's stance for time being, and receive an update on progress at the next meeting.

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

Cambourne Section 106 Agreement dated 20th April 1994

Cambourne Play Strategy December 2000, approved under conditions of the outline planning permission dated 20th April 1994, reference S/1371/92/O

Contact Officer: Mike Huntington, Senior Planning Officer, Telephone: (01223) 443266

This page is intentionally left blank