

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



23rd November 2004

To: Chairman – Councillor Dr JPR Orme
Vice-Chairman – Councillor NIC Wright
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, 1 DECEMBER 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 MEETINGS	1 - 18
To authorise the Chairman to sign the Minutes of the meetings held on 6 th October 2004 and 3 rd November 2004 as correct records.	
PLANNING APPLICATIONS	
3. S/0710/04/O - WILLINGHAM	19 - 24
4. S/2113/04/F - WILLINGHAM	25 - 28
5. S/2122/04/F - WILLINGHAM	29 - 32
6. S/1137/04/F - CROYDON	33 - 42
7. S/2131/04/F - OAKINGTON	43 - 48
8. S/2153/04/F - LITLINGTON	49 - 52

9.	S/6236/04/RM - CAMBOURNE	53 - 56
10.	S/1937/04/F- COMBERTON	57 - 60
11.	S/2394/03/O - COTON	61 - 68
12.	S/1093/04/O - COTTENHAM	69 - 74
13.	S/1079/04/F - FOWLMERE	75 - 80
14.	S/1970/04/F - FOWLMERE	81 - 86
15.	S/1975/04/F - FULBOURN	87 - 90
16.	S/2030/04/F - FULBOURN	91 - 96
17.	S/1977/04/F - FULBOURN	97 - 100
18.	S/2204/04/F - GAMLINGAY	101 - 104
19.	S/2144/04/PNA - GIRTON	105 - 108
20.	S/1931/04/F - GREAT SHELFORD	109 - 114
21.	S/2011/04/F - GREAT SHELFORD	115 - 118
22.	S/1662/04/F - HIGHFIELDS CALDECOTE	119 - 124
23.	S/2002/04/F - HASLINGFIELD	125 - 134
24.	S/1997/04/F - HISTON	135 - 138
25.	S/1801/04/F - HINXTON	139 - 146
26.	S/1172/04/CIRCULAR 18/84 - LONGSTANTON	147 - 158
27.	S/2074/04/F - MELBOURN	159 - 160
28.	S/1961/04/F - SAWSTON	161 - 166
29.	S/1203/04/F - STAPLEFORD	167 - 178
30.	S/2091/04/F - GILDEN MORDEN	179 - 184
31.	S/1698/04/F - STEEPLE MORDEN	185 - 192
32.	S/1966/04/RM - STEEPLE MORD	193 - 198
	APPEALS AND STATISTICS	
33.	APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION	199 - 204
	TREE PRESERVATION ORDERS	

- | | | |
|-----|--|------------------|
| 34. | TO CONSIDER CONFIRMING ORDERS IN BASSINGBOURN,
CROYDON AND WHITTLESFORD | 205 - 208 |
| | CAMBOURNE SPECIFIC | |
| 35. | AFFORDABLE HOUSING | 209 - 212 |
| 36. | HODGKINSON'S LAND (RESIDENTIAL DEVELOPMENT) | 213 - 216 |

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.

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DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

At a meeting held on Wednesday, 6 October 2004 at 10.00 a.m..

PRESENT: Councillor RGR Smith – Chairman
Councillor Dr JPR Orme – Vice-Chairman

Councillors	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	SM Edwards
	Mrs A Elsby	R Hall
	Mrs SA Hatton	Mrs JM Healey
	Mrs CA Hunt	SGM Kindersley
	RB Martlew	MJ Mason
	DH Morgan	Mrs JA Muncey
	Mrs CAED Murfitt	CR Nightingale
	EJ Pateman	A Riley
	Mrs DP Roberts	NJ Scarr
	Mrs DSK Spink MBE	JH Stewart
	RJ Turner	Dr JR Williamson
	NIC Wright	

Councillors NN Cathcart and D McCraith attended the meeting by invitation.

Apologies for absence were received from Councillors Mrs J Dixon, Mrs EM Heazell, HC Hurrell, JA Quinlan, TJ Wotherspoon and SS Ziaian-Gillan.

1. **MINUTES OF PREVIOUS MEETING**

The Committee authorised the Chairman to sign, as correct records, the Minutes of the meetings held on 4th August 2004 and 1st September 2004.

2. **LOCAL DEVELOPMENT FRAMEWORK - AN UPDATE**

The Principal Planning Policy Officer (Transport) informed the Committee that the Public Participation process had begun, and would continue until 12th November 2004. He urged Members to notify the Council of any non-delivery to their constituents of the special edition of the *South Cambs Magazine*, which focused on the Local Development Framework.

Members noted that, on 10th November 2004, there would be a meeting of the Planning Policy Advisory Group, to which all Councillors would be invited, to consider the Council's response to the most recent developments relating to Marshall's Airport, Cambridge.

3. **S/1372/04/F - GREAT SHELFORD**

Having received amended plans showing a consistent height for the proposed extension on all elevations, **DELEGATED APPROVAL/REFUSAL**, contrary to the recommendation contained in the report from the Director of Development Services, subject to removal of the car park from the south side of Hinton Way. Having visited the site, Members welcomed the opportunity to bring this derelict building back into use, but expressed concern about the highways and rail safety implications of the said car park.

4. **S/1204/04/O - HARDWICK**

Members were **MINDED TO APPROVE** the application for the reasons set out in the report from the Director of Development Services, subject to it being referred to the Secretary of State as a departure from the Development Plan and not being called in by him for determination, and subject also to agreement as to an increase in the number of affordable dwellings and to the Conditions referred to in the report.

5. S/1648/04/F - HARDWICK

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

6. S/1385/04/F - NEWTON

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered the access to be inadequate and expressed concern at the cumulative, adverse impact (from traffic using the access) on the amenity of neighbouring properties.

7. S/1540/04/O - NEWTON

REFUSED for the reasons set out in the report from the Director of Development Services, as amended to reflect that the level of detail incorporated in the outline application was insufficient to judge impact upon the character and setting of the listed buildings. Members visited the site on 4th October 2004.

Councillor RGR Smith declared a personal and prejudicial interest in this item, as a friend of the applicant, and withdrew from the Chamber. Councillor Dr JPR Orme took the Chair for this item.

8. S/1637/04/F - HASLINGFIELD

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

9. S/1519/04/F & S/1518/04/LB - HISTON

Members noted that these applications had been **WITHDRAWN**.

10. S/1188/04/F - IMPINGTON

DEFERRED until the Committee's meeting on 3rd November 2004 by which time Anglian Water Services Ltd would have been required to have undertaken a thorough assessment of drainage facilities in Histon and Impington, and to have submitted a written report for consideration by Members.

11. S/1763/04/F - HEYDON

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to comments from the Trees and Landscape Officer and the receipt of amended plans, and subject also to the replacement of the dormer windows with conservation roof lights and to the Conditions contained in the report.

12. S/1691/04/F - ICKLETON

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

13. S/1742/04/F - LITTLE SHELFORD

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

14. S/0696/04/RM - LONGSTANTON

REFUSED this Reserved Matters application for the reasons set out in the report from the Director of Development Services.

Councillor A Riley declared a prejudicial interest in this item, having taken part in, and voted at the conclusion of, discussion of the application at a meeting of Longstanton Parish Council. However, he addressed the Committee as Chairman of that Parish Council.

15. S/1766/04/F - MELDRETH

DEFERRED for a site visit.

16. S/1770/04/F - MILTON

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the applicant being informed of comments received from the Police Architectural Liaison Officer, and subject also to the Conditions referred to in the report.

17. S/1032/04/F - PAPWORTH EVERARD

Members noted that this application had been **WITHDRAWN** from the agenda, Papworth Everard Parish Council had withdrawn its objection to the application, which could, therefore, be determined under officers' delegated powers.

18. S/0771/04/F - SAWSTON

DEFERRED for further comments from Local Highways Authority and comments from Little Shelford Parish Council

Councillor RGR Smith declared a personal and prejudicial interest in this item, as a friend of the applicant, and withdrew from the Chamber. Councillor Dr JPR Orme took the Chair for this item.

19. S/1512/04/F - SAWSTON

MINDED TO APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Members considered that replacement of a garage block in the Green Belt outweighed the adverse impact on the Green Belt of a larger dwelling there. They took the view therefore that the proposal did not conflict with either Policies P1/2 or P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 or Policies SE8 or GB2 of the South Cambridgeshire Local Plan 2004. The application would be advertised as a departure from the Development Plan.

20. S/1521/04/F - SAWSTON

DELEGATED REFUSAL/APPROVAL, subject to amendments being made to ensure a higher standard of design. Members considered that there was insufficient harm to neighbouring properties to justify a refusal and that, therefore, there was no conflict with either Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 or Policy HG12 of the South Cambridgeshire Local Plan 2004.

21. S/1555/04/F - SAWSTON

APPROVAL, as amended by drawing number SF03150.1B date stamped 16th September 2004, subject to the Conditions referred to in the report from the Director of Development Services.

22. S/1606/04/F - SAWSTON

DELEGATED APPROVAL, subject to no material objections to the scheme being raised by the Environment Agency and the receipt of amended plans addressing the concerns set out in paragraph 17 of the report from the Director of Development Services, and subject also to the Conditions referred to therein.

(Councillors Dr DR Bard and Mrs SA Hatton voted for refusal, and requested that their votes be recorded.)

23. S/1705/04/F - SAWSTON

APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the proposal would not have a significant adverse impact on no. 25 Hillside, and that the design issues and relation to neighbouring properties did not conflict, therefore, with either Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 or Policy HG12 of the South Cambridgeshire Local Plan 2004.

24. S/1453/04/F AND S/1452/04/LB - SWAVESEY

DELEGATED REFUSAL/APPROVAL subject to submission of satisfactory amended plans, consultation thereon, and Conditions requiring details of landscaping and surface water drainage and pollution control to be submitted, agreed and implemented prior to commencement of the conversion and construction works, and the carrying out of a flood risk assessment. Subject to these Conditions, Members were satisfied that there was no conflict with either Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 or Policies EN26 and EN27 of the South Cambridgeshire Local Plan 2004. In the event that the required Conditions were not complied with, the application would be refused.

25. S/1419/04/F - TEVERSHAM

DEFERRED for a site visit.

26. S/1858/04/F - TEVERSHAM

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and the provision of off-street parking.

27. S/2301/02/CIRCULAR 14/90 - STOW-CUM-QUY, FEN DITTON AND HORNINGSEA

RESOLVED that the District Council's objection be withdrawn subject to the Secretary of

State imposing a Condition requiring the implementation of the Visual Impact Mitigation Planting Proposals dated August 2004 or any variation to that scheme which may be agreed in writing by the Local Planning Authority.

28. S/1612/04/RM - WATERBEACH

APPROVAL of the Reserved Matters of design and external appearance, as amended by drawings 3095/1 date stamped 3rd September 2004 and 3095/2 date stamped 25th August 2004, and in accordance with outline planning permission dated 4th August 2003, reference S/1088/03/O, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

29. S/1217/04/F - WATERBEACH

DELEGATED APPROVAL for a period, or periods not exceeding, eight months in any calendar year (including three weeks over the Christmas period) for the reasons set out in the report from the Director of Development Services subject to the satisfactory resolution of the Flood Risk Assessment, revised plans as requested by the Local Highways Authority (including retention of the current car park access onto Ely Road/A10, and to the Conditions referred to in the report. Members also requested a plan showing provision for the pitching of tents.
(Councillor Mrs Cornwell, Chairman of Waterbeach Parish Council, addressed the meeting.)

30. S/0856/04/F - WILLINGHAM

Members noted that this application had been **WITHDRAWN** from the agenda.

31. S/1585/04/F - WEST WRATTING

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members found no evidence of the need for these works in the countryside, and considered that it would have an adverse visual impact on the countryside contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.
RESOLVED to take enforcement action, subject to clarification of the lawful residential curtilage.

32. S/0055/04/F - GRANTCHESTER

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

33. S/0690/04/F - GRANTCHESTER

DEFERRED for a site visit.

34. S/1472/04/F - BASSINGBOURN-CUM-KNEESWORTH

Members were **MINDED TO APPROVE** the application, 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. Should there be no call-in, the application would be approved, subject to the resolution of outstanding matters, to the prior completion of a Section 106 Legal Agreement requiring that the applicant stop using the Clear Farm site and agrees to certain traffic safety measures, and to safeguarding Conditions. Should the

Section 106 Agreement not be completed, Members asked that the application be referred back to Committee for determination.

35. S/1676/04/F - CASTLE CAMPS

DEFERRED for a site visit.

36. S/1164/04/F - COMBERTON

DELEGATED APPROVAL/REFUSAL, in accordance with officers' amended recommendation, for the reasons set out in the report from the Director of Development Services, comments awaited from the Local Highways Authority, and the Conditions referred to in the report.

37. S/1367/04/F - FOXTON

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to comments from the Trees and Landscape Officer and Conditions referred to in the report.

Councillor SM Edwards declared a prejudicial interest in this item, as a friend of the applicant, and withdrew from the Chamber.

38. S/1237/04/F - GAMLINGAY

DELEGATED APPROVAL, as amended by plans date-stamped 26th August 2004, for the reasons set out in the report from the Director of Development Services and subject to the submission of a Flood Risk Assessment that satisfies the concerns of the Environment Agency, and safeguarding Conditions to ensure its implementation, and to the additional Conditions referred to in the report.

39. S/1708/04/F - GAMLINGAY

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

40. S/1592/04/F - GIRTON

DELEGATED 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 a landscaping Condition requiring planting to take place on the south-eastern boundary.

41. 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
- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting of the Committee on 6th October 2004
- Appeals withdrawn or postponed
- Advance notification of future local inquiry and Informal Hearing dates (subject

to postponement or cancellation)

42. ENFORCEMENT ACTION PROGRESS REPORT

The Committee **NOTED** a report dated 6th October 2004 on enforcement cases currently being handled by the Council.

The Chairman expressed his gratitude to the Enforcement Team for its efforts in this regard.

43. 07/04/SC - TO MAKE AN ORDER IN TEVERSHAM

The Committee considered a report on proposals to make a Tree Preservation Order in Teversham.

RESOLVED that officers be authorised to make and serve a Tree Preservation Order in respect of a sycamore tree on the south east corner of 1 Pembroke Way, Teversham and a walnut tree in the back garden of 6 Spurgeons Close, Teversham and, subject to there being no formal objection, which is not withdrawn and which therefore triggers a site visit, to confirm the Order in due course.

44. 05/04/SC - TO CONFIRM AN ORDER IN ARRINGTON

The Committee considered a report on the status of a Tree Preservation Order made under delegated powers at Church Farm, Arrington.

Because a formal objection had been received, a site visit had taken place, involving to Trees and Landscape Officer, Vice-Chairman of the Committee and Councillor SGM Kindersley, a local Member.

RESOLVED that Tree Preservation Order 05/04/SC in Arrington be confirmed without modification.

45. TO COMMENT ON A PROPOSAL TO CREATE A NEW BRIDLEWAY IN OAKINGTON

The Committee considered a report of a proposal by Cambridgeshire County Council to create a new bridleway in Oakington.

Members noted that the Conservation Manager did not object to the proposal. They also noted comments from local Members that, while they welcomed the proposal, the surface should be of such a material as to be suitable for use by pedestrians as well as horseriders, and in all weather.

RESOLVED That, in its capacity as a statutory consultee, South Cambridgeshire District Council inform Cambridgeshire County Council that it welcomes, in principle, the proposal to create a new bridleway in Oakington (from the northern end of the proposed Coles Lane development), subject to a surface material

being used that makes the bridleway usable, in all weathers, by both horseriders and pedestrians.

Councillor SM Edwards declared a personal interest in this item, as a horserider living locally, but contributed to the debate.

The Meeting ended at 4.35pm

DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE

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

Councillors	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	SM Edwards
	Mrs A Elsby	R Hall
	Mrs SA Hatton	Mrs JM Healey
	Mrs EM Heazell	Mrs CA Hunt
	SGM Kindersley	RB Martlew
	DH Morgan	Mrs JA Muncey
	Mrs CAED Murfitt	CR Nightingale
	Dr JPR Orme	EJ Pateman
	A Riley	Mrs DP Roberts
	NJ Scarr	Mrs DSK Spink MBE
	JH Stewart	RJ Turner
	Dr JR Williamson	TJ Wotherspoon
	NIC Wright	SS Ziaian-Gillan

Councillors SJ Agnew, Dr SA Harangozo, MP Howell and Dr SEK van de Ven attended the meeting by invitation.

COUNCILLOR RF BRYANT (CHAIRMAN OF THE COUNCIL) IN THE CHAIR.

1. ELECTION OF CHAIRMAN

Councillor Mrs DSK Spink nominated Councillor Dr JPR Orme as Chairman of the Development and Conservation Control Committee. This was seconded by Councillor SGM Kindersley and, there being no further nominations, it was

RESOLVED That Councillor Dr JPR Orme be elected Chairman of the Development and Conservation Control Committee for the remainder of 2004-05.

Councillor Dr JPR Orme took the Chair.

2. APPOINTMENT OF VICE-CHAIRMAN

Councillor RF Bryant nominated Councillor NIC Wright as Vice-Chairman of the Development and Conservation Control Committee. Councillor Mrs DSK Spink seconded this nomination.

Councillor Mrs DP Roberts nominated Councillor Mrs SA Hatton as Vice-Chairman of the Committee. Councillor NJ Scarr seconded this nomination.

Following a secret ballot, it was

RESOLVED that by 24 votes to four votes, Councillor NIC Wright be appointed Vice-Chairman of the Development and Conservation Control Committee for the remainder of 2004-05.

3. APOLOGIES

Apologies for absence were received from Councillors Mrs J Dixon and MJ Mason.

4. MINUTES

Members noted that the Minutes of the meeting held on 6th October 2004 would be presented to the meeting on 1st December 2004 for confirmation.

5. REGIONAL SPATIAL STRATEGY FOR THE EASTERN REGION (RSS 14 - FORMERLY REGIONAL PLANNING GUIDANCE)

The Planning Policy Manager updated Members on the current position and future timetable of Regional Spatial Strategy 14 (formerly Regional Planning Guidance), which was being prepared by the East of England Regional Assembly.

It was envisaged that RSS 14 would be adopted in early 2006. Its effect would be to update and extend the life of the Regional Plan by five years up to 2021.

The Planning Policy Manager referred to the forthcoming meeting of the East of England Regional Assembly on 5th November 2004 that would be considering a proposal from the Office of the Deputy Prime Minister for an extra 18,000 houses in the region (including 3,000 in Cambridgeshire), over and above that already included in a first draft of the new Regional Plan. At its meeting on October 15th, the Regional Planning Panel, which advises the Regional Assembly, had resolved that the additional allocation could not be justified. That advice was likely to be endorsed by the Regional Assembly. However, RSS 13 leaves open the possibility of additional development, specifically a major new town, by proposing an early focused review of RSS14 to consider longer term pressures, and evaluate the options for a large new settlement. Whilst this proposal would be subject to a number of important factors, including public investment, strategic infrastructure, the possible expansion of Stansted Airport, jobs growth, and evidence of increased housing need, the prospect of such a development remained a possibility.

In response to a Member's questions, the Planning Policy Manager advised that the policies for the Cambridge Sub-Region in RSS 14 were derived from the relevant policies in the Cambridgeshire and Peterborough Structure Plan 2003.

6. S/1766/04/F - MELDRETH

Change of use of land to garden land and construction of Tennis Court at 36 North End for Mrs Betts.

APPROVAL, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members felt that, in view of the proposed tennis court being well screened from the group of listed buildings, there was no conflict with Policy EN 28 of the South Cambridgeshire Local Plan 2004 or Policies P1/2 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003. Members instructed officers to add Conditions requiring archaeological investigation and agreement of fencing and surfacing details.

7. S/1957/04/F - MILTON

Erection of Ground Floor Extension to Garage and Bedroom Extension Above, 6 Foxes Close for Dr and Mrs A Burns

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to an additional Condition limiting hours of construction work to Monday to Friday only (no weekends).

8. S/2476/03/O - PAPWORTH EVERARD

Residential Development Including Public Open Space, Vehicular Access, Together with the Demolition Of Nos. 18, 20, 52 & 54 Ermine Street South and 1 & 3 St John's Lane, Land to the South of Church Lane and West Of Ermine Street South for the Papworth Trust and the Varrier Jones Foundation

DEFERRED to enabled further discussions to take place with local Members on the contents of the proposed Section 106 Legal Agreement, particularly those clauses relating to affordable housing, maintenance of the public open space, footpath improvements and education contribution.

Councillor MP Howell (a local Member not a member of the Committee) declared a personal interest as an employee of the Papworth Trust.

9. S/0771/04/F - SAWSTON

Change of Use of agricultural buildings to hostel accommodation for agricultural workers and ancillary office accommodation together with erection of covered external area and use of existing bungalow as warden accommodation at Dernford Farm, Stapleford

APPROVAL, as amended by plans and details submitted on 26th May 2004, 23rd June 2004, and 5th July 2004, subject to the prior completion of a Section 106 Legal Agreement and the Conditions (excluding no. 10) referred to in the report from the Director of Development Services and an additional Condition requiring details of external lighting to be agreed. Members resolved that the Section 106 Agreement should require the applicant/owner to use best endeavours to limit use of motorised transport to and from the site in accordance with a scheme to be agreed with officers and local members and to cover the aims of Conditions 10 and 13 of the report.

Councillors Dr DR Bard and Mrs SA Hatton (local Members) and CR Nightingale voted for refusal, and asked that their names be recorded.

10. S/1961/04/F - SAWSTON

Variation of Condition 5 of Planning Permission S/0945/99/O to also allow B1(c) Use for the period of ten years from the time of first occupation of each new building at Dales Manor Business Park for Dencora Ltd

DEFERRED for a site visit.

11. S/1734/04/F - STAPLEFORD

Conversion of Barn to Dwelling – Barn A, Greenhedge Barns, Gog Magog Way for Mr and Mrs J McGiven

APPROVAL, as amended by plans P1984-02A, 01A and 05A date stamped 20th October 2004, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

12. S/1735/04/F - STAPLEFORD

Conversion of Barn to Dwelling – Barn B, Greenhedge Barns, Gog Magog Way for Mr & Mrs Laverty-Baralle

APPROVAL, as amended by plan P1984-03 Revision A, 04 Revision A and 06 Revision A date stamped 20th October 2004, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

13. S/1815/04/F - HORNINGSEA

Erection of dwelling following demolition of existing, "Terrell", Church End for Executors of Mrs MVV Lewin (Dec'd)

APPROVAL, as amended in part by drawing '04/18/04 Revision A date stamped 13th October 2004, for the reasons set out in the report from the Director of Development

Services, subject to the Conditions referred to therein.

14. S/1419/04/F - TEVERSHAM

Erection of eleven flats following demolition of two houses and conversion of remaining house into two maisonette flats at 750 - 754 Newmarket Road, Cambridge
DELEGATED APPROVAL/REFUSAL, for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement securing the provision of affordable housing, and the Conditions referred to in the report. Should the affordable housing issues not be resolved by 3rd December 2004, the application would be refused.

15. S/1863/04/F - STEEPLE MORDEN

Refurbishment, part demolition, re-build and extension of existing building for use as 19 Flats, The White House, 66 Hay Street, for A R J Construction Ltd
For the reasons set out in the report from the Director of Development Services, Members were **MINDED TO APPROVE** the application as a departure from the Development Plan but without referring it to the Secretary of State (there having been no objections as a result of its advertisement), subject to the prior completion of a Section 106 Legal Agreement securing the provision of Public Open Space and an education contribution, and to the Conditions referred to in the report.

16. S/1999/04/LB - LITTLE WILBRAHAM

Alterations – Installation of Metal Flue Liner in Study Hearth, “Reed Cottage”, 1 Rectory Farm Road, for R M Turner
APPROVAL of Listed Building consent for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

Councillor R Turner declared a Personal and Prejudicial Interest in this item, as the applicant, and withdrew from the Chamber.

17. S/2017/04/F AND S/2019/04/LB - LITTLE WILBRAHAM

Internal and external alterations and extensions for porch to dining room, enlarged utility room with new first floor bedroom, enlarged bathroom and adjacent cupboard. alterations to ground floor including resiting of boiler room and W.C
at Reed Cottage, 1 Rectory Farm Road for R. Turner
REFUSED on the Chairman’s casting vote for the reasons set out in the report from the Director of Development Services.

Councillor R Turner was not present in the Chamber for this item, having previously declared a prejudicial interest, as applicant, and withdrawn.

Councillor Mrs DP Roberts did not vote.

18. S/1551/04/O - WATERBEACH

Residential Development (2.4 Hectares) and Ancillary Open Space/Landscaping, Land Between Bannold Road and Orchard Drive for ORS Plc
DELEGATED APPROVAL, subject to the prior completion of a Section 106 Legal Agreement securing

- Public open space and its maintenance
- Off site drainage works – both foul and surface water, as required
- Off site highway improvements and/or contributions
- Educational contributions
- Affordable housing

- Provision for Public Art

And safeguarding Conditions, including Conditions restricting the number of houses to no more than 100, and requiring a public art element within the development.

19. S/1872/04/F - WATERBEACH

Bungalow and Garage at Land R/O 1 Cambridge Road for Loxfield Developments Ltd. **DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, and an additional Condition requiring replacement of the Yew tree to be removed as part of the construction work. All Conditions should be agreed between the Local Planning Authority, Waterbeach Parish Council, the developer and Chief Environmental Health Officer. Members asked that potential occupiers have their attention drawn to the presence nearby of a skateboard park.

20. S/1911/04/F - WATERBEACH

Chalet bungalow and internal garages, land rear of 89 Way Lane for Miss S J Colclough **DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, and to the submission of revised plans resiting the bungalow to protect the tree. If such plans are not submitted to the satisfaction of the Local Planning Authority, Members gave delegated authority for officers to refuse the application.

21. S/0862/04/F - WILLINGHAM

Conversion and Change of Use of Agricultural Building to 4 Holiday Lets at 60 High Street for Mr and Mrs M Venning

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement limiting use of the accommodation to short-term holiday lets, to the receipt of an amended site layout plan showing the position of the new access gates and on-site car-parking, and the Conditions referred to in the report.

22. S/1266/04/RM - WILLINGHAM

Erection of Six dwellings at 23 Green Street for Meldire Ltd.

APPROVAL of Reserved Matters (siting, design and external appearance of the buildings) as amended by plans date stamped 27th August 2004 and 20th September 2004 and in accordance with outline planning permission dated 17th March 2003, reference S/0023/03/O, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

23. S/1700/04/F - WILLINGHAM

Change of Use from Residential to Office and Business Use (Class B1) at The Grange, 44 High Street for Mrs J. McConkey

DELEGATED APPROVAL, as amended by amended layout plan date stamped 20th October 2004, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein and to the support of the Local Highways Authority.

24. S/1894/04/F - WILLINGHAM

Extension to Consented Office/Wine Store and Garden Store/Workshop at High Street, for Mr J Millard 62

APPROVAL, following clarification of the scale of use to the satisfaction of the Local Highways Authority, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

25. **S/1944/04/F - WILLINGHAM**
Extensions Including raising of roof height to form first floor Accommodation, Woodhall Farm, Earith Road for Mr and Mrs M. Jones
REFUSED for the reasons set out in the report from the Director of Development Services.
26. **S/1847/04/F - GREAT ABINGTON**
Caravan and storage container (Retrospective), no. 25 South Road for Mrs Rogers
REFUSAL of the application for the reason set out in the report from the Director of Development Services in relation to the storage container.
RESOLVED to issue an Enforcement Notice to remove the storage container from the site with a compliance period of two months.
27. **S/1364/04/F - PAMPISFORD**
Storage Building on land to the rear of Eastern Counties Leather, London Road for Eastern Counties Leather PLC
APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions attached to planning permission S/0094/02/F (including those stating that the building will not be used other than as ancillary storage for Eastern Counties Leather PLC and requiring schemes of ground contamination and pollution control to be agreed and implemented and the condition relating to the junction improvements to require the works to be completed before development commences) plus an additional Condition relating to the provision of fire hydrants.
28. **S/0690/04/F - GRANTCHESTER**
Erection of 17.5 Metre High Telecommunications Tower and associated development at land to the south of Fulbrooke Road, Cambridge and west of Cambridge Rugby Football Ground - for Hutchison 3G UK Ltd
DELEGATED APPROVAL, for the reason set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the receipt of a revised plan showing, to the satisfaction of the Local Planning Authority, an enlarged area for landscaping.
29. **S/1100/04/F - CAXTON**
House and garage at land adjacent 1 Bourn Road, for Mr and Mrs S. Hogg
WITHDRAWN from the agenda, and **DEFERRED** at the applicant's request, pending proposals by the applicant to improve access to the site to the satisfaction of the Local Highways Authority.
30. **S/1676/04/F - CASTLE CAMPS**
Extensions and conversion of two barns into a dwelling and erection of garage/stores
APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, and subject to the applicant revising plans for the garage to the satisfaction of the Local Planning Authority, Members were satisfied that the retention of the existing timbers justified supporting the scheme as a departure from the Development Plan. The application had been advertised as a departure from the Development Plan and, there having been no objections, officers deemed it unnecessary to refer it to the Secretary of State.
31. **S/1716/04/F - COMBERTON**
Conversion and extension of barn to form dwelling following Demolition of Existing dwelling; West field Farm, Royston Lane for Mr and Mrs J Fentiman
APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

32. **S/1937/04/F- COMBERTON**
Extensions, garage/carport and access, 107 Swaynes Lane for J. Cooper
DEFERRED to allow negotiation to take place between the applicant and the Trees and Landscape Officer.
33. **S/1970/04/F - FOWLMERE**
Erection of dwelling and conversion of barn into garage/carport/workshop and store following demolition of 2 existing dwellings, Mill Farm, Fowlmere Road, Melbourn in the Parish of Fowlmere for Plum Developments
REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the development would have an adverse impact on the character of the surrounding countryside, and would therefore conflict with Policy HG15 of the South Cambridgeshire Local Plan 2004.
34. **S/1873/04/F - FULBOURN**
Erection of single storey rear extension, 29 Harebell Close
APPROVAL for the reasons set out in the report from the Director of Development Services, and subject to the Conditions referred to therein.
35. **S/1951/04/LB - FULBOURN**
Barn at Golden Gables, Sanders Lane, for R Poulter
REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the desirability of retaining the barn outweighed the effect of Policy EN18/3 of the South Cambridgeshire Local Plan 2004.
- Councillor Mrs CAED Murfitt declared a personal interest as a part-owner of a Listed barn.
36. **S/1155/04/F - GAMLINGAY**
Change of Use of land for storage of timber and timber products at land rear of Units 1 and 2 Station Road for Pinewood Structures Ltd
Members were **MINDED TO APPROVE** the application, contrary to the recommendation contained in the report from the Director of Development Services, subject to Conditions requiring a Travel for Work scheme to be agreed and landscaping of the timber stacks, the height of which must be approved by the Local Planning Authority in consultation with local Members, and to the prior completion of a Section 106 Legal Agreement requiring cessation in the use of the applicant's other two sites in Gamlingay. The application would be advertised as a departure from the Development Plan and referred to the Secretary of State in the event that any objections to it were received.
37. **S/1844/04/F - GAMLINGAY**
Single Storey Building, 15 Cinques Road, for Royal Mail
DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the receipt of comments from the Trees and Landscape Officer, and to the Conditions referred to in the report.
38. **S/1907/04/F - GAMLINGAY**
Erection of bungalow and garage to replace Mobile Home, adjacent to 'Bryjohn', Heath Road, for B N Hankins
REFUSED, on the Chairman's casting vote, for the reason set out in the report.
39. **S/1746/04/F - GREAT SHELFORD**
Extensions at 2 Woodlands Close for Mr and Mrs Wilshere
APPROVAL, contrary to the recommendation contained in the report from the Director of

Development Services. Having visited the site, Members did not consider the proposal to be out of character with the surrounding area, and were satisfied that it would not seriously affect the amenities of no. 1 Woodlands Close.

40. S/1797/04/F - HIGHFIELDS CALDECOTE

House and garage on land adjacent 8 East Drive, Caldecote

Members were **MINDED TO APPROVE** the application, 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 unless the applicants shall agree to the prior completion of a Section 106 Legal Agreement for an appropriate financial contribution towards the provision of affordable housing off site, in order to comply with Policy HG7 of the South Cambridgeshire Local Plan 2004. Having visited the site, Members considered that there was no conflict with either Policies SE4 or SE9 of the South Cambridgeshire Local Plan 2004, or Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003.

41. S/1798/04/F - HIGHFIELDS CALDECOTE

House and Garage on land adjoining 2 and 8 East Drive, Caldecote

Members were **MINDED TO APPROVE** the application, 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 unless the applicants shall agree to the prior completion of a Section 106 Legal Agreement for an appropriate financial contribution towards the provision of affordable housing off site, in order to comply with Policy HG7 of the South Cambridgeshire Local Plan 2004. Having visited the site, Members considered that there was no conflict with either Policies SE4 or SE9 of the South Cambridgeshire Local Plan 2004, or Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003.

42. S/1740/04/O - HARSTON

Residential Development – land at 18 High Street for Mrs S James

APPROVAL, as amended by Flood Risk Assessment dated 1st October 2004, for the reasons set out in the report from the Director of Development Services and subject to the prior completion of a Section 106 Legal Agreement ensuring that up to 50% of any development would consist of affordable housing and to Conditions 1-5 and 7 referred to in the report.

43. S/1188/04/F - IMPINGTON

Erection of 11 Houses, 2 Flats and garages following demolition of existing dwellings (15-17 Mill Road), 15-17 Mill Road, land to the rear of 13-23 Mill Road and rear of 17-23 Highfield Road for Hogger Homes Ltd

REFUSED, contrary to the recommendation contained in the report. Members were not satisfied with the response from Anglian Water Services Ltd, and expressed concern at the proposed layout of the development, drainage, and potential noise nuisance.

Councillor Mrs JA Muncey (a local Member) voted for refusal, and asked that her name be recorded.

44. S/1172/04/CIRCULAR 18/84 - LONGSTANTON

Continuation of Use of land and buildings as an Immigration Centre for a further temporary period to 31st December 2006, Oakington Barracks, for the Home Office

DEFERRED pending further consideration by Longstanton Parish Council.

45. S/1846/04/F - LONGSTANTON

Resubmission- Balancing Pond and scheme of ditch widening to serve Approved Residential and Commercial Development, land west of Longstanton for Persimmon

Homes (East Midlands) Ltd.

DEFERRED pending consideration by the Land Drainage Advisory Group.

46. **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 1st December 2004
- Appeals withdrawn or postponed
- Advance notification of future local inquiry and Informal Hearing dates (subject to postponement or cancellation)

Members suggested that the high success rate the Council had in winning appeals should be publicised in a press release. However, it would be expedient to wait until the result of the Cottenham Travellers' appeal before finalising this.

Members noted Planning Appeal statistics for the period from 1st July 2004 to 30th September 2004.

47. **DIVERSION OF FOOTPATH 48 (PART) AND CREATION OF NEW FOOTPATH IN GULDEN MORDEN**

The Committee considered a proposal by Cambridgeshire County Council to divert part of Public Footpath no. 48 in Guilden Morden, and create a new footpath in the village.

The report contained detailed comments from the local Member and from the Conservation Area and Design Officer.

RESOLVED that the report be endorsed and that Cambridgeshire County Council be informed that, in respect of the proposal to divert part of Public Footpath no. 48 in Guilden Morden and to create a new footpath in the village, South Cambridgeshire District Council has no objections or adverse comments.

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

The Committee received a further report on progress being made by the Developers of Cambourne in complying with their obligations under the Section 106 Legal Agreement dated 20th April 1994.

The New Village/Special Projects Officer (Cambourne) corrected the date of the report to 16th October and explained that there were approximately 1500 occupied homes and progress was being made on the community centre, burial ground and cricket pavilion, while the Multi-Use Games Area was practically complete, as was the skateboard park and allotments. She added that bi-monthly reporting on progress was preferable to monthly, as there was not enough new information to report monthly due to the slow progress being made by the developers. It was noted that the Chairman could make decisions under delegated powers to avoid any unnecessary delays.

Concern was expressed regarding the failure to complete the burial ground and the general slow progress on the promised facilities. A local member expressed concern that a downturn in the housing market made a swift completion of the delayed facilities less likely.

Members commented on the newly opened Caxton by-pass, observing in particular that

- Many vehicles were ignoring the by-pass and continuing through the village.
- High-sided vehicles were prevented from using the by-pass by the bridge on the Bourn road
- Previous efforts to install traffic calming on the A1198 had been refused, as it was a high load road

49. **EXCLUSION OF PRESS AND PUBLIC (AGENDA)**

The Committee **RESOLVED** that members of the Press and public be excluded during consideration of the following item in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraphs 10, 11 and 13 of Part 1 of Schedule 12A of the Act.

50. **DEVELOPMENT AND CONSERVATION CONTROL (DIRECT ACTION) SUB-COMMITTEE**

The Committee received the minutes of the Development and Conservation Control (Direct Action) Sub-Committee held on the 22nd October 2004.

The Deputy Director of Development Services reported that the Council's direct action could not be taken until after the judicial review had been determined. He reiterated officers' caution about raising expectations of a rapid resolution of this matter.

It was recognised that press releases to parish magazines could not include up-to-date information because the situation was changing so rapidly. Up-to-date information was available on the Council's website.

Concern was expressed about delay. It was asserted that the Council had to take all appropriate steps to protect its residents against unlawful development. The Council had made representations to the Local Government Association and the Rural Conference about the Government's failure to support Councils in this situation. The Leader of Council and the Deputy Director of Development Services were due to meet soon with representatives of the Office of the Deputy Prime Minister and other local authorities to discuss these concerns.

RESOLVED that the Development and Conservation Control (Direct Action) Sub-Committee be authorised to continue its work, as necessary, for a further three months until February 2005, at which point its continuation would again be reviewed.

The Meeting ended at 5.35 p.m.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

S/0710/04/O - Willingham
Erection of five dwellings at land to the rear of 17-19A Green Street for E.Garner & Sons

Recommendation: Delegated Approval

Site and Proposal

1. The land forms part of an operating farmyard to the rear of three two-storey houses that front onto Green Street. The site has an area of 0.20 ha. There is an existing vehicular access onto Green Street that serves both the farmyard and the dwellings, and there is a collection of farm buildings on the site. To the north, the site is adjoined by the rear garden area of 15 Green Street, and to the south by a single storey range comprised in the working farmyard at 21 Green Street. The remaining area of land and buildings of the farmyard adjoin to the east of the site.
2. This application for outline planning permission was received on 2nd April 2004 and has been amended by drawings received 5th October and 27th October. The application is supported by drawings to show the proposed siting of dwellings and the means of vehicular access, which are matters to be determined at this stage. The application as originally submitted showed 8 dwellings and associated garaging. The application as amended proposes 5 detached dwellings and 5 garages, which also provide parking for the existing frontage dwellings. Vehicular access through the site to the remaining farmyard has been retained. Existing farm buildings on the site are to be demolished.
3. The proposal includes footway widening and kerb realignment on Green Street. With these works, vehicle-to-vehicle visibility splays of 70m and 76m from the junction can be achieved along Green Street to the north and south respectively. The application has been supported by traffic data to demonstrate no net increase in traffic generated compared with the farmyard use.
4. The development represents a density of 25 dwellings per hectare.

Planning History

5. Planning permission to erect a house on the frontage of the site (No.19A) was granted in 1989 and 1990 (S/1033/04/O, S/0559/90/RM). Permission to house cattle in an existing agricultural building to east of the site was granted in 2003 (S/2362/03/F).
6. Planning permission for the erection of six dwellings on land at 23 Green Street was approved by Members at the meeting on 3rd November (S/1266/04/RM). This proposal also included widening of the footway in Green Street.

Planning Policy

7. Cambridgeshire and Peterborough Structure Plan 2003: Policy P1/3 (Sustainable Design in Built Development) a high standard of design and sustainability for all new

development will be required which provides a sense of place and 1) responds to the local character of the built environment; 2) is integrated with adjoining landscapes and 3) pays attention to the detail of forms, massing, textures, colours and landscaping.

South Cambridgeshire Local Plan 2004:

Policy SE2 (Rural Growth Settlements) – residential development will be permitted provided that the retention of the site is not essential to the character of the village, the development would be sensitive to the character of the village and the amenity of neighbours; and the village has the necessary infrastructure capacity. Development should achieve a minimum density of 30 dwellings per hectare unless there are strong design grounds for not doing so.

SE9 (Village Edges)- development on the edge of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

Policy HG10 (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.

Policy HG11 (Backland Development) – Development to the rear of existing properties will not be permitted where development would: 1) be overbearing, overlooking or overshadowing of an existing residential property, 2) be noisy or disturbing to an existing residential property through use of its access, 3) give rise to highway dangers through use of its access, 4) be out of character with the pattern of development in the vicinity.

Supporting text paragraph 8.16- Minor residential developments of 8 dwellings or less will not attract a requirement for a contribution towards likely unmet need for services and facilities unless, taking a broader view, the Council considers that it would be reasonable to conclude that the relevant site is part of a larger area with realistic potential for similar development, or where housing group development is resulting in a strategically significant level of development in the Rural Growth Settlement.

Inset Map No.100 (part 4)- the eastern boundary of the application site coincides with the framework boundary for this part of the village.

Consultation

8. **Willingham Parish Council-** recommends refusal of the application. The Parish Council believes that:

- the narrowing of Green Street as shown is unacceptable and is strongly opposed;
- the access is inadequate to cope with the traffic as it has a blind spot to the right when exiting from the site;
- there are already too many access points onto this busy street;
- if planning permission were granted, the PC would like to see a S106 Agreement to require the developer to contribute to facilities in the village. If taken with recent and proposed development in Green Street, the proposal represents a major scheme;

- the PC is opposed to the piecemeal development of the area.

The PC has requested an urgent meeting with the Highway Authority to discuss these matters. I will present a verbal report to Members of the outcome to this request.

9. **Highway Authority** – the HA has expressed reservations about the proposals from first submission of the application. The applicant has produced amended access designs and traffic reports in order to address the HA's concerns. The HA's expressed doubt about the claim that traffic volumes using the access drive will reduce as a result of the development have been overcome. The HA's comments on the latest amendments concerning the design of works in Green Street are as follows:

"The access and kerb realignment shown on the plan are now acceptable from the highway point of view.

I note the agent's comment relating to the works being compatible with the works associated with No. 23 but not being dependent upon them. Clearly, it would be of benefit to all the works in Green Street could be undertaken at the same time as one project. Hence why the developers of both sites need to talk to each other.

I also note the comments of the Parish Council. As you know the CC role in applications is generally a reactive one; the proposed alteration to the kerb line of Green Street has been presented by the applicants as a solution to overcome the visibility difficulties at the site access. From the highway point of view this seems to be an acceptable solution - the carriageway is to remain at a minimum of 6.3m (adequate to cater for the passing of large vehicles with ease). I could not object on highway safety grounds."

10. **Environment Agency**- no objection in principle subject to submission of details of foul and surface water drainage, and contamination investigation.
11. **The Chief Environmental Health Officer** – recommends conditions to be attached to minimise disturbance to residents during the period of demolition and construction, and for an investigation into possible contamination of the site. There is no record of complaint concerning noise or odour at the working farmyard at 21 Green Street.
12. **Trees and Landscape Officer** – no objection.
13. **County Council Chief Financial Planning Officer**- recommends a financial contribution of £13,750 towards educational provision and community facilities in the village.

Representations

Application agent

14. The application should be understood in the context of the applicants wishing to relocate the farming enterprise to a site elsewhere close to the village. The applicants are willing to rescind planning permission S/2362/03/F for an expansion of the adjacent cattle yard in order to facilitate the planning application, and to retain this land for horse paddocks only.
15. Existing windows in the side elevations of the applicants' dwellings facing on to the access drive are to be treated by means of triple glazing or obscure glazing so as to minimise disturbance to the occupiers.

16. The applicants are unwilling to make a dedicated financial contribution to the Parish Council for facilities as the development falls below the threshold for so doing. The agent has drawn attention to the arrangement operated by the County Council to provide part of the educational contribution to the Parish Council for this purpose.
17. The applicant's highways advisor has explained that the existing driveway is to be narrowed to 4.5m width, which is still wide enough to allow two cars to pass. This will enable improved vehicle-to-pedestrian visibility splays to be achieved at the junction with Green Street. Vehicle-to-vehicle splays of 70m to the north and 76m to the south are achievable following kerb re-alignment in Green Street.

Nearby residents

18. The occupier of 21 Green Street adjoining the southern boundary of the site has written to express concern at the continued use of the site to service the applicants' remaining agricultural buildings to the east, and the difficulties that this would entail. He is also concerned that traffic waiting to turn right into Short Lane will block the access for this development, and may cause passing traffic to veer close to the access when manoeuvring past these vehicles. He considers that the proposed narrowing of the carriageway in Green Street will make manoeuvring by lorries and farm vehicles more difficult, particularly if cars continue to park on the carriageway. He asks planners to note that his is a working farmyard that may give rise to noise disturbance at unsocial hours.
19. The occupiers of 15 Green Street adjoining to the north have written to say that the area between Priests Lane and Schole Road (that includes this site) should be considered as one and not in a piecemeal way. The writers are concerned at the prospect of additional on-street car parking on Green Street if there is not sufficient provision as part of the application. They draw attention to a Birch tree in their own garden which they consider may be threatened by the development. They believe that the density is out of keeping with adjoining development. They are concerned that their first floor living room will be overlooked by the development.

Planning Comments – Key Issues

20. The main considerations are: whether residential development should be allowed in this location; whether the proposed layout is acceptable; issues of residential amenity, and highway safety.

Principle of development

21. The site lies wholly within the village framework boundary, to the rear of frontage dwellings. Policy SE2 encourages such development, although the density is below the recommended minimum. One constraint to achieving a higher density is the access onto Green Street which, after proposed improvements, is only suitable to serve the existing dwellings and five more. The character of adjacent land is of garden areas and farm buildings, which also fits with a lower density on design grounds. Policy HG11 sets out criteria for assessing the proposed siting. The pattern of development on the eastern side of Green Street is of frontage dwellings interspersed with development in depth, as at Belsars Close and Rampton End, and in recently approved development at 23 Green Street. The proposal continues this pattern and so complies with part (4) of the policy. Other parts are considered below. The Parish Council and a resident have objected to the proposal as being piecemeal development. I agree that a comprehensive scheme could have resulted from the amalgamation of this site with the land at 23 Green Street, but as these are in different ownerships and are separated by a working farm, I believe that the current application should be considered on its own merits as an independent site.

Proposed layout of dwellings

22. The layout shows three dwellings fronting the driveway and a pair occupying land at the end of the driveway, adjacent to the remaining farm buildings. This arrangement achieves adequate separation between the dwellings and reasonable private garden areas. Distances of 16m and 20m between existing and proposed dwellings are also achieved, which I consider to be satisfactory.

Residential amenity

23. The amended layout plan received 5th October 2004 shows measures to prevent overlooking of adjacent garden area from first floor windows in the proposed dwellings, although this is an aspect to be considered more fully at reserved matters stage. Similarly, the concerns of the occupiers of 15 Green Street about overlooking into windows to habitable rooms in their property can be examined carefully at reserved matters stage. The peaceful amenity of residents in the 19 and 19A adjoining the access drive can be protected by treatment to windows in the side elevations of those dwellings, as they are within the ownership of the applicants. The development will not be unduly overbearing or cause overshadowing of existing dwellings/garden areas and I consider that it complies with parts (1) and (2) of policy HG11.

Highway safety

24. The Highway Authority accepts the last amended plans for the access and works to Green Street. Parking provision is 2 spaces per dwelling, which conforms to adopted maximum standards. The outcome of discussions between the Parish Council and the HA will be reported verbally to Members, if received.

Other matters

25. The Parish Council has requested a dedicated payment towards provision of additional facilities in the village. The application falls beneath the threshold for such payments as indicated Paragraph 8.16 of the Local Plan, and the educational contribution includes an element for this purpose under an arrangement with the County Council. In order to ensure that the use of the remaining farmyard ceases for the keeping of cattle I recommend that the applicants be required to rescind planning permission S/2362/03/F which relates to this use.

Recommendation

26. Subject to the applicant entering into an legal agreement under s106 of the Town and Country Planning Act 1990 for the payment of an appropriate contribution for local education provision, and to rescind planning permission reference S/2362/03/F, and subject to conformity with submitted plans as amended by plans date-franked 5th October 2004 and 27th October 2004, Delegated Approval.

Conditions of Consent

1. Standard Condition B – Time limited permission (Reason A);
2. Standard Condition 1 Reserved matters parts (b) (design and appearance of buildings) and (c) (landscaping) (RC1);
3. Sc52 – Implementation of landscaping (Rc52);
4. Sc60 – Details of boundary treatment (Rc60);
5. Details of treatment to windows in existing dwellings 19 and 19A Green Street;

6. Foul and surface water drainage details;
7. Restriction of hours of use of power operated machinery during the period of construction;
8. Investigation of site contamination
 - + any conditions required by the Local Highways Authority
 - + Chief Environmental Health Officer informatives

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P1/3** (Sustainable Design in Built Development);
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **SE9** (Village Edges); **Policy HG10** (Housing Mix and Design); and **Policy HG11** (Backland Development);
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Acceptability of residential development;
 - Residential amenity including noise disturbance and overlooking issues;
 - Highway safety;
 - Visual impact on the locality

Background Papers: the following background papers were used in the preparation of this report: Planning applications S/2362/03/F, S/0710/04/O, Cambridgeshire and Peterborough Structure Plan 2003; South Cambridgeshire Local Plan 2004.

Contact Officer: Ray McMurray – Senior Planning Assistant
Telephone: (01954) 713259

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1st December 2004
AUTHOR/S:	Director of Development Services	

**S/2113/04/F - Willingham
Extension at 145 Station Road, for J Anderson**

Recommendation: Refusal

Site and Proposal

1. The property is a two-storey detached house situated on the eastern side of Station Road. To the northern side of the property lies a driveway, with gated access set back from the highway.
2. The application, registered on the 15th October 2004, proposes to erect a two-storey rear extension under a pitched roof. The proposed structure would project 6.675 metres back from an existing extension and would measure 6.26 metres wide. It would also measure 7.2 metres in height (5.2 metres to eaves level). The proposal would provide a lounge with ensuite bedroom above.

Planning History

3. **S/2240/03/F** - Application for the creation of 2 wildlife ponds at no.145 Station Road, approved on the 15th January 2004.
4. **S/1909/03/F** - Application for the erection of a detached garage at no.145 Station Road, approved on the 7th October 2003.
5. **S/0742/03/F** - This application for a two-storey rear extension at no.145 Station Road, was approved on the 13th May 2003 after amendments to the scheme were received on the 12th May 2003 that reduced the scale of the proposal. The permission represents a 59% increase in the floor area of the dwelling.
6. **S/0591/02/F** - This application for a two-storey rear extension, at no.158 Station Road, was refused on the 14th May 2002 on the grounds of an excessive increase in floorspace from the original dwelling and visual prominence in a countryside location. The decision to refuse this application was upheld at appeal (appeal ref: APP/W0350/A/02/1095179), decision dated on the 8th January 2003.
7. **S/1462/04/F** - This application amended an earlier application (**S/0664/04/F**) to extend and convert the roofs of the bungalows at 153 and 155 Station Road and to alter the garages at these addresses to provide pitched roofs. It was approved on the 1st September 2004 and represents a 12% increase in the volume of the dwellings. The earlier application represented a 9% increase in the volume of the dwellings.

Planning Policy

8. The site is located within the countryside, outside of the village development framework defined in the South Cambridgeshire Local Plan 2004.

9. Local Plan 2004 **Policy HG13** states that extensions to dwellings in the countryside (i.e. outside of village frameworks defined in this Plan) 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 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.
10. Local Plan 2004 **Policy HG12** is concerned with extensions and alterations to dwellings within frameworks and refers to the use of appropriate design and materials; impact on neighbouring amenities; the loss of parking spaces; unacceptable visual impact on the street scene; and boundary treatment.
11. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location.

Consultation

12. **Willingham Parish Council** recommends approval

Representations

13. None

Planning Comments - Key Issues

14. The key issues in relation to this application are:
 - The increase in volume of the dwelling from the original.
 - The scale and character of the proposed development in context with the original dwelling and the resultant impact on the countryside.
15. The site lies within the countryside. **Policy HG13** of the Local Plan requires extensions to dwellings in the countryside to not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling. The policy looks to restrict the size of proposed extensions to dwellings in the countryside to carefully protect the character of rural locations and also to prevent the reduction in the stock of smaller and medium sized dwellings in countryside areas. This application proposes a two-storey rear extension which, when considered alongside the existing extensions that would remain, would lead to a significant increase in the volume of the dwelling by approximately 145% from the original dwelling. In terms of floorspace, the proposal would result in an increase of 85.8% from the original. This would be in direct conflict with the terms of the above policy, exceeding the policy allowance for volume increases by 95%, and for floorspace increase by approximately 36%.
16. **Policy HG13** of the Local Plan also states that extension to dwellings in the countryside should be in scale and character with the existing dwelling and not lead to a material change in the impact of the dwelling on its surroundings. The proposed extension would be sited at the rear of the dwelling, featuring a two storey range that would extend 6.675 metres back from rear wall of existing two storey extension. In

total this would lead to a two-storey range at the rear of this property that would measure 10.3 metres deep. From the south views of a large two storey range to the rear of the property would be clearly visible, and would lead to an unacceptable change in the scale and character of the dwelling.

17. When considering this proposal it is also important to consider the context to which the site relates. In 2003 an approval was issued on the site (ref **S/0742/03/F**) for a smaller two-storey extension, following an amendment to reduce the scheme. The initial proposal amounted to a 68% increase in floor area that the Authority felt was in excess of what would be acceptable on the site, given its location in the countryside and the context of **Policy HG13**. The revised proposal represented a significant reduction in floor area to 59% from original. Given the resultant reduction in volume and floorspace, combined with the lesser visual impact of the proposal, the Authority deemed that no significant harm was caused to the character of the existing dwelling or surrounding to countryside to warrant a refusal.
18. In July 2004 an application was approved for roof extensions to the dwellings at 153 and 155 Station Road (ref: **S/1462/04/F**). This application was for an amended design to the extensions to the properties given consent under reference **S/0664/04/F**. These two dwellings are also sited outside of the village framework. However, the form of these properties and the subsequent extensions approved vary significantly from the application under consideration. Unlike 145 Station Road the two properties at 153 and 155 were originally two bungalows. They are sited between two 2-storey dwellings and the approved extensions led to an increase of 12% in volume from the original dwellings. Given the differences between the character of the two sites and the extent of the extensions on this site and the application site, the two are not comparable.
19. In comparison, in 2002 an application similar to that under consideration was refused for extensions to 158 Station Road (ref **S/0591/02/F**). This proposal sought a number of extensions to this property in the countryside, the majority of which were contained within a 10.2 metre deep two storey rear extension. This proposal would have led to an increase in floorspace of 114% from the original dwelling. It is important to consider that the application was refused on the grounds of excessive increase in floorspace, visual prominence in the countryside and material change in the impact of the property on its surroundings. This decision was upheld at appeal (ref: **APP/W0530/A/02/1095179**).

Recommendation

Refusal

No.145 Station Road is a detached dwelling sited in a loose ribbon of development outside the defined village framework for Willingham.

The proposed extensions would, when combined with existing additions to the original property, result in the volume of the original property being increased by approximately 145%. This extra volume would be comprised within the proposed 6.675 metre deep two storey extension, combined with the existing 3.62 metre deep two storey extension to the rear of the property. The resultant combined extensions would be approximately 10.3 metres deep and would be out of keeping with the character and scale of the original dwelling. The proposed extension would also be a visually prominent feature in the countryside, particularly when viewed from the south, and the proposal would therefore contravene **Policy HG13** of the South Cambridgeshire Local Plan 2004 which requires extensions to dwellings in the

countryside to be in scale and character with the existing dwelling, and to not lead to an increase of 50% or more in volume or gross internal floor area of the original dwelling.

Background Papers: the following background papers were used in the preparation of this report:

Cambridgeshire and Peterborough Structure Plan 2003;
South Cambridgeshire Local Plan 2004;
Planning Files Refs: S/1462/04/F, S/0664/04/F, S/2240/03/F, S/1909/03/F, S/0742/03/F,
S/0591/02/F and S/2113/04/F.

Contact Officer: Michael Osbourn - Assistant Planning Officer
Telephone: (01954) 713379

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 December 2004
AUTHOR/S:	Director of Development Services	

S/2122/04/F - Willingham

Variation of Condition 1 of Planning Permission S/2065/01/F to Allow a Further Period of Three Years for the Submission of Reserved Matters for the Erection of Two Dwellings at 30 and 32 High Street, for J. O. Askew

Recommendation: Approve**Site and Proposal**

1. The site, which is roughly rectangular in shape, measures 0.05 hectares (0.13 acre) in size. It has an approximately 17m wide frontage along High Street, with a depth of approximately 32m. The site is surrounded by residential dwellings, with listed buildings to the south (No. 38 High Street) and west (No. 34 High Street). Immediately adjoining the site to the south is a gravelled access track to No. 34, 36 and the rear of 38 High Street, Willingham.
2. The application received 14th October 2004 seeks to vary condition 1 of planning permission S/2065/01/F to allow a further period of three years for the submission of reserved matters for the erection of two dwellings on the site. Condition 1 of planning application S/2065/01/F required the approval of a reserved matters application by 2 January 2005. The proposal represents a density of 40 dwellings per hectare.

Planning History

3. The site was formerly occupied by a pair of thatched cottages set on the pavement edge. These were demolished in 1976. In 1976 outline planning permission was first given for the demolition of the pair of thatched cottages and the erection of two dwellings (Ref: **S/0304/76/O**). Outline planning permission for the erection of two dwellings on the site has subsequently been granted in 1978 (Ref: **S/1877/78/O**), 1984 (Ref: **S/1996/83/O**), 1994 (Ref: **S/1715/94/O**) and 1998 (Ref: **S/1620/98/O**).
4. In January 2002 full planning permission was given for a variation of Condition 1 of Planning Permission **S/1620/98/O** to allow a further period of three years for the submission of reserved matters for the erection of two dwellings (Ref: **S/2065/01/F**).
5. It is noted that a full planning application has been received for 76 dwellings and the conversion of an existing barn into a dwelling on land to the west and north of 34 High Street, Willingham (Ref: **S/1785/04/F**). This application is currently under consideration.

Planning Policy

6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that development will be restricted where there could be damage, destruction or loss to areas that should be retained for their biodiversity, historic, archaeological, architectural and recreational value.

7. **Policy P5/5** of the County Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
8. **Policy P7/6** of the County Structure Plan states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
9. **Policy SE1** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") indicates that existing planning permissions will be renewed provided that development would not conflict with other policies and proposals of the Development Plan.
10. **Policy SE2** of the Local Plan identifies Willingham as a Rural Growth Settlement. Residential development and redevelopment will be permitted on unallocated land within the village framework of these villages, providing that:
 - The retention of the site in its present form is not essential to the character of the village;
 - The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - The village has the necessary infrastructure capacity; and
 - Residential development would not conflict with another policy of the plan, particularly **Policy EM8** (Loss of employment sites in villages).
11. **Policy EN28** of the Local Plan aims to protect the setting, well-being and attractiveness of Listed Buildings.

Consultation

12. **Willingham Parish Council** - recommends the refusal of the application, on the grounds that it is now more than ten years since the original planning application was submitted.
13. **Conservation Manager** - No objections.
14. **Cambridgeshire County Council, County Archaeology Office.** There are no significant archaeological implications.

Representations

15. None received at the time of writing the agenda report.

Planning Comments - Key Issues

16. The principle of erecting two dwellings on this site was last supported by the Council on 2 January 2002 with the approval of the last planning application on the site (Ref: **S/2065/01/F**), with the suitability of this site for residential development formerly recognised by the Council in the granting of several outline planning consents, and applications to vary the conditions of outline planning consents since 1976.

17. I am of the view that there have been no significant changes in circumstances since 2 January 2002, which would warrant the refusal of the planning application, particularly having regard to Policies of the now adopted Local plan. Controls on the design, materials and siting of new dwellings, to protect the setting of the adjacent listed buildings, the visual amenities of the streetscene and the residential amenities of nearby dwellings will be exercised in the assessment of any reserved matters application submitted.
18. The amount of time which has elapsed since the submission of the original application, does not represent sufficient grounds for the refusal of the application, so long as there have been no material change in circumstances to warrant not renewing the consent.

Recommendation

19. Approve

Conditions of Consent

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
The development hereby permitted shall be begun before the:
Expiration of 5 years from the date of this permission, or
before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latter.
(Reason: to ensure that consideration of any future application for the development of the area will not be prejudiced by permissions for development which have not been acted upon).
2. SC1 - Submission of reserved matters (RC1)
3. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority.
(Reason: to secure the provision of archaeological excavation and the subsequent recording of remains).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 (Environmental Restrictions on Development),
P5/5 (Homes in Rural Areas) and **P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004:**
SE1 (Existing Planning Permissions)
SE2 (Development in Rural Growth Settlements) and
EN28 (Development within the Curtilage or Setting of a Listed Building).

Background Papers: the following background papers were used in the preparation of this report:

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Planning File Refs: S/2122/04/F, S/1785/04/F, S/2065/01/F, S/1620/98/O, S/1715/94/O,
S/1996/83/O, S/1877/78/O and S/0304/76/O

Contact Officer: Allison Tindale - Planning Assistant
Telephone: (01954 713159)

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

S/1137/04/F - Croydon
Conversion of Agricultural Buildings to 4 home/work dwellings (mixed use Classes C3 and B1), car parking and alterations to access at Croydon House Farm for Optima (Cambridge) Ltd.

Recommendation: Approval

Site and Proposal

1. The site lies off the B1042 to the south west of Croydon, approximately 1.2km outside the village framework. It forms a group of traditional and more modern agricultural buildings accessed off the B1042.
2. The more traditional buildings are predominantly single storey and enclose a courtyard area. To the north of this group lie two large modern buildings.
3. To the north of the site lies the Scheduled Ancient Monument of the medieval village of Clopton and the Clopton Way public footpath.
4. The full planning application, received 2nd June 2004, proposes the change of use of the traditional agricultural buildings to live/work units and the demolition of the two modern agricultural buildings to the north. Each dwelling will have one room dedicated to workspace and each will have a separate workspace unit.
5. The existing point of access off the B1042 is to be used as the sole access to the site. The point of access is proposed to be improved – involving amongst other measures, widening to a minimum of 5.5m with increased kerb radii.
6. The dwellings will be predominantly single storey with units 2 and 3 having a first floor element.
7. Parking is to be provided for 9 cars with an additional parking bay for the disabled, 4 visitor parking bays and a waste collection point to serve a bin store and green waste facility.
8. Gardens and paved courtyard areas are to be kept within the main courtyard that is formed within the group of traditional buildings.
9. The existing boundary walls to the south of the site are to be repaired and recapped.

Planning History

10. In July 1999 planning permission was granted for the change of use of part of the group of more traditional buildings (northern and western sides) to a furniture workshop. The permission has not been implemented.

11. In October 1999 planning permission was granted for the change of use of part of the group of buildings (on the eastern side) to holiday accommodation units. The permission has not been implemented.
12. In July 2003 an application for alteration, extension and conversion of agricultural buildings into 6 dwellings and B1/B8 use together with access improvements was withdrawn.
13. In May 2004 an application for conversion of agricultural buildings to six home/work dwellings (mixed use classes C3 and B1), car parking and alterations to access was withdrawn.

Planning Policy

Policy EM9 of the South Cambridgeshire Local Plan 2004 (the Local Plan) – Teleworking.

14. This Policy states that the District Council will support proposals for teleworking schemes which bring home and workplace physically together on sites within village frameworks or by conversion or adaptation of rural buildings outside village frameworks provided that there would be no adverse impact on residential amenity, traffic, character and the environment generally.

Policy EN15 of the Local Plan – Development affecting Ancient Monuments or other Archaeological sites.

15. This Policy aims to protect, preserve and enhance sites and features of archaeological importance.

Policy CS10 of the Local Plan – Education

16. This policy states that in developments of 4 or more dwellings financial contributions will be sought towards the provision of additional permanent or temporary accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary and secondary schools to be exceeded during the 5 years following the date of the application.

Policy P2/6 – Rural Economy of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) states (in part):

17. “Sensitive small-scale employment development in rural areas will be facilitated where it contributes to, amongst others:
 - providing opportunities for home working, or making good use of new information and communication technologies;
 - enabling farm or rural diversification where appropriate to the local area, including appropriate rural tourism (see Policies P4/1 and P4/2);
 - enabling the re-use of existing buildings;
 - helping to maintain or renew the vitality of rural areas.

Consultation

Croydon Parish Council

18. "Council believes the site to be outside the village envelope, and also contrary to SDCDC policy for redevelopment of redundant farm buildings, and so refuses the application with the following comments:
- The development of Croydon House farm buildings into Live and Work units, with significant traffic movements, is incompatible with the local environment and parish of Croydon.
 - The proposed site entrance onto the dangerous and accident-prone B1042 near to a bend is unacceptable.
 - Council has concerns about drains/sewerage by soakaway in this low-lying heavy chalk/clay area."

Local Highway Authority

19. "I note that the extent of development is now much less than that originally proposed.
20. It is my view that the traffic likely to be generated by the development proposed now is unlikely to be greater than that which could be expected to be generated by the holiday let (if implemented) and storage use of the buildings.
21. The improvements to the access as shown on plan 200/02/10 must be completed prior to the occupation of any of the dwellings."

Chief Environmental Health Officer

22. No objections subject to conditions to control the operating hours of power operated machinery and other safeguarding measures both for the development and during the conversion and renovation period.

Environment Agency

23. No objections subject to a condition to require submission and implementation of a scheme for the provision of foul water drainage.

Cambridgeshire County Council (Chief Financial Planning Officer)

24. "The County Council is concerned that adequate secondary school capacity is not available at Bassingbourn Village College to meet additional demand for secondary education that can be expected to be created by this development.
25. In these circumstances, we would ask that you seek a contribution from the developer to cover the cost of one secondary school place in the sum of £10,000."

Ecology Officer

26. "It is quite clear that several of the barns have been used as rest sites for a barn owl(s) as feathers and pellets were found. I am not able to confirm if any nests are present in the barn to be demolished as I did not go on to the upper levels of the silos. The farmer confirmed that he knew barn owls were present. *Clearly in completing the application form (part 6f) this fact has either not been considered or ignored.*

A condition is required in order to protect the barn owl(s)...

There is evidence of bats feeding within at least one of the barns proposed for conversion. However, I could not detect any obvious roost sites. Many of the barns were very droughty and dusty which is generally indicative of sub-optimal conditions.

Nevertheless, bats are utilising parts of the site and measures should be incorporated within the new development to sustain them... [This to be controlled by condition]

Various species of birds are clearly using the structures for nesting. Condition required to protect nesting birds..."

27. **Cambridgeshire Fire and Rescue Service (Community Risk Management Group)**
"...the Fire Authority is of the opinion that additional water supplies for firefighting are not required."

Representations

28. Six letters of objection have been received, two from the occupiers of The Willows, Lower Road, two from Meadowside, Lower Road and two from Croydon House Farmhouse, Lower Road.

29. The main points of objection are:

The Willows

30. Object to noise and pollution from car park immediately behind very small back garden which is the only place to go to escape the noise from traffic on the B1042.
31. If the demand for home/working dwellings is so high why aren't other buildings of this type being built in Cambridgeshire.
32. What happens if the work units fail, as they probably will and how will the occupation be monitored.
33. Noise would spoil the peace and tranquillity that we have enjoyed for eight years.
34. We do not want a small housing estate, a small trading estate or a car park adjoining our back garden.
35. Car parking should be to the north of the buildings where demolition is proposed.
36. The barn attached to the garden wall (shown as workspace unit 1) should be demolished and a small woodland planted which would give appropriate separation and be good for the birds and wildlife.
37. The stated 32 traffic movements per day represents a 3200% increase on what we used to have when we just had the odd tractor or vehicle occasionally using this site.
38. There have been two people killed along the stretch of the B1042 in the last four years, and there have been numerous other accidents. Another 32 vehicles will add to the accidents and loss of life.
39. No bus service and no footpaths on the B1042 for people to walk half a mile to the nearest bus stop.

Meadowside

40. Bats are seen around the buildings during summer evenings
41. Object to demolition of building attached to one of my buildings.

42. The modern farm buildings, erected with grant aid, have until very recently been in use for grain storage and could be used to store hay, silage or fodder for animals that could use the land to the north of the buildings for grazing. They could also be used to house such animals in inclement weather. They should remain in agricultural use.
43. What is going to happen to the 35 acres of grassland now neglected by Optima, part of which forms part of the preserved medieval site of Clopton.
44. Highway safety [points raised similar to those above from The Willows]

Croydon House Farmhouse

45. No objection to work-from-home office based use or residential development of an appropriate scale but object to industrial or workshop activity which would materially increase the heavy goods traffic.
46. Highway safety issues through the use of the access. The amount of traffic should compare with that which a working farm would generate.

Planning Comments – Key Issues

47. The key issues are: sustainability, highway safety, impact on residential amenity and impact on the surrounding countryside.

General

48. The proposal is supported by Policy EM9 of the Local Plan provided the use is for teleworking. This policy falls within the employment section of the Plan. It is my view that the site should be considered primarily as a place of employment with associative residential use and in this way differs from dwellings with 'studies'.

Sustainability

49. The site lies well outside any defined settlement framework and is only realistically accessible by car. Cycling on the B1042 would not be safe, there is no bus service and no footpaths. This is not a site that would be considered acceptable for conversion to housing for these reasons.
50. The proposal aims to bring home and work place together which will reduce the need to travel. Journeys to schools, shops and doctors etc will of course be necessary by car but provided the workplace and home are located together the proposal is more sustainable than if these buildings were simply converted to residential. It will also meet the needs of benefiting the rural economy by the reuse of buildings but in a more sustainable way.
51. It will be important to ensure that the occupation of the dwellings is linked to the use of the employment space and the use of the employment space is restricted, in the main, to occupiers of the dwellings and that the employment space is not converted to additional residential accommodation. To this end it will be essential for the applicants to enter into a Section 106 agreement to control these matters.

Highway safety

52. I note the comments of the Local Highway Authority. Previous applications have been withdrawn because the scale of proposals and the resultant harm to highway safety would, in all probability, have led to refusals of planning permission. Following these withdrawals the applicants approached the Local Highway Authority to ascertain what level of vehicle movements would be similar to the active use of the site as a farm or

by the permitted uses. This proposal follows that negotiation and it is now considered that the 32 vehicle movements stated in the application would be similar to that that is already permitted.

53. The required improvements to the access can be secured by condition.

Residential amenity

54. The proposal will introduce a degree of activity to the rear of the three properties that front the road. However this should be judged in light of the potential agricultural use that could occur on site and in my view is acceptable. It will, however, be important to ensure that the employment uses do not generate unacceptable levels of noise and disturbance. To this end the uses should be limited to Class B1(a), offices.

55. Part of the development will back immediately onto the rear garden wall of The Willows. Car parking was shown within 2m of this wall but has since been moved to 7m away following negotiations and a 7m wide planted area created. One of the workspace units will be adjacent to this wall but I do not consider that the level of noise and activity from within this building will be likely to have an adverse impact on the living conditions of the occupiers of The Willows and in any case will be less disruptive than the use of this building for agricultural purposes.

Countryside

56. The planning application withdrawn in July 2003 proposed the conversion of the more traditional buildings to 6 dwellings and the use of the two larger modern buildings for B1 and B8. Apart from objections on highway safety, the scale of development was felt to be excessive and to have too great an impact on its surroundings.

57. This proposal involves the demolition of the two large modern agricultural buildings which will be to the benefit of the visual quality of the surrounding countryside and to the setting of the Scheduled Ancient Monument of Clopton.

58. The activity, gardens, car parking etc is largely confined to the inner courtyard of the proposal. The openings in the external elevations have been the subject of negotiation. I consider that the number and style of openings is not excessive or out of keeping with the surrounding rural character and will not adversely impact on the visual quality of the countryside. Significant planting has been done around the site which will in time help soften the development. Notwithstanding this, landscaping will need to be controlled by conditions.

Condition of buildings

59. A full structural survey of the buildings has been submitted. This survey was submitted for the most recent previous application and in a memo dated 4th February 2004 from the Senior Building Control Surveyor it was stated: "I visited the site on 3rd February 2004. The buildings appear to be of permanent and substantial construction and capable of conversion without major or complete reconstruction."

Ecology

60. I note the comments of the Ecology Officer and consider that the conditions suggested are necessary.

Car Parking

61. No car parking standards exist specifically for live/work units. However the standards for dwellings require a maximum of 2 spaces per dwelling. The 9 spaces provided plus the additional disabled space and visitor spaces are in excess of this but are not in my opinion excessive as it is anticipated that the cars will be on site for more time

than in a typical residential situation (where people are at work) and space will be required for the occasional delivery vehicle or perhaps visiting clients etc.

Conclusion

62. The buildings are capable of conversion, the demolition of the existing large modern buildings will be of benefit to the quality of the surrounding countryside and the medieval Clopton monument, the use is sustainable, the impact on highway safety acceptable and the proposal does not in my opinion adversely affect the amenity of neighbours.

Recommendation

63. Subject to the prior signing of a Section 106 agreement to ensure the live/work relationship is maintained and to secure the education contribution, Approval, as amended by plans reference 200/02/03 E and 200/02/04 D and subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 7. The workspace areas shall not be used as additional living accommodation unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Rc – To ensure compliance with Policies P2/6 of the County Structure Plan 2003 and EM9 of the South Cambridgeshire Local Plan 2004.)
 8. The live/work units, hereby approved, shall not be occupied until the access improvement works, indicated on plan No. 200/02/10, hereby approved, have been completed in accordance with the approved details. (Reason – In the interest of highway safety).
 9. During the period of renovation and conversion, and thereafter, no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the local Planning Authority in accordance with any agreed noise restrictions. (Reason – To protect the amenity of occupiers of adjacent properties.)
 10. 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 buildings but excluding office equipment and vehicles and the location of the outlet from the buildings 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 protect the amenity of occupiers of adjacent properties.)

11. 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 Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time as may be specified in the approved scheme. (Reason – To prevent the increased risk of pollution to the water environment.)
12. The live/work units, hereby approved, shall not be occupied until the buildings annotated on plan no. 200/02/05 B as “Agricultural usage grain / machinery storage 936m² (to be removed)” have been completely demolished, all materials removed from the site and the land restored to its former condition. (Reason – To ensure that, visually the development relates well to its surroundings).
13. Prior to any form of disturbance, demolition or destruction of the present buildings upon the site two artificial barn owl nest boxes shall be erected. Full details of design, siting and their means of erection shall be agreed in writing with the Local Planning Authority prior to any development commencing. (Reason - Conforms to policy EN 14 of the Local Plan 2004 regarding the conservation of barn owls in agricultural buildings).
14. Prior to any development commencing full details of measures for the provision of artificial roost sites for bats including their design, siting and means of erection shall be agreed in writing with the Local Planning Authority. (Reason - Conforms to policy EN 14 of the Local Plan 2004 regarding the conservation of bats).
15. No demolition or destruction of the present buildings upon the site shall take place during the period between February 15th to July 15th (inclusive) in order to prevent damage or disturbance to nesting birds. Should nesting birds be present within the buildings then a method statement on the progression of the development and measures for compensatory nest provision shall be agreed in writing with the Local Planning Authority prior to works commencing. (Reason - All nesting birds receive protection under the Wildlife and Countryside Act, 1981. Additionally, the Barn Owl is a Schedule 1 listed bird which affords it a greater level of protection including that against reckless disturbance. In order to conform with policy EN 13 of the Local Plan 2004 regarding Protected Species).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P2/6**
(Rural Economy)

- **South Cambridgeshire Local Plan 2004:** EM9 (Teleworking), EN15 (Development affecting Ancient Monuments or other Archaeological sites), CS10 (Education)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential amenity including noise disturbance.
 - Highway safety
 - Visual impact on the locality
 - Sustainability

Background Papers: the following background papers were used in the preparation of this report: Working planning files reference S/1137/03/F, S/2312/03/F, S/1137/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003.

Contact Officer: Nigel Blazeby – Senior Planning Assistant
Telephone: (01954) 713256

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/2131/04/F - Oakington
Erection of a Block of Stables and Tack Room/Feed Room and Barn, (Renewal of
Permission S/1565/99/F) at Homefield Stables, Cambridge Road For Mrs B Tingey**

Recommendation: Approval

Site and Proposal

1. Homefield stables and associated paddocks, which total approximately 4 hectares, (10 acres), is sited outside of the village framework of Oakington, within the Green Belt and Open Countryside. The site is located to the south east of the village and is accessed off Cambridge Road. The south west and north east facing boundaries of the site are lined with relatively tall mature trees. As a result the existing stable building and paddock area is well screened from the road. More open views are however provided to the north east and south east.
2. This application received on the 19th October 2004 seeks renewal of application S/1565/99/F. This application approved on the 16th December 1999 gave consent for the extension of the existing 'L' shaped stable block. The extension measured 4.2 metres in height and provided four further horseboxes and an additional tack room. The two projections of the 'L' shaped extension measured 13.8 metres and 12.5 metres in length and 3.5 metres in depth (approximate). The extension is a mirror image of that approved in 1992 with both structures forming a 'U' shape, (two 'L' shaped buildings). In addition, planning permission was granted for the erection of an open fronted hay and straw store measuring approximately 5.1 metres in height, 12.5 metres in length and 6.1 metres in depth.

Planning History

3. Planning permission was refused in 1992, reference **S/2012/91/F** for the erection of a barn and access road. It was considered that the barn, by reasons of its size and siting, (barn measured 5.8 metres in height, 23.8 metres in length and 10 metres in width, approximate), would have an adverse affect on the openness of the Green Belt. A later appeal was dismissed with the inspector also making reference to the lack of justification for the need for the barn.
4. Planning permission was granted in 1992 for the erection of an 'L' shaped stable block and access, reference **S/1162/92/F**. The stable block comprised of four horse boxes and a hay store. The use of the stables was restricted by a planning condition to domestic purposes. A Section 106 agreement was also signed which stated that the building shall be removed if it ceased to be used as domestic stables for a continuous period of 12 months.
5. Planning permission was granted in 1999 for the extension of the existing stable block and erection of barn, reference **S/1565/99/F**. Details of this application are given in paragraph 2 of this report. The use of the extended stable block was again

restricted to domestic purposes by way of a planning condition. This extension was also the subject of the above-mentioned Section 106 Agreement. This permission remains extant until the 16th December 2004.

6. The site was subdivided in 2003 and planning permission granted on a 1.6 ha (4.05 acre) site located to the south east of the existing building for an additional access and 'L' shaped stable block, reference **S/1912/03/F**. The use of the stable block was restricted to domestic purposes only and the front boundary hedge protected by a planning condition.

Planning Policy

7. The site is located within the Green Belt. **Planning Policy Guidance Note 2** (Green Belts), **Policy P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003, ('Structure Plan') and **Policy GB2** of the South Cambridgeshire Local Plan 2004, ('Local Plan') seeks to restrict inappropriate forms of development within the Green Belt. The above policies in addition to **Policy GB5** of the Local Plan state that developments for informal recreational purposes maybe viewed acceptable where the openness of the Green Belt is not affected.
8. **Policy RT1** also seeks to protect the rural character of the open countryside from inappropriate forms of recreation and tourism development. Development of the most versatile agricultural land is also precluded.
9. **Policy P1/3** of the Structure Plan states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultation

10. **Oakington Parish Council** – Refuse. It is noted that circumstances have changed significantly since the previous application was approved, (consent granted for additional stable block and means of access to the east and size of site reduced). Objections raised to the more intense use of the site which is now to be split into three, and also questioned whether the use remains for domestic purposes only. It is also requested that the existing access be upgraded to prevent loose stones from spreading onto the cycle way.
11. **Environment Agency** – Offered standard advice with regard to pollution and drainage.
12. **Chief Environmental Health Officer** – No comments received at time of writing this report. Any comments raised will be reported verbally to the Committee.
13. **Local Highways Authority** - No comments received at time of writing this report. Any comments raised will be reported verbally to the Committee.

Representations

14. None received at the time of writing this report. Any comments raised will be reported verbally to the Committee.

Planning Comments – Key Issues

15. The key issues to consider in the case are the impact of the proposed stable block extension and storage barn on the openness of the Green Belt and Highway Safety, the proposed use of the stables and issues of drainage and pollution control.

Highway Safety

16. The access arrangements for the site are the same as those previously approved in application S/1565/99/F. The Parish has requested that the access arrangements be upgraded to a similar standard as those approved for the adjacent site, application reference S/1912/03/F. In this case the pull in area directly off the highway is laid in tarmac, as oppose to gravel. While the traffic generation of this development remains the same and local highway conditions have not materially altered in the last 5 years, a bound surface will provide a safer access onto the highway. As this was not insisted upon in the previous application, Members may however not consider that such a condition is reasonable.

Openness of Green Belt

17. Whilst the details of this renewal application are the same as those previously approved, since consent was given, the site has been subdivided and a separate stable block built. Whilst the built up appearance of the site has been increased, when application S/1912/03/F was approved the applicants existing stable block and extant permission were still valid. At this time it was considered that the construction of a second stable block within the paddock, in addition to the approved extension to the existing structure and erection of storage barn that had yet to be built, would not have a materially greater impact on the openness of the Green Belt.
18. Whilst the Parish Council does not agree, there has been no change in circumstance since the most recent approval for the second stable block in 2003. The principle of building 2 separate units on the site, one with four horseboxes and one with eight, has already been agreed and the combined impact of the two separate stable blocks on the openness of the Green Belt remains the same. It is therefore considered that an objection to the renewal of the permission S/1565/99/F cannot be justified due to the impact of the development on the openness of the Green Belt.
19. Members should note that the site is not to be split into three units as suggested by the Parish Council. The extension to the stable block will be used in conjunction with the existing 4 horseboxes and tack room and will not be occupied separately.
20. In subdividing the site, the area of paddock in which the horses can exercise has been reduced. Again in approving the 2003 application the use of the site to accommodate up to 12 horses has been approved. The site has been subdivided by fencing and gates. This subdivision does not materially affect the openness of the Green Belt.
21. In approving the second stable block on the adjacent site, a condition protecting the existing front boundary hedge was issued. Whilst a similar condition was not attached to the 1999 approval which the applicant is now seeking to renew, given the more built up nature of the site it is considered that a similar worded condition could now be justified in this instance. Such a condition would ensure that a satisfactory visual screen is maintained to Cambridge Road

Use of stables

22. The proposed stable block extension is to be used in conjunction with the existing structure, for domestic purposes only. This was conditioned on approval S/1565/99/F. The extension and the original stable block are also the subject of a Section 106 agreement, which states that the buildings shall be removed if the stables are not used for domestic purposes for a period of more than 12 months. Whilst the Parish Council has raised some concerns with regard to this issue, it was accepted in 1999 that the stables were to be used for domestic purposes only. The subdivision of the site does not, in my opinion, give any reason now to doubt this claim. The use of the stables should again be conditioned to preclude any commercial use

Drainage and Pollution

23. The Environment Agency has offered the same standard advice given for the previous application. Whilst this information was not included on the decision notice S/1565/99/F, it is considered that the applicants attention should be drawn to be points raised. It is therefore suggested that these be listed as informatives.

Recommendation

24. Approve
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 3. The use of the stables and hay store, hereby permitted, shall be confined to domestic purposes only and no trade, including a commercial livery shall be carried out from the premises
Reason – The site lies within the Cambridge Green Belt where informal recreation is permitted where it does not affect the rural and open nature of the area. The use of the site for business or trade purposes would intensify the use of the site, contrary to Green Belt policies.
 4. The existing hedge that runs along the south western boundary of the site, adjacent to Cambridge Road, shall be retained at a height of no less than 2.5 metres unless otherwise agreed in writing by the Local Planning Authority. Any trees or shrubs sited within this hedge which, within a period of 5 years from the completion of the development or the occupation of the buildings, whichever is sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting seasons with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason – To safeguard the rural character of the open countryside in accordance with policy GB2 of the South Cambridgeshire Local Plan 2004

Environment Agency Informatives

1. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
2. Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency

seeks to avoid culverting, and its consent for such works will not normally be granted as a means of access.

3. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
4. Drainage from contaminated yards, manure heaps, stable washings and hay soaking should be discharged to a septic tank and soakaway system.
5. A percolation test shall be undertaken to ensure that soakaways will work adequately in adverse conditions. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
6. The septic tank and associated soakaway system shall not be sited within 10 metres of any ditch, pond or watercourse or within 50 metres of any well or borehole.
7. The maximum acceptable depth for soakaways is 2 metres below existing ground level.
8. Temporary field manure heaps should be located where there is no risk of run-off causing pollution. They should not be located near field drains, within 10 metres of a watercourse or 50 metres of a spring, well or borehole that supplies water for human consumption.
9. The applicant must ensure that there is no drainage of effluent from the site to any watercourse or surface water drain or sewer.

Informative

1. The use of the stables that is the subject of this planning permission is restricted in accordance with a Section 106 Agreement under the Town and Country Planning Act 1990, dated 4th November 1993, ref S/1162/92/F.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003:
P1/3 – Sustainable Design in Built Development
P9/2a – Green Belt
 - South Cambridgeshire Local Plan 2004:
GB2 – Green Belt
GB5 – Recreational Role of the Green Belt
RT1 – Recreation and Tourism Development
2. The development is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise
 - Drainage

- Pollution
- Intensity of use
- Impact on Green Belt
- Highway Safety
- Use of stables

Background Papers: the following background papers were used in the preparation of this report:

- Planning Policy Guidance Note 2 (Green Belts)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files S/1162/92/F, S/1565/99/F, S/1912/03/F and S/2131/04/F.

Contact Officer: Paul Belton – Planning Assistant
Telephone: (01954) 713253

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

S/2153/04/F - Litlington**Change of Use of Land to Garden Land and Retention of Garden Room (Retrospective Application), 2 Manor Farm Barns and Land Adjoining, Cockhall Lane, for Ms C Romeyer and Mr R Kennedy****Recommendation: Approval****Site and Proposal**

1. Number 2 Manor Farm Barns is one of a trio of residential dwellings that have been created through the conversion of former barns. The site lies on the edge of the Litlington village framework and abuts the Conservation Area. To the north west of number 2 there is an area of meadowland that is under the ownership of the applicants but does not form a part of their residential curtilage. Unlike the dwelling's curtilage this meadowland falls outside of the village framework and within the Conservation Area. Aside from the other Manor Farm Barns the closest residential properties are those of Cockhall Close to the southeast and a pair of listed cottages to the northeast.
2. This full planning application received 21st October 2004, is for a garden room that has been built without the required formal consent of the Local Planning Authority. It is therefore retrospective. The garden room is a single story 'L' shaped structure, with weatherboarding and a natural slate roof. As the garden room has been built on part of the aforementioned meadowland this application also proposes the change of use of the area of land on which the structure sits. The building has a footprint of 33 sq.m.
3. The garden room would have required formal consent as it falls outside of the property's residential curtilage, it also falls within the Conservation Area and has a cubic volume greater than 10 cubic metres. Even if the garden room had been sited within the property's residential curtilage it would still have required formal consent as the permitted development rights for the erection of such structures was removed as a condition of the barns' planning consent.

Planning History

4. **S/0225/95/F** – Planning consent granted for the conversion of the barns into three dwellings, at which time permitted development rights were removed under Part 1 and Part 2 of the Town and Country (General Permitted Development) Order 1995.

S/0219/95/LB – Listed Building consent granted for part demolition, alterations, extensions and conversion of barns to three dwellings, together with demolition of storage buildings.

Planning Policy

5. **Policy P1/2 'Environmental Restrictions on Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 states that development in the countryside should be essential in a particular rural location.
6. **Policy SE9 'Village Edges'** of the Local Plan 2004 states development on the edges of villages should be sympathetically designed and landscaped to minimise the impact on the countryside.
7. **Policy HG12 'Extensions and Alterations to Dwellings within Frameworks'** of the Local Plan establishes that proposals for the alteration or extension of dwellings should have regard to the issues of scale, design, materials and the degree of impact on surrounding properties and the street scene.
8. **Policy EN30 'Development in Conservation Areas'** of the Local Plan states that proposals will be expected to preserve or enhance the special character and appearance of the Conservation Area.

Consultation

9. **Litlington Parish Council** recommends refusal of the application due to the fact that the development lies outside the village boundary.

The Conservation Manager has no objection to the application stating:

10. The structure forms a sense of freestanding outbuildings to the perimeter of the main barns, including the garage block to numbers 1 and 2. It is constructed of materials complementary to the barns. The form and scale is subservient to the main barns.
11. This part of the Conservation Area includes the open fields between this site and the church. The barns sit at the top of a promontory, the land falling down towards the church. The meadow area includes mounding which helps buffer the site together with a group of trees to the south east of the structure. It is noted that the greenhouse has been removed. It is not considered that the siting and form of this structure harms the appearance of the Conservation Area, and would not be contrary to Policy EN30.
12. It is regrettable that this is retrospective as the site abuts a known site of a Roman villa, and it is probable an archaeological condition would have been required, however such an opportunity has been lost.

Representations

13. A letter of support has been received from the residents of The Southerly Barn, Cockhall Lane. They state that the applicants have transformed an unkempt, unsightly and weed-ridden piece of land and enhanced the appearance and visual enjoyment of the area. They also state that the garden room replaces a tumbledown building, which significantly improves the visual appearance and blends very well with the barns.
14. A letter has been received from the resident of Walnut House, Cockhall Lane. The writer states that he has no objection to the application but thinks that it would be a sensible compromise for planning consent to be granted for a change of use of the area containing the garden house, and to retain agricultural classification for the remainder of the land.

Planning Comments – Key Issues

15. Prior to the submission of this application a large greenhouse had also been erected on the meadowland together with the garden room. The greenhouse has since been dismantled and does not form a part of this application. The area of the meadowland that would become garden land as a result of this application is the land directly beneath the garden room. Planning officers have raised questions about the accuracy of the red line on the block plan as it does not appear to follow the existing hedge. A clarification of this matter will be requested of the agent and further information will be made available to members. Although the meadowland has been tidied up it does not form a part of the residential curtilage, and will not as a result of this application become garden land.
16. The garden room does not impact upon the amenities of any of the surrounding properties, and the distance of the development from the listed cottages means that it has no impact upon their setting. The choice of materials used helps it to blend in with the main barns and their existing outbuildings. This use of matching, natural, materials is in compliance with Policy EN30 of the Local Plan. Similarly the Conservation Manager has stated that the garden room does not harm the setting or appearance of the Conservation Area. The Parish Council has made no reference to the development being detrimental to the character or setting of the Conservation Area.
17. The reason given for the Parish Council's recommendation of refusal is due to the fact that the development is located outside of the Litlington village framework. Although the garden room is technically located in the countryside its proximity to the main barns does not make it appear incongruous. It also has a strong ancillary relationship with a residential site within the village framework. The low height of the structure and the materials used help to reduce the visual impact of the structure on the open countryside, especially when seen against the backdrop of the main barns and their outbuildings.

Recommendation

18. Approval

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

South Cambridgeshire Local Plan 2004: SE9 (Village Edges), Policy HG12 (Extensions and Alterations to Dwellings within Frameworks), Policy EN30 (Development in Conservation Areas)

Background Papers: the following background papers were used in the preparation of this report:

County Structure Plan 2003
South Cambridgeshire Local Plan 2004
Planning application file S/2153/04F

Contact Officer: Edward Durrant – Planning Assistant
Telephone: (01954) 713082

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/6236/04/RM - Cambourne
Formation of New Haul Road Between Upper Cambourne and Lower Cambourne and
Continued Use of the Haul Road to the Rear of Brookfield Way Lower Cambourne until
Completion of the Proposed Haul Road for McA Developments Ltd**

Recommendation: Approval subject to conditions

Site and Proposal

1. The application relates to land located between Great, Upper and Lower Cambourne and is located within open space identified in the Cambourne Masterplan as a proposed golf course. The haul road is required to serve the construction of dwellings within Great Cambourne and parts of Upper Cambourne and crosses a bridleway that runs along Crowdene and a public footpath close to Oakdene. The application requests the continued use of a haul road in Lower Cambourne (located to the rear of Brookfield Way) for a further 4 years and involves an intensification of that haul road to allow deliveries to the site. Also proposed is the formation and construction of a new haul road between Great and Upper Cambourne.
2. This reserved matters application, received on the 10th February 2004, proposed the intensification of the use of the existing access road and significant alterations to the land form to the south of Great and Upper Cambourne. After several months and numerous meetings to discuss alteration in the land form no compromise could be achieved and the developers decided to withdraw that part of the application (28th May 2004) which involved the deposit of spoil within the open space and amend the haul road to allow access directly between Great and Upper Cambourne.

Planning History

3. Outline planning permission for 3,300 dwelling was granted in 1994, along with associated infrastructure and facilities. Detailed reserved matter and full planning permissions have been granted and a total of 1,473 dwelling have been occupied so far.
4. A reserved matter application for new landforms to the south of Great and Upper Cambourne was refused in October 2004 (S/6258/04/RM) for three reasons; the formation of unnatural and uncharacteristic landforms, there was insufficient information to ascertain the impact of the development the nearby residential property Oakdene, and the lack of assessment provided in relation to the provision of archaeological data within the area.
5. A reserved matter application for infrastructure roads, drainage infrastructure together with a sewage pumping station and a lake was granted planning permission (S/6237/04/RM) in July subject to conditions and is under construction.

6. A reserved matters application for a retrospective haul road was granted temporary planning permission (S/6099/00/RM) for the movement of spoil only. This use was to cease on the completion of Lower Cambourne.

Planning Policy

7. Structure Plan 2003 **Policy P8/9** relates to the provision of Public Rights of Way.
8. The site is within the village framework. Local Plan 2004 **Policy SE7** sets out the requirements that must be met in order for the proposals within Cambourne to be considered for approval.
9. Planning Policy Guidance (PPG) 24 - Noise

Consultation

10. **Cambourne Parish Council** - Recommends approval
11. **Bourn Parish Council** - No recommendation.
12. **Caxton Parish Council** - Has not responded.
13. **The Local Highways Authority** - No comments
14. **Cambridgeshire County Council Archaeology Section** - Has not responded.
15. **Cambridgeshire County Council Footpaths Section** - Has serious concerns at any long term effects on the footpath crossing the site adjacent to Lower Cambourne. It was hoped that the County could close the haul road adjacent to Lower Cambourne and return that land to agriculture. Therefore would consider it appropriate for a temporary period to allow for the development of a further haul road better located between Great and Upper Cambourne.
16. **Anglian Water** – No comments subject to an informative being attached to any consent given advising the applicant of their statutory obligations.
17. **Environment Agency** – Has no objection subject to an informative being attached to any consent given advising the applicant of their statutory obligations.
18. **British Horse Society** – Has not responded.
19. **Ramblers Association** – Objects to the application on the grounds that it obstructs a right of way.

Representations

18. Neighbours – 4 neighbours from Nos. 71, 73 and 77 Brookfield Way and No. 153 School Lane objected to the original scheme on the grounds of:
 - The developers have had sufficient time to complete the scheme.
 - Hours of use on the haul road need restricting.
 - Must install lockable gates to ensure no working out of hours.
 - Landscaping needs improving between residential and haul road.
 - Developers must build a traffic island.

- Loss of privacy
 - Suggest a haul road is built from Great Cambourne and Upper Cambourne as Lower Cambourne is now complete.
 - Noise and dust from the haul road due to earthmoving vehicles causes disturbance to nearby properties.
 - Is it possible to raise the earth bund to the rear of the properties to reduce the noise.
19. Comments were also made from the occupiers of Oakdene but no formal letter received on this application. Following the withdrawal of the landform application a further consultation was carried out with the adjacent nearby residents including the four who originally objected and Oakdene. No further letters were received.

Planning Comments – Key Issues

20. The key issue is the impact of the continuing and intensification of use of the haul road at Lower Cambourne (identified as road A on the attached plan) on the nearby residential properties in relation to noise and disturbance.
21. The existing haul road to the rear of the properties in Lower Cambourne (Brookfield Way) currently has temporary planning permission for the movement of spoil in Lower Cambourne only. This consent expires on the completion of development within Lower Cambourne. The haul road now links round most of the sites in Greater Cambourne and goes through the Eco Park. It offers an opportunity to service these sites without the necessity for going through the main settlement. However, the intensification of this haul road to allow deliveries to the sites would have a significant impact on the residential properties adjacent and the development and on the Eco Park.
22. In addition the County access officer had raised concern regarding the intensification of the use and the addition time requested. The continuation of the use of the haul road for a further 4 years seriously delays the possibility of bring back the footpaths within the Eco park and developing the site generally, and in addition prevents the use of definitive rights of way for a significant period. Consequently the County Access officer objected to the application.
23. In assessing this impact on both the residential properties and the Eco park discussions were held to investigate other methods of servicing the site. I am conscious of advise in PPG 24 para 10 “ *It will be hard to reconcile some land uses, such as housing, hospitals or school, with other activities which generate high levels of noise, but the planning system should ensure that, wherever practicable, noise-sensitivity developments are separated from major sources of noise (such as road, rail and air transport and certain types of industrial development)*” The increased use of the haul road would involve substantially more vehicles using the track at varying times of the day.
24. A compromise was suggested to construct a new haul road between Great and Upper Cambourne (identified as road B on the attached plan) to service the remaining areas within Great Cambourne and parts of Upper Cambourne. The main road through the top of the settlement would access this haul road. This would allow the haul road from Lower Cambourne to be closed and the reinstatement of the public footpaths to take place. Consequently the impact of the new haul road should be weighed against the benefits of the old haul road. On balance it is considered that the developer needs access to the remaining pods of land and that the most

appropriate way would be by constructing a new haul road between Great and Upper Cambourne, allowing Lower Cambourne to be completed without further disturbance.

25. However, the closure of the haul road at Lower Cambourne would cause a problem with deliveries to the existing sites and the cessation of the use prior to the opening of the new haul road resulting in the traffic servicing the existing developers on site travelling through the main settlement of Great Cambourne. This would cause significant impact on those residential properties and something resisted strongly in the past. Consequently, it is appropriate to allow the continued use of the haul road in Lower Cambourne until the new haul road is complete. It is anticipated this will be by the 31st March 2005. Therefore it is appropriate to consider a temporary extension to the use of the existing haul road until that date.

Recommendation

On balance the Local Planning Authority seeks to protect the residential amenities of the residents within Lower Cambourne, but not restrict the development of other parts of Great Cambourne, therefore a compromise to allow the continued use of the existing haul road until the completion of the new haul road (31st March 2005) appears to be reasonable and to grant the construction of the new haul road between the new settlements.

Background Papers: the following background papers were used in the preparation of this report:

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Refs: S/1371/92/O, S/6099/00/RM, S/6258/04/RM, S/6237/04/RM

Contact Officer: Julie Ayre – Senior Planning Officer
Telephone: (01954) 713266

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1937/04/F- Comberton
Extensions, Garage/ Carport and Access**

Recommendation: Approval

Site and Proposal

1. The above application was deferred at the November Committee (Item 32) to allow re-consultation of amended plans following an objection to the original location of the garage/ carport by the Trees and Landscapes Officer. The previous report is attached as an appendix.
2. The amended plans, dated the 11th November 2004, re-position the garage/carport to the north of the access away from the Ash tree, re-locate the access 6 metres further south and re-position the dormer window from the front roof slope of the extension to the side roof slope. The Parish Council, neighbours and Trees and Landscapes Officer have been consulted with 14 days to comment.
3. Since the application was submitted and my original site visit in early October, a leylandii hedge adjacent the memorial site on the corner of Swaynes Lane and Barton Road has been removed. In addition, the hedge along the Swaynes Lane road frontage has been reduced in height to approximately 3 metres and the hedge along the shared boundary with 98 Barton Road has been removed.

Consultation*Amended Plans*

4. The comments of Comberton Parish Council are awaited and will be reported verbally
5. The comments of the Trees and Landscapes Officer are awaited and will be reported verbally.

Representations

6. Nos. 98 and 114 Barton Road - comments are awaited and will be reported verbally

Planning Comments – Key Issues

7. The key issues to be considered in the determination of this application (as amended) are whether the revised location of the garage/ carport will have an unacceptable visual impact upon the street scene, and whether the dormer window will harm the residential amenities of the new chalet bungalow to the south.

Street Scene

8. The garage/ carport will be situated approximately 2 metres from the Swaynes Lane road frontage behind the existing hedge and 8 metres from the boundary with the memorial site at the junction of Swaynes Lane and Barton Road. Whilst I accept that the site has been opened up to public view by the removal and substantial reduction of the original hedges that formed a dense screen along the site boundaries, I cannot object to the re-location of the garage on the grounds of it creating a visually intrusive development within the street scene.
9. The approved landscaping scheme for the new chalet bungalow on the adjacent site shows the replacement of the existing leylandii hedge that has been removed adjacent to the memorial site with a 1.8 metre high laurel hedge and existing Cherry tree. The existing hedge along the Swaynes Lane road frontage that has been reduced in height to 3 metres will be gapped up.
10. On the understanding that these landscaping works will be carried out, the position of the garage/ carport the same distance back from Swaynes Lane as its original position and the fact that only 1.3 metres of the garage roof will be visible from Swaynes Lane will mean that the main bulk of the building will be largely hidden from behind the existing hedge. Although the building will be located closer to the memorial site than its original position, only part of the rear elevation of the garage/ carport and its roof will be visible as it will be screened by a new laurel hedge. The re-location of the garage will not therefore have an unacceptable visual impact upon the street scene. In any case, a condition will be attached to the planning consent requiring the submission of a landscaping scheme before work commences.
11. The re-positioning of the garage/ carport will lead to views of the extension to the side of the property being gained from Swaynes Lane. As stated in the previous report, the extension will, however, be seen between and against the backdrop of both the new and existing bungalows and behind the existing hedge and tree that are situated along the road frontage.
12. The new position of the access is not considered to alter the view from the street scene to a significant extent. It will also not compromise the health of the existing Ash tree adjacent Swaynes Lane.
13. The re-location of the dormer window from the front roof slope to the side roof slope is considered to reduce the visual impact of the extension on the street scene.

Neighbour Amenity

14. Whilst the amended position of the garage/ carport will be closer to No. 98 Barton Road than the original position and there are two windows in the front elevation of this property, the 11 metre distance and oblique angle between the building and these windows is not considered to change the outlook and harm the residential amenities of this property.
15. The re-location of the dormer window to the side elevation of the property will lead to the window overlooking the roof and front garden area of the new chalet bungalow. This will not adversely affect the residential amenities of this property.

Recommendation

16. Approval subject to conditions
 1. Standard Condition A – Time limited permission (Reason A);

2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
3. Sc22 – No further windows at first floor level in the south west elevation of the development (Rc22);
4. Sc51 – Landscaping (Rc51);
5. Sc52 – Implementation of landscaping (Rc52);
6. Sc58- Retention of hedge along the Swaynes Lane boundary of the site at a height of 3 metres (Rc- To safeguard the character of the area.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable Design in Built Development) and P7/6 (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: HG12** (Extensions to Dwellings within Village Frameworks)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity of neighbouring properties;
 - Visual impact on the street scene;
 - Impact upon trees;
 - 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.

Background Papers: the following background papers were used in the preparation of this report:

Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire District Council Local Plan 2004

Contact Officer: Karen Bonnett - Planning Assistant
Telephone: (01954) 713230

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 December 2004
AUTHOR/S:	Director of Development Services	

S/2394/03/O - Coton**Erection of 4 Dwellings at the Rear of 79 and 81 Whitwell Way, Coton for Mr and Mrs C. Phillips, Dr S. Julian, Dr N. Graham and Mr and Mrs J. Sadler****Recommendation: Delegated Approval****Departure Application****Site and Proposal**

1. The irregular shaped site measuring 0.21 hectares (0.4 acres) is situated in part of the former rear garden of 79 and 81 Whitwell Way, in addition to an open field squeezed between the rear gardens of the above two properties and the Silverdale Close housing estate comprising of 12 affordable dwellings. The site has a 17m wide road frontage along Silverdale Close.
2. The northern 30m length section of the site is situated on the southern edge of, but within the village framework of Coton as defined in the Local Plan, with the remaining southern portion of land ranging in depth from approximately 4m to 26m, situated outside the Coton village framework in the Cambridge Green Belt.
3. This outline planning application, received on the 24 November 2003, proposed the erection of five detached dwellings and garages with vehicular access off Silverdale Close, with all matters left reserved. The initial indicative sketch scheme illustrated one of the houses as being sited within the Green Belt.
4. An amendment to the application was received on the 16 September 2004, which reduced the number of proposed dwellings to four, by deleting the proposed dwelling within the Green Belt. The indicative layout plan illustrates four detached dwellings with linked garages sited within the northern portion of the site within the Coton village framework boundary, with a detached garage and access road sited on the southern portion of the site within the Green Belt. The proposed vehicular access is illustrated as having a width of 4.5m at its junction with Silverdale Close, with turning areas for the proposed dwellings. The proposed density equates to 25 dwellings per hectare.
5. In support of the application, the agent has stated in a letter dated 6 October 2004, that "I confirm that my clients would be willing to enter into a Section 106 Agreement for the provision of two dwellings as affordable housing."

Planning History

6. Land to the east of 12 Silverdale Close was included within the site area for the approved planning application for 12 affordable dwellings on land outside the Coton village framework, within the Green Belt, proposed by the Granta Housing Association (Ref: **S/1425/97/F**).

7. It is noted that reserved matters approval has been granted for two houses and garages at the rear of 89-95 Whitwell Way, Coton in June 2002 (Ref: **S/0718/2002/RM**), with outline planning permission previously granted in May 2001 (Ref: **S/0531/01/O**).

8. Planning permission for residential development on this land was refused in 1973 (Ref: **C/517/73/O**).

Planning Policy

9. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

10. **Policy 5/3** of the County Structure Plan states that densities of less than 30 dwellings per hectare will not be acceptable and that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.

11. **Policy P5/5** of the County Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.

12. **Policy P9/2a** of the County Structure Plan outlines the purpose of the Green Belt and specifies that new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.

13. **Policy SE4** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Coton as a Group Village. This policy states that residential development up to a maximum scheme of 8 dwellings will be permitted within the village framework provided that the retention of the site in its present form is not essential to the character of the village; and the development would be sensitive to the character of the village and the amenities of neighbours.

14. **Policy SE8** of the Local Plan states that residential development outside of the village frameworks will not be permitted.

15. **Policy SE9** of the Local Plan specifies "development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the Countryside."

16. **Policy GB2** of the Local Plan precludes inappropriate development within the Green Belt unless very special circumstances can be demonstrated and adds that any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.

17. **Policy HG7** of the Local Plan, as if would relate to Coton, indicates that if four dwellings were permitted on a single plot, two of them should be affordable provided there was a clearly identified local need and subject to factors such as proximity to

local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case.

18. **Policy HG10** of the Local Plan states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes and affordability, making the best use of the site and promoting a sense of community which reflects local needs.
19. **Policy HG11** of the Local Plan states that “development to the rear of the existing properties will only be permitted where the development would not:
 1. Result in overbearing, overlooking or overshadowing of the existing residential properties;
 2. Result in noise and disturbance to existing residential properties through the use of its access;
 3. Result in highway dangers through the use of its access; and
 4. Be out of character with the pattern of development in the vicinity.”

Consultation

20. **Coton Parish Council** - In response to the original planning application, the Parish Council did not object to the above application, but raised the following concerns:
 - “Is there enough room for adequate access from Silverdale Close;
 - House No. 1 seems to be too large for the area left beside access road and boundary hedge; and
 - More traffic will be generated through the village”.
21. In response to the amendment, the Parish Council has recommended the refusal of the planning application on the “basis of overcrowding and congestion by cars which is already apparent.”
22. **Local Highway Authority** - In response to the original planning application, commented that in order to cater for the vehicular and pedestrian traffic likely to be generated by this proposal, the access road should be a minimum of 4.5m wide for a minimum distance of 15m from the channel line of Silverdale Close and comprise vehicle to vehicle visibility splays of 2.4m x 33.0m, together with pedestrian visibility splays of 2.0m x 2.0m.

In response to the amendment, it adds that the existing property at 12 Silverdale Close, currently has the benefit of a pedestrian visibility splay to the north of the existing access. Clearly this should not be lost by the erection of boundary fencing as part of the new development.

23. **Shire Homes** - No objection. It adds that I cannot see how these proposals will have any detrimental effect on the surrounding owned Council flats and housing.
24. **Housing Development Manager** - No objection to the application, but points out that applications for new housing would normally require a 50% affordable housing contribution. Two of the proposed dwellings should be affordable.

Representations

25. The application has been advertised as a Departure from the Development Plan.

Letters have been received from the occupants of 83 and 85 Whitwell Way and 80 High Street, Coton.

26. Landowners of 83 and 85 Whitwell Way raise no in-principle objection to the application, but wish to ensure that the proposal does not prejudice the potential residential development of land to the rear of their existing dwellings. It is suggested that the access road be constructed to Local Authority standards, so that it is capable of extension to serve additional development at the rear of adjacent properties.
27. A lengthy letter of objection has been received from the occupant of No. 80 High Street to both the original and amended applications. A brief summary of relevant matters raised are listed below:
 - Objection to the proposal for a few more houses on back gardens;
 - Objection to back land development and loss of large gardens;
 - Objection to continued infilling in the village of Coton;
 - Concern about the lack of planning policy regarding infilling; and
 - Objection to other infilling developments approved in Coton.

Planning Comments - Key Issues

28. The main issues to be considered are whether the principle of development in this position is acceptable and if so, whether the density of dwellings is appropriate on this site, in addition to highway impacts.

Suitability of Site for Residential Development

29. The majority of the site is situated within the Coton village framework and the illustrative sketch layout illustrates four detached dwellings fully contained within the village framework boundary, with only a detached single garage and access track located within the Green Belt. The proposal will not result in the location of new residential dwellings within the Green Belt. I am of the view that the use of Green Belt land for a detached garage and access track is acceptable in this case, given the site's proximity to existing residential development on three sides and the open character of the proposed site adjacent the junction with Silverdale Close.
30. I am also of the view that the proposal satisfies the criteria for both backland development and new residential development contained within the Local Plan. The site is setback 34m from No. 79 and 81 Whitwell Way and 21m from 55-58 Silverdale Avenue. The illustrative sketch scheme also illustrates new dwellings setback 23m from 50 Silverdale Avenue and over 21m from 9-12 Silverdale Close. This setback will allow for the erection of four dwellings, which are not overbearing, overlooking or overshadowing to existing residential properties.
31. The principle of backland development within the rear garden of properties along Whitwell Way, has been previously accepted by the granting of outline and reserved matters planning approval for the erection of two two-storey detached dwellings and garages at the rear of 89-95 Whitwell Way in 2001 and 2002 respectively.

Density of Dwellings

32. The proposal equates to a density of 25 dwellings per hectare, which is lower than the density for new dwellings advocated by **Policy P5/3** of the County Structure Plan and national planning guidance contained in **Planning Policy Guidance Note No. 3** Housing. I am of the view that the density of development proposed will not result in cramped development and will be compatible with the density of development for

nearby dwellings along Silverdale Close and Silverdale Avenue. A density of below 30 dwellings per hectare is considered appropriate in this case, given that part of the site is situated outside of the village framework of Coton.

33. I am also of the view that the proposed number of dwellings can be satisfactorily accommodated on the site in an arrangement that will not have an adverse impact on the character and appearance of surrounding land in the Green Belt and countryside.

Highway Safety

34. I am of the view that there is sufficient scope for the creation of a new vehicular access off Silverdale Close which allows for adequate pedestrian and vehicle-to-vehicle visibility splays and off-road parking provision. Traffic generated by the proposed number of dwellings is not expected to result in a loss of highway safety for Silverdale Avenue or other roads in the village. It is noted that the Local Highways Authority have not objected to this application.

Affordable Dwellings

35. The proposal would bring forward two affordable dwellings in accordance with **Policy HG7** of the Local Plan.

Recommendation

36. A. In view of the need to access the site from Silverdale Close over land outside the village framework and within the Green Belt, it is recommended that the application be referred to the Secretary of State as a Departure.
- B. If the application is not called in by the Secretary of State, it is recommended that the application be approved subject to the prior signing of a Section 106 legal agreement regarding the provision of affordable housing.

Conditions of Consent

1. SCB - Time limited permission for the submission of reserved matters (RcA);
2. SC1 - Reserved Matters (Rc1);
3. SC60 - Details of Boundary Treatment (Rc60).

Informatives

Reasons for Approval

1. Although the development is not in accordance with **Policy P9/2a** of the County Structure Plan and South Cambridgeshire Local Plan 2004 **Policy GB2**, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal brings forward appropriate residential development within the village framework, incorporates two affordable dwellings on a 50% provision and the proposal is not considered to adversely affect the openness of the Green Belt, having regard to the character of the locality.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**

- **Policy P1/2** (Environmental Restrictions on Development), **Policy 5/3** (Density), and **Policy P5/5** (Homes in Rural Areas).
 - **South Cambridgeshire Local Plan 2004:**
 - SE4** (Development in Group Villages, **SE8** (Village Frameworks), **SE9** (Village Edges), **HG7** (Affordable Housing), **HG10** (Housing Mix and Design) and **HG11** (Backland Development).
3. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Highway safety
 - Visual impact on the locality
 - Impact on the character and appearance of the village
 - Residential amenity

Other

1. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
2. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
3. Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk
4. Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDs. The Interim Code of Practice will be made available electronically on both the Environment Agency's web site at: Environment Agency's website and CIRIA's web site at: CIRIA's website.

5. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system taking future development requirements into account

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Refs: S/2394/03/F, S/0718/2002/RM, S/0531/01/O, S/1425/97/F and S/517/73/O

Contact Officer: Allison Tindale - Planning Assistant
Telephone: (01954) 713159

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1093/04/O - Cottenham
Agricultural Dwelling, Causeway Farm, Smithy Fen, for Mr & Mrs R Jones**

Recommendation: Refusal

Site and Proposal

1. The above planning application was deferred at the September Committee (item No.4) to give the applicant an opportunity to submit a planning application for the (unauthorised) calf unit that has been erected on site and the proposed cattle grower/finisher unit referred to in the supporting statement that accompanies this application. The application was to be reported back to this meeting should no progress be made.
2. The Committee report is attached as an Appendix.

Consultation/Representations

3. No further comments have been received since the September Committee Meeting. All comments made are summarised on the attached report.

Planning Comments – Key Issues

4. The key issues to consider in respect of this application have been explained previously in paragraph 12 of the September Committee report. The main issue to consider now is whether sufficient evidence has been submitted to prove that there is a functional need for a second dwelling on the farm.
5. As Members will recall, The Cambridgeshire County Council Farms Officer raised objections to this proposal due to the lack of a clearly established functional need for a second dwelling on the farm, (Comments of the Cambridgeshire County Council Farms Officer are attached as an Appendix).
6. Following the deferral of this application, a second letter, dated 1st September 2004, (initial letter dated 9th June 2004) was sent to Cheffins who are acting on behalf of Mr and Mrs Jones. It was requested that an application be submitted for the (unauthorised) calf unit and proposed cattle grower/finisher unit that is to be erected as part of the planned expansion of Causeway Farm. It was explained that consideration cannot be given to these two units until a planning application is submitted and permission granted for both barns.
7. An application was received for the unauthorised calf unit on the 18th October 2004. Insufficient details were however submitted and the application could not be registered. Additional information was requested but this has not been received. No formal application has been submitted for the proposed barn either, nor has any

reason been given for the 5-month delay since Mr Belcham's initial request for a formal application for both barns.

8. In the absence of any formal planning application for the additional barns, the applicant has failed to demonstrate that an existing functional need for a second dwelling does exist. This application is therefore considered premature to the implementation of an approved expansion of the farm. There would be no reason why a fresh application could not be submitted in the event that circumstances change in the future.
9. The comments raised during the September Committee regarding the siting of the dwelling remain. This is still considered unacceptable.

Recommendation

10. **Refusal**

1. The proposal is contrary to Policies P1/2 of the Cambridgeshire and Peterborough Structure Plan (2003) and HG16 of the South Cambridgeshire Local Plan (2004) in that a clear, existing functional need has not been put forward to justify a second agricultural dwelling on this farm holding.
2. Notwithstanding the above the proposed site is poorly related to the existing and proposed farm buildings.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file S/1093/04/O)

Contact Officer: Jem Belcham – Area Planning Officer
Telephone: (01954) 713252

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st September 2004
AUTHOR/S:	Director of Development Services	

**S/1093/04/0 - Cottenham
Agricultural Dwelling, Causeway Farm, Smithy Fen, for Mr & Mrs R Jones**

Recommendation: Refusal

Site and Proposal

1. Corner of an arable field on the south-western side of Lockspit Hall Drove, 150.0m beyond the humped back bridge. There is a detached house, Turk's Head Farm, immediately adjacent, with arable land to the rear and north-west. There is rough pasture opposite.

The outline application, received 25th May, is for the erection of one dwelling for agricultural purposes.

Planning History

2. None.

Planning Policy

3. **Policy P1/2** of the Structure Plan (2003) restricts new development in the countryside unless an essential case can be demonstrated.

Policy HG16 of the Local Plan (2004) states:-

"In the countryside (i.e. outside village frameworks defined in this Plan), new dwellings complying with Structure Plan 1995 policy SP12/1 will only be permitted on well- established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation.

Where a new dwelling is permitted, this will be subject to a condition ensuring the occupation will be limited to a person solely or mainly 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."

Consultations

4. Cottenham **Parish Council** recommends refusal of the application on the basis of siting only. It feels that "it should be sited away from the adjacent property" (presumably Turks Head Farm). However, I understand that it may be altering that view to one of approval.

5. The **Old West Internal Drainage Board** has no objections provided that all surface water is discharged via an infiltration system or that this is no greater than the present greenfield rate.
6. The **Environment Agency** has no objections in principle but asks for a condition detailing means of foul drainage to be imposed.
7. The **Chief Environmental Health Officer** has no adverse comments to make.
8. The **Cambridgeshire County Council County Farms Officer** is unable to support the proposal, his report is attached as Appendix 1.

Representations - Applicants

9. A supporting document is attached as Appendix 2.

Representations – Neighbours

10. Cottenham Village Design Group has no objections subject to the house being of good design and materials.
11. The occupier of Turks Head Farm next door objects to the siting of the proposed dwelling for the reasons:
 - Access will be off a “passing place”, not a lay-by, and any obstruction could impede traffic flow.
 - Lack of screening.
 - If sited adjacent Causeway farm buildings, there is an existing access, better screening and closer for servicing the newly built calf unit.
 - Site restricts access to drain for dredging etc.
 - Too close to my property which had to be sited 65.0m from its neighbour to mitigate against noise and smells.

Planning Comments – Key Issues

12. The key issue with any agricultural dwelling is whether or not there is an existing functional need for a second dwelling on the farm. A second issue is whether or not the site proposed is appropriate.

i. Need

The accompanying statement from the applicant's agent is detailed, as is that from the County Farms Manager who is unable to support the proposal for the reasons given. The application is, therefore, contrary to both **Policy P1/2** and **HG16**, in that an adequate case has not been made. I have previously written to the Agent asking for a plan of the whole holding, some 118ha/294 acres, and why it is necessary to site the house some 150.0m – 200.0m from the cattle sheds. At the same time I reminded them that planning permission was required for the cattle sheds. No reply has been received, nor an application submitted.

ii. Siting

Paragraph 4.39 of the Local Plan states:-

“Where new buildings are proposed to be erected they should be grouped around existing development to minimise the impact on the countryside”.

In their statement the applicants say they have chosen this site as it is not obviously visible from the public highway, it does not encroach on the open countryside and no new access will be required. It is in close proximity to the farm buildings to fulfil its functional need and, if sited any nearer, may put the occupants at risk from potential straw fires. Reference is also made of the need to be “on site” to minimise theft, and the risk of cattle escaping and to mitigate the risk of arson.

I have asked the County Farms Manager to comment on this issue, assuming that a case may be made in the future, and will report verbally.

If a case is being put forward for a house to provide inter alia, security, then it seems somewhat unusual to choose a site which is “not obviously visible from the public highway” and is some distance from the animals.

Recommendation

13. **Refusal**

1. The proposal is contrary to **Policies P1/2** of the Cambridgeshire and Peterborough Structure Plan (2003) and **HG16** of the South Cambridgeshire Local Plan (2004) in that a clear, existing functional need has not been put forward to justify a second agricultural dwelling on this farm holding.
2. Notwithstanding the above the proposed site is poorly related to the existing and proposed farm buildings.

Informatives

Background Papers: the following background papers were used in the preparation of this report:

- **South Cambridgeshire Local Plan 2004**
- **Cambridgeshire and Peterborough Structure Plan 2003**
- **Planning file Ref. S/1093/04/O**

Contact Officer: Jem Belcham - Area Planning Officer
Telephone: (01954 713252)

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

S/1079/04/F - Fowlmere
Erection of Two Houses following Demolition of Existing Dwelling, The Elms, Lynch Lane for Upware Marina

Recommendation: Approval

Members will visit this site on Monday 29th November 2004.

Site and Proposal

1. The site, which covers an area of approximately 0.13ha, is located to the west of Lynch Lane a narrow lane without footpaths off High Street, close to its junction with Thriplow Road. The site currently contains a detached dwelling towards the northern end of the site. To the west of the site is a detached bungalow. To the north and east of the site, on the opposite side of Lynch Lane, are detached dwellings. To the south the site abuts the village framework and the boundary of the Cambridge Green Belt. There is existing planting on the north and east boundaries of the site.
2. This full application, as amended by drawings received 20th September 2004, proposes the demolition of an existing dwelling, known as The Elms, Lynch Lane, Fowlmere and its replacement with two detached dwellings. The density equates to 15.4 d/ha.
3. The proposed dwelling in the northern section of the site (Plot 1) has five bedrooms and a floor area of approximately 300m², including single garage. It had a proposed main ridge height of 8.4m with lower projecting elements on three elevations. The dwelling will be accessed from the existing entrance to Lynch Lane in the north west corner of the site. The amended drawings position the dwelling within the plot to safeguard existing boundary planting.
4. The proposed dwelling in the southern section of the site (Plot 2) has a similar floor area, including single garage, but has a maximum ridge height of 6.4m and is designed as a chalet style dwelling. It is accessed by a new entrance in the south east corner of the site. The proposed dwelling is located between 3.5m and 4m from the southern boundary of the site.
5. Precise details of materials to be used for both plots are to be agreed although the applicant suggests tiled roofs with brick/render/timber walls.
6. The applicant has submitted specific details for dealing with drainage issues.

Planning History

7. In 2003 outline consent was granted for the erection of a bungalow on part of the garden land to the south of the existing dwelling on the site (**Ref: S/0688/03/F**).

8. **Policy P5/5** of the Cambridgeshire and Peterborough 2004 (The County Structure Plan) Structure Plan permits small scale housing developments in villages having regard to a number of criteria.

Planning Policy

9. **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Fowlmere as a group village where residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village framework provided that the retention of the site in its present form is not essential to the character of the village; the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenity of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with another policy of the Plan.
10. **Policy SE9** of the Local Plan states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development in the countryside.

Consultation

11. **Fowlmere Parish Council** recommends refusal. “The Committee feels that the two designs are far too large, would spoil the ambience of the lane and are totally out of character. The Committee is concerned that two large dwellings could increase the flooding problems experienced in this location.”
12. The **Trees and Landscapes Officer** comments in respect of the amended scheme that the footprint is acceptable in relation to the existing Field Maples and the Walnut. A condition requiring protective fencing during the period of construction should be attached to any consent.
13. The **Building Control Manager** comments that the proposals should greatly improve the road drainage by dispensing potential flood waters in the underlying gravel strata. All surface water from the roofs and any hardened driveways should be dispersed to these strata. The applicant should inform Building Control when soakaways and pipework in respect of the houses are ready for inspection.
14. 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. There should be no bonfires or burning of waste on site without prior consent and a Demolition Notice will be required prior to demolition works.
15. In accordance with the Environment Agency’s Standing Advice, a flood risk assessment was required.

Representations

16. The occupier of the bungalow to the east of the site raised no objection in respect of the original drawings.
17. The occupier of Rowan Cottage was concerned in respect of the original drawings that the scheme would present a rather dominant perspective towards the lane. The change from one house and one bungalow to two five-bedroom houses is surprising. Plot 1 would be more acceptable if rotated slightly clockwise from the front eastern

corner so that the front of the house looked directly towards the High Street and making it possible to move it sideways away from the lane, to the south west. Existing boundary trees should remain. In respect of the amended drawings it is appreciated that possibly all that could be done with regard the siting of the properties has been done. It is noted however that the drain gully opposite Lynch House and its exit opposite Primrose Cottage has been added which still does not address the possibility of flooding to the lower part of Lynch Lane.

18. The occupier of Lynch House comments, in respect of the original drawings, that the proposed new development is substantially larger than that under consideration in 2003. The replacement house for The Elms would be much closer with three upstairs windows looking directly into Lynch House and its garden. The development is not in character with other properties in Lynch Lane and there is no pressing need for such houses in Lynch Lane. There is concern that any damage to existing vegetation would diminish the quality of the lane and affect the growing population of birds that nest in these trees. There is great concern about flooding in the lane and this issue has rightly been raised by the Parish Council, and in late 2002/early 2003 the lane was flooded for several weeks. Due to the heavy rain the existing drainage system was unable to cope and this situation was aggravated by blocked drains at the back of The Elms. No strategic improvements have been made since these floods (of which photographs are supplied). Additional housing at The Elms would be a serious aggravation and this problem should be addressed. Access for emergency vehicles to existing properties is already inadequate, additional development would exacerbate this. Increasing the amount of daily traffic up and down the lane significantly.
19. No comments have been received in respect of the revised drawings.
20. The occupiers of Sear Acre state, in respect of the original drawings, that if consent is granted it should be limited to two dwellings with as much of the existing vegetation as possible retained. The height of the dwelling on Plot 2 should not be increased. The method of drainage should be checked as flooding takes place in the lane. The entrance to Plot 2 is inadequate, as it would not allow for easy access by a car let alone an emergency service vehicle. What provisions will the developer be making to ensure that the condition of Lynch Lane is maintained during the construction period? No comments have been received in respect of the revised drawings.
21. The occupier of Primrose Cottage comments in respect of the original drawings that the principle of the application is not the major concern but particular attention should be paid to the quality of design and use of materials. Access to Plot 2 should be considered carefully to ensure that there is sufficient area made available within the scheme for parking, turning and manoeuvrability. Given the condition of Lynch Lane in winter months a condition should be imposed requiring any construction vehicles to use the entrance to Plot 1 only. Due regard should be given to protect the visual impact of the development from both neighbouring properties and longer views from the south.

Planning Comments – Key Issues

22. The key issues to be considered with this application are the effect of the development on the character of the area, the amenity of neighbouring properties, drainage issues and highway matters.
23. The principle of erecting an additional dwelling on this site was accepted in granting outline planning consent for the erection of a bungalow in part of the garden to the south of the existing house in 2003, when the intention was to retain the existing dwelling. The demolition of the existing dwelling and the erection of a replacement house further north on the site in my view allows greater scope for the development

of the southern part of the site. The proposed dwelling on Plot 1 is well designed and proportioned and with use of good materials will in my view compliment the area. It is set a minimum of 8m from the northern boundary of the site to allow the retention of existing boundary planting. In my view the dwelling will not have an adverse impact on the amenity of adjacent dwellings either adjacent or opposite the site. Members will be able to assess these issues on site.

24. The proposed dwelling on Plot 2 is shown in a similar position to that of an illustrative plan for the bungalow submitted with the earlier application. Although the proposed dwelling is now two-storey it has been designed with a low eaves and ridge line (6.4m). The proposed dwelling is sited gable end on to the southern boundary of the site, which, along with boundary planting that can be secured by condition, will help to reduce the impact of the building at the edge of the village.
25. In response to the concerns raised locally about flooding in Lynch Lane the applicant was asked to produce a flood risk assessment in respect of the proposed development. The applicants' agent states that the flooding relates to a low point in Lynch Lane outside Lynch House where the surfaced road meets the public soft road. At this point a drain runs along the hedge to a soakaway at the southern end of Lynch Lane. The soakaway used to discharge into a ditch running along the boundary south of Plot 2, but this has been filled and therefore does not function as it should. Proposals have been put forward for alleviating this situation which involves forming a new concrete ring soakaway at the southern end of Lynch Lane and to form a new lateral shingle filled soakaway along the boundary south of Plot 2. These proposals have been accepted by the Building Control Manager.
26. With regards to increased traffic, consent already exists for the development of this site by two dwellings. I am content that parking and turning provision will be adequate.

Recommendation

27. That consent be granted, as amended by drawings franked 29th September 2004, subject to safeguarding conditions including the implementation of the proposed scheme for surface water drainage.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **County Structure Plan: Policy P5/5**
 - **South Cambridgeshire Local Plan 2004: SE4 and SE9**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Drainage issues

Background Papers: the following background papers were used in the preparation of this report: Planning Application files S/1079/04/F and S/0688/03/O
South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st December 2004
AUTHOR/S: Director of Development Services

S/1970/04/F - Fowlmere
Erection of Dwelling and Conversion of Barn into Garage/Carport/Workshop and Store
Following Demolition of 2 Existing Dwellings

Recommendation: Delegated Approval

Background

1. Members will recall resolving to refuse this application at last months meeting on the grounds that the proposed dwelling was out of character with the existing dwellings it was to replace. A copy of the officer's report to last months meeting is attached as Appendix 1.
2. Following the meeting, and prior to the issuing of the decision notice a letter was received from the letter expressing concern at the alleged misleading and inaccurate description of the site given by the local District Councillor. Copies of that letter, which is attached as Appendix 2, were sent to the Councillor Orme as Chairman, the Legal Officer and the Conservation Manager.
3. The Legal Officer, following discussions with Councillor Orme, Councillor Mrs Roberts and the case officer has advised that the application should be returned to Members for further consideration.
4. Having considered the matters raised, and having previously benefited from a visit to the site Members are asked to consider whether they wish to adhere to the previous resolution to refuse the application.

Background Papers: the following background papers were used in the preparation of this report: Planning Application Files S/1970/04/F; S/1597/04/F; S/0512/04/F; S/0511/04/F and S/0499/03/O

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd November 2004
AUTHOR/S: Director of Development Services

S/1970/04/F - Fowlmere

Erection of Dwelling and Conversion of Barn into Garage/Carport/Workshop and Store following Demolition of 2 Existing Dwellings, Mill Farm, Fowlmere Road, Melbourn in the Parish of Fowlmere for Plum Developments

Recommendation: Delegated Approval

Site and Proposal

1. This application, registered on 22nd September 2004, seeks consent for the erection of a dwelling and conversion of an existing barn into a garage/carport/workshop and store following demotion of 2 existing dwellings at Mill Farm, Fowlmere Road, Melbourn, in the Parish of Fowlmere.
2. The site extends to approximately 0.3ha and is bounded to the south by the River Shep. To the north the site abuts the Fowlmere Road and to the east agricultural land and buildings. The existing bungalows, which the applicant has calculated as having a combined floor area of 167m², are located at the southern end of the site.
3. The proposed replacement single storey dwelling, which will be located towards the centre of the site, north of the existing buildings, measures 12.3m x 15.4m (189m²). The dwelling has a ridge height of 4.2m. The external walls will be finished with an insulated smooth white render and the roof will comprise a long strip raised seam weathered zinc system.
4. Existing low former piggery buildings at the northern end of the site are to be demolished with the exception of a clay block barn in the centre of the existing buildings, which will be retained and renovated to provide garage space and storage.
5. Access to the existing bungalows is to the north of the River Shep. That access will be closed and the new dwelling accessed from the north.
6. A letter from the applicant submitted in support of the proposal is attached as Appendix 1. The letter refers to accompanying photographs, which have not been reproduced with this report but can be viewed as part of the background papers and will be available for inspection at the meeting.

Planning History

7. At the September meeting (Item 6) consent was refused following a site visit by Members for a replacement dwelling with a floor area of 215m² on the grounds that the proposal was out of scale and character with the dwellings it was intended to replace (**S/1597/04/F**).
8. At the same meeting Members granted consent of the conversion of existing buildings fronting the road to the west to a single dwelling. (**S/0411/04/F**).

9. In 2003 outline consent was granted for a replacement dwelling on this site (**Ref S/0499/03/O**), although at that time the site did not include the existing agricultural buildings and related to the demolition of one rather than both the existing dwellings.
10. An application earlier this year for the erection of a new dwelling with a floor area of 273 sq metres following demolition of the two existing bungalows (**Ref S/0512/04/F**) was refused on the grounds that the scale of the proposed replacement dwelling does not reflect that of the existing dwellings.

Planning Policy

11. **Policy HG15** of the of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that proposals for a replacement of a dwelling in the countryside will be permitted where the proposed replacement dwelling is in scale and character with the dwelling it is intended to replace and; the proposed replacement dwelling would not materially increase the impact of the site on the surrounding countryside. The text to the policy suggests a maximum enlargement of 15%.

Consultation

12. **Fowlmere Parish Council** recommends refusal. “The Committee recommends refusal of this application as the proposal is contrary to planning policies regarding new buildings in the open countryside – have to be capable of conversion and not demolition. The meeting also feels that the style is completely out of tune with the area.”
13. The **Chief Environmental Health Officer** recommends conditions restricting the hours of operation of power driven machinery during the period of construction and demolition, and requiring an investigation of the site to assess any contamination.
14. The **Environment Agency** recommends conditions in respect of foul and surface water drainage and that the site is subject of an investigation of contamination as well, as putting forward safeguarding comments.
15. The **Conservation Manager**, who was contacted by the applicant prior to the submission of the application, concludes that the design of the new dwelling will be a very significant improvement to the site and its surroundings, which will also add a piece of good contemporary architecture to the District. He states that it is from works such as these that our future architectural heritage will be drawn and therefore supports the application.

Representations

16. None received at the time of writing the report

Planning Comments – Key Issues

17. Members will need to consider whether this application addresses the reason for refusal of the earlier application namely whether the replacement dwelling is out of scale or character with the dwellings it is intended to replace.
18. The proposed dwelling has a gross floor area of approximately 189m² which compares to the 167m² for the existing bungalows, an increase of approximately 13%, which is within the policy guidelines. The proposed ridge height at 4.2m

remains low and as a result I am of the view that the proposal will not materially change the impact of the site on the surrounding countryside

19. When outline consent was granted for a replacement dwelling in 2003 the site did not include the range of piggery buildings at the northern end of the site. These buildings are now included within the application and shown for removal, with the exception of the clay block building which will be adapted to provide garaging and storage space. In my view the removal of these buildings represents a considerable visual gain to the area which was not secured through the original consent.
20. Although the applicant has chosen to use modern materials, which, in terms of the roof may not reflect adjacent buildings, I do not consider that there will be significant views of the dwelling outside of the site and therefore find this approach acceptable. Members will note the comments of the Conservation Manager who supports the design on the basis that it will be a very significant improvement to the site and its surroundings, and which will also add a piece of good contemporary architecture to the area
21. The retention and conversion of the existing clay block building to provide garaging and storage space is acceptable.

In my view the proposal is acceptable. Conditions attached to the earlier outline consent requiring the submission of a habitat enhancement scheme should be included on any new consent.

Recommendations

22. That the application be approved subject to safeguarding conditions.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

South Cambridgeshire Local Plan 2004: HG15 (Replacement Dwellings in the Countryside)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

Visual impact on the locality (including style of dwelling)

Background Papers: the following background papers were used in the preparation of this report: Planning Application Files S/1970/04/F; S/1597/04/F; S/0512/04/F; S/0511/04/F and S/0499/03/O

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1975/04/F - Fulbourn
Extension to Provide a Smoking Room, Store and Entrance Lobby
at George Mackenzie House, Fulbourn Hospital for Cambridgeshire and Peterborough
Mental Health Partnership NHS Trust**

Recommendation: Approval

Conservation Area**Site and Proposal**

1. George Mackenzie House is sited within the western complex of Fulbourn Hospital part of the Addenbrookes NHS Trust site. The site is bounded by Yarrow Road to the west and Cambridge Road to the south. To the north is Tesco superstore; to the east is the original Victorian Hospital together with a collection of various buildings that form the Capital Park development.
2. The site is designated as a Conservation Area and as a Major Developed Site within the Green Belt. The western complex comprises mainly low-rise single storey buildings with some two-storey units sited between areas of landscaped grounds and access roads with associated parking areas. George Mackenzie House forms one of the older units surrounded by other wards to the north and south.
3. This application received on 23rd September 2004 seeks full planning permission for a single storey pitched roof extension to the east side of the existing building to form a smoking room, store and lobby. The proposal would project directly east by 5.85m onto an inconspicuous area of grass; it would provide a width of 9.12m with 2 windows inserted into the north elevation. The pitched roof would appear as a continuation of an existing gable feature in the roof and would house the smoking room air extraction system. The land surrounding the proposed extension slopes upwards to an area of parking associated with this unit and the immediate surrounding wards.

Relevant Planning History

S/1415/03/F – Extension to provide patient's smoking room was approved at The Cedars Fulbourn Hospital.

S/1110/03/F – Conservatory for use as a patient's smoking room was approved at Burnet House Fulbourn Hospital.

S/0233/00/F – Retrospective planning permission was approved for a Portable Office Building adjacent to George Mackenzie House for a limited time period.

S/2064/99/F – Gardeners Store Building and Hardstanding was approved at Fulbourn Hospital.

S/2030/98/F – Erection of four ward buildings, support accommodation building together with roads and parking was approved at Fulbourn Hospital.

Planning Policy

4. **P1/3 ‘Sustainable Design in Built Development’** of the Cambridgeshire and Peterborough Structure Plan 2003 (“Structure Plan”) states that a high standard of design and sustainability should be adopted for all new forms of development.
5. **P9/2a ‘Green Belt’** of the Structure Plan sets out the purpose and limitations of development within the area designated as the Cambridge Green Belt.
6. **Development Brief for Fulbourn and Ida Darwin Hospitals Site (Revised), May 1996** adopted as supplementary planning guidance sets out the criteria that the Council will take into account when determining planning applications for redevelopment. These include a requirement that any new building should have no greater impact on the Green Belt than currently exists and there should be no increase in the overall floorspace on the site. The principles of this Development Brief are largely superseded by the Policies of the South Cambridgeshire Local Plan 2004.
7. **GB2 ‘Principles of Development’** of the South Cambridgeshire Local Plan, 2004 (“Local Plan”) sets out forms of development considered to be appropriate in the Green Belt.
8. **GB3 ‘The Location of Development’** of the Local Plan requires appropriate Green Belt Development to be located within or adjoining existing complexes in order to protect the rural nature and openness of the Green Belt.
9. **GB4 ‘Major Developed Sites’** of the Local Plan permits limited infilling on identified sites and limits redevelopment to the existing built form.
10. **EN30 ‘Development in Conservation Areas’** of the Local Plan requires development to preserve or enhance the special character and appearance of the Conservation Area in terms of scale, massing and materials.
11. **Policy Fulbourn 1 ‘Fulbourn and Ida Darwin Hospitals’** of the Local Plan identifies the site as a major developed site in the Green Belt and sets out considerations that will be made in determining proposals for change of use, conversion or re-development of the site.

Consultation

12. **Fulbourn Parish Council** recommends refusal unless there is a reduction in the overall footprint elsewhere on the site – see Master Plan.
13. **The Conservation Manager** has no objections.

Representations

14. No representations were received in response to site and press notices
15. The applicant has supplied a statement of need in support of the application (attached at appendix A).

Planning Comments – Key Issues

16. The key issues to consider in respect of this application are the impact upon the Green Belt and the Conservation Area and whether the proposal accords with the principles of the Master Plan and Development Brief for the site.
17. Policy GB2 of the Local Plan restricts inappropriate development within the Green Belt unless very special circumstances can be demonstrated. Development is inappropriate unless it comprises, amongst others, development of Major Developed Sites subject to assessment under Policy GB4. Fulbourn and Ida Darwin Hospital has been identified as one of the three Major Developed Sites. Thus the principle of limited infilling or redevelopment in the Green Belt is acceptable.
18. Given the above, Policy GB4 paragraph 1 allows limited infilling and specifically states that this should have no greater impact upon the open nature of the Green Belt and should not lead to a major increase in the developed proportion of the site, a principle held within the Development Brief (para 6.03).
19. George Mackenzie House is grouped within the main cluster of wards within the western part of the Fulbourn site. Windsor ward is sited to the south with Friends ward and Adrian House to the north. The proposed infill would provide additional new footprint of 53.35 square metres. The most recent large-scale development within the western site of Fulbourn Hospital was for 4 new Wards north of the George Mackenzie House (S/2030/98/F). This involved a net increase in footprint of 260 square metres (1.86% increase in overall foot print) accounting for the demolition of Kent House (still pending) a nearby ward. On this basis the footprint has formally reached and exceeded the planned level as set out in the development brief although as the planning history suggests development has continued at very small scale with similar schemes to that proposed.
20. Notwithstanding the above, the assessment is clear under Policy GB4 and on this basis it is considered the proposed dimensions for the new smoking room would be insignificant in comparison to the overall footprint and floorspace on western section of the site. The positioning is well within the built up area of the site and is such that, in my opinion, this infilling would have no greater impact on the open nature of the Green Belt and would not lead to a major increase in the developed proportion of the site.
21. Consideration has also been given to the cumulative impact of infilling at the site, in particular two previously approved infill developments for smoking rooms at The Cedars (S/1415/03/F) and Burnet House (S/1110/03/F). Taking account of this previous infilling it is considered that the development would not be against the principles of agreed Policy or Government advice upon the Green Belt.
22. The size, siting and design of the extension is considered to preserve the appearance and character of the Conservation Area.

Recommendation

23. Approval is recommended subject to the conditions set out below:
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc19 – Matching Materials (RC19)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:
P1/3 (Sustainable Design in Built Development)
P9/2a (Green Belt);**
 - **South Cambridgeshire Local Plan 2004:
GB2 (Principles of Development),
GB3 (The location of development)
GB4 (Major Developed Sites)
EN30 (Development in Conservation Areas
Fulbourn 1 “Fulbourn and Ida Darwin Hospitals”**

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - **Increase in footprint in the Green Belt**
 - **Accordance with the Master Plan for the site**

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Development Brief for Fulbourn and Ida Darwin Hospitals Site (Revised), May 1996.
- Planning file Ref: S/1975/04/F and related history

Contact Officer: Matthew Carpen – Planning Assistant
Telephone: (01954) 713 393

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st December 2004
AUTHOR/S: Director of Development Services

**S/2030/04/F - Fulbourn
Extension to Nursing Home Together with Additional Car Parking
at Home Close Nursing Home, Cow Lane
for Abbott Healthcare Plc**

Recommendation: Delegated Approval

Conservation Area**Site and Proposal**

1. The site is within the Fulbourn Conservation Area and comprises a large nursing home dating from the 1960s. The building is sited within wooded gardens of 1.1ha (approx.) between Cow Lane and Pierce Lane. The main vehicular access is from Cow Lane, with a further driveway off Pierce Lane leading across the site to a former nursing home, now a private house, adjacent to the east. There are houses and bungalows to the east and west. The site is covered by a tree preservation order.
2. This full planning application, received on the 1st October 2004 proposes to extend to the rear of the existing building to provide an additional 30 rooms over and above the existing 43 rooms. The existing ground floor rear extension will be re-configured to provide an extra bedroom and improved accommodation, with a total of nine bedrooms in this area. A first floor extension above this area will provide an additional 9 bedrooms, with associated living areas. The main bulk of the extension will be in the form of a two storey rear extension to provide a further 20 bedrooms and associated living areas, which will be the same height, 8.5m, as the existing building. This will result in a total of 73 bedrooms on the site. A small parking area for eight cars is proposed on what is currently a raised lawn area to the east of the building.

Planning History

3. Planning application **S/0880/04/F** for larger extensions that would have provided 112 bedrooms on the site and a car park in the walled garden to provide 33 spaces, was refused earlier this year. The grounds for refusal are summarised:
 - The proposals represented over-development of the site to the detriment of the Conservation Area, the bulk of the building proposed would not enhance or preserve the special character of the Conservation Area,
 - The additional car parking and vehicular access through the existing wall would be detrimental to the Conservation Area,
 - The proposals required the removal of some trees on site and underground works could result in the loss of others, further eroding the Conservation Area,
 - The privacy and amenity of neighbouring dwellings would be harmed due to the relationship of the north-eastern wing to Mulberry House, the latter suffering poor

outlook through the sheer size and bulk of the extended wing and being overlooked by the same. Residents on Cow Lane would suffer noise and disturbance to their properties and gardens from the use of the proposed car park.

4. Other planning applications on the site relevant to this application include:
- **S/1860/01/F** for alterations and extensions to provide 7 bedrooms which was approved;
 - **S/0594/97/O** for a children's home on the site, which was withdrawn;
 - **S/0606/97/F** and **S/0762/97/CAC** to provide an access, and **S/0619/97/CAC** for part demolition of roadside boundary wall for access were refused on Conservation grounds as these would result in the loss of the wall to the walled garden;
 - **S/1411/94/F** was approved for extensions, day centre and additional parking,
 - **S/1835/88/F** for 27 retirement bungalows, day centre, matrons flat, garage and car parking was approved;
 - and in 1967 permission was originally granted of the erection of a home for the elderly on the site under planning reference **C/0179/67/D**.

Planning Policy

5. **Policy HG9 'Residential Care Homes'** of the South Cambridgeshire Local Plan 2004 ("Local Plan"), permits extension of existing residential care facilities where:
- The quality of design is in keeping with surrounding properties and landscape in terms of scale, form, layout and materials;
 - Boundary treatment provides privacy and a high standard of visual amenity;
 - The privacy and amenity of neighbouring properties is protected;
 - There is safe and convenient access for vehicles, cycles and pedestrians;
 - Parking facilities are in accordance with District Council standards; and
 - There is access to an adequate level of services to meet the need of the development.
6. **Policy EN30 'Development in Conservation Areas'** of the Local Plan requires development within these areas to preserve or enhance the special character and appearance of the area, especially in terms of scale, massing, roof materials and wall materials.
7. **Policy P1/2 'Environmental Restrictions on Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") restricts development where it could damage areas that should be retained for their biodiversity, historic, archaeological, architectural and recreational value.
8. **Policy P1/3 'Sustainable Design in Built Development'** of the Structure Plan states that a high standard of design and sustainability should be adopted for all new forms of development.
9. **Policy P7/6 'Historic Built Environment'** of the Structure Plan requires Local Authorities to protect and enhance the historic environment, including designated conservation areas.

Consultations

10. **Fulbourn Parish Council** recommends refusal, its comments are attached at Appendix 1.
11. **Conservation Manager** – no objection to the siting and massing, but would wish to see some revisions to the elevational treatment. Seek delegated approval/refusal to enable further negotiations to take place over the details of the elevations and materials. Full comments are attached at Appendix 2.
12. **Trees and Landscape Officer** – objects strongly to the loss of two large sycamore trees; the proposed bedroom wing should be reduced in length to provide a minimum 6.0m clearance. An adjacent beech tree is just about OK, but an intervening path could cause root damage.
13. **Ecology Officer** – comments to be reported verbally.
14. **Local Highways Authority** – recommends that before the development is brought into use the proposed additional car parking shall be laid out, hard surfaced, sealed and drained.
15. **Chief Environmental Health Officer** – recommends conditions requiring details of the location and type of power driven plant or equipment and limits on hours of construction work with power driven machinery. Informatives that there should be no bonfires or burning of waste on site and details of any pile driven foundations to be submitted are suggested.

Representations

16. Nine letters of objection from residents of 39, 52, 53 and 54 Cow Lane, 62, 56, 50 and 68 Pierce Lane and 38A Fendon Road, Cambridge have been received. They raise issues summarised below:
 - The proposals do not enhance or preserve the Conservation Area; in particular
 - Building style/design;
 - Loss of lawns and grassed areas;
 - Loss of mature trees, including trees protected by TPO;
 - Impact on roots of trees could lead to further loss of trees;
 - Some tree species are incorrectly identified on plans;
 - Some trees (to boundary with Pierce Lane) not marked on plans;
 - Site is over-developed and 'enough is enough';
 - Trees lost should be replaced with mature specimens, not saplings;
 - Visual impact of additional car parking; and
 - Previous appeal decision in which the Inspector noted the Conservation Area as the main issue.
 - Increase in traffic; in particular
 - Increased road hazard/danger;
 - Impact on pedestrian routes;
 - Access is on a blind bend on Cow Lane;
 - Increased traffic at night; and
 - Noise.

- Car parking requirements are likely to increase in the future and parking should be provided by re-configuring the existing area instead.
- Additional pressure on the sewage system, the system has flooded gardens once this year due to a blockage.
- The development is less than 10m from the boundary with 68 Pierce Lane, which will result in visual dominance, especially if trees are removed.
- A solid 8ft high timber fence should be provided to the boundary with 68 Pierce Lane in order to provide additional screening.
- Light pollution from security lights is likely to increase as a result of this development.
- Impact on wildlife habitat.
- If development is to be approved, it should be limited to single storey so it is less obtrusive to neighbours and reduces the intensity of use on the site.
- If there is bed blocking at Addenbrookes, it would be better to use empty/closed wards at Fulbourn and Ida Darwin Hospitals instead of extending this site.
- Repair of the wall is important but should be carried out properly and then maintained.

Planning Comments – Key Issues

17. The key issues to consider in respect of this application are the impact upon the Conservation Area trees, traffic, car parking and residential amenities. Other matters raised include wildlife, sewage system, and repair of the wall.

Conservation Area/Trees

18. The Council's Conservation Manager has not raised significant objections to the proposals, which are greatly scaled down in terms of size and bulk. Amendments are being sought in line with the Officer's comments (see Appendix 2). Much concern has been raised with regard to the impact on numerous trees on site. The Trees and Landscape Officer's objections can be addressed under delegated powers through a reduction in the size of the building or if necessary refusal of the application. Objections to the earlier application, which included an access through a wooded area of the site that has been removed in this application, were concerned largely with the removal of trees in the south due to the larger footprint of those proposals, along the driveway due to the proposed access and in the north east due to the, then proposed car park for 33 cars all appear to have been overcome.

Traffic

19. The Local Highway Authority has raised no objections to the proposals.

Car parking

20. The Local Highways Authority has recommended a condition to ensure appropriate levels of car parking are maintained on site. This will not result in an over-provision, however the siting of the car park is not considered to be ideal, being adjacent to living rooms and at a raised ground level. The recommendation to re-site additional car parking in front of the building through a re-configuration of the existing parking areas has been noted by the agent and revised plans are to be submitted. This will also result in less intrusion into the landscaped gardens of the site, reducing the overall impact on the area.

Residential amenities

21. The two-storey extension is well screened from neighbouring residential dwellings, including no. 68 Pierce Lane, by trees both within the site and the neighbouring garden. The two storey extensions will be a minimum of 30m away from neighbouring dwellings. Reasonable additional screening to boundaries can be addressed through condition. The reduced scale of these proposals will result in minimal impact upon neighbouring properties, in my opinion.

Other matters

22. Issues of wildlife impact, sewage system, and repair of the wall raised during consultations can be addressed through conditions.

Recommendation

23. Delegated approval is sought subject to receipt of revised plans to safeguard the two sycamore trees, a satisfactory revised car parking layout and minor amendments to the elevational details in line with recommendations by the Conservation and Design Officer. Conditions are recommended as follows:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5ai, ii and ‘as the site is within the Conservation Area’);
 3. Sc5b – Surface water drainage (Rc5b);
 4. Sc5c – Foul water drainage (Rc5c);
 5. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason –The site is within the Conservation Area’);
 6. Sc5g – Foundations (Rc5g);
 7. Sc5h – Underground works (Rc5h);
 8. Sc51 – Landscaping (Rc51);
 9. Sc52 – Implementation of landscaping (Rc52);
 10. Sc60 – Details of boundary treatment (Rc60);
 11. Sc26 – During the period of construction no power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason - To minimise noise disturbance to adjoining residents);
 12. SC27 – Control of Emissions (Rc27a & b);
Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled;
 13. No development shall commence on site until detailed plans of the proposed vehicular access and compound required in order to build the extensions and car park have been submitted to and approved in writing by the Local Planning Authority. Such plans shall show the form of construction and depth of roadway, together with all adjacent trees and measures for their protection.
(Reason – To protect trees which are to retained in order to enhance the development and the visual amenities of the Conservation Area);
 14. Before the development is brought into use the proposed additional car parking spaces shall be laid out, hard surfaced, sealed, and drained within the site as shown on the approved plan numbered XXX to a specification approved in writing by the Local Planning Authority.
(Reason – In the interests of highway safety);

15. Details of repairs to the wall on the east of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works and shall be carried out within an agreed timescale.

(Reason: In order to preserve and enhance the character and appearance of the Conservation Area);

Any additional conditions required by the Trees and Landscaping Officer and Ecology Officer.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
- **Cambridgeshire and Peterborough Structure Plan 2003: P1/2** (Environmental restrictions on development), **P1/3** (Sustainable design in built development) and **P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: HG9** (Residential Care Homes) and **EN30** (Development in or adjacent to Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: Conservation Area, traffic, car parking and residential amenities, wildlife, and sewage system.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/2030/04/F and S/0880/04/F

Contact Officer: Jem Belcham – Area Planning Officer
Telephone: (01954) 713 252

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

1st December 2004

AUTHOR/S: Director of Development Services

**S/1977/04/F - Fulbourn
Portable Building for Temporary Office Accommodation
at Heron Court, Ida Darwin Hospital
for South Cambridgeshire Primary Care Trust**

Recommendation: Approval

Site and Proposal

1. The Ida Darwin Hospital site comprises mainly separate single storey buildings in landscaped grounds. It is sited between the older Fulbourn Hospital and Fulbourn village. The site is within the countryside and is designated as a major developed site within the Green Belt. Landscaping within the site helps to reduce the visual impact when viewed from the surrounding countryside. Heron Court is the first building north of Fulbourn Old Drift, on the eastern side of the access road that runs through the hospital site. It is a single storey building with an overgrown, formerly landscaped garden area to the north and east of the building. This area is enclosed by a timber post and rail fence. A mature hedge to the boundary with Fulbourn Old Drift screens the site beyond this.
2. This full planning application, received on the 24th September 2004 proposes the siting of a portable building south east of the Heron Court building within an area of overgrown garden. The building measures 4m by 18m, with a height of 2.97m. A temporary permission of 3 years is sought, while the Primary Care Trust prepares an estates strategy in association with two other trusts who occupy the site.

Planning History

3. **S/1452/00/F** - Change of use of Heron Court to offices was permitted retrospectively with ancillary car parking. This had a condition limiting the use of the building for offices related to human health care or for National Health Service office use.

Planning Policy

4. **P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") states that a high standard of design and sustainability should be adopted for all new forms of development.
5. **P9/2a 'Green Belt'** of the Structure Plan sets out the purpose and limitations on development within the area designated as the Cambridge Green Belt.
6. **Development Brief for Fulbourn and Ida Darwin Hospitals Site (Revised), May 1996** has been adopted as supplementary planning guidance. It sets out the criteria that the Council will take into account when determining planning applications for redevelopment. These include a requirement that any new building should have no greater impact on the Green Belt than currently exists. There should be no increase

in the overall floorspace on the site. The floor space of the Ida Darwin site is recorded at 20,100m². Minor increases in floor space will only be permitted where it can be clearly demonstrated that there is significant environmental gain that reduced the overall impact on the Green Belt. Other criteria relevant to this application are the potential impact upon archaeology and the protection of public water supply through a requirement for details of foul and surface water drainage to be approved by the Environment Agency.

7. **GB2 ‘Principles of Development’** of the South Cambridgeshire Local Plan, 2004 (“Local Plan”) sets out forms of development considered to be appropriate in the Green Belt. No 7 comprises development of Major Developed Sites in accordance with Policy GB4. Fulbourn and Ida Darwin Hospital is one such site.
8. **GB3 ‘The Location of Development’** of the Local Plan requires appropriate Green Belt Development to be located within or adjoining existing complexes in order to protect the rural nature and openness of the Green Belt.
9. **GB4 ‘ Major Developed Sites’** of the Local Plan permits limited infilling on identified sites and limits redevelopment to the existing built form. Temporary buildings and hardstandings are excluded from the footprint.
10. **Policy Fulbourn 1 ‘Fulbourn and Ida Darwin Hospitals’** of the Local Plan identifies the site as a major developed site in the Green Belt and sets out considerations that will be made in determining proposals for change of use, conversion or re-development of the site.

Consultations

11. **Fulbourn Parish Council** recommended refusal. It objects to the application unless there is a reduction of overall footprint elsewhere on the Master Plan to accommodate this increase in footprint on the site. It also believes there are empty offices on both sites.

Representations

12. No representations were received in response to site and press notices.
13. The applicant has supplied a statement of need in support of the application (attached at appendix A) and has written in response to the comments of Fulbourn Parish Council:
 - They are planning to decrease the overall footprint of Fulbourn Hospital by the demolition of the Kent House building as agreed in the original plan for the two sites.
 - No planned date for this work can be given at this time but they confirm that the building is empty and out of use.
 - There are no empty offices on the Ida Darwin site at present other than within two empty areas that are to undergo refurbishment, these being Marlowe House, a former ward and Medical Entomology, a former laboratory.

Planning Comments – Key Issues

14. The key issues to consider in respects of this application are the impact upon the Green Belt, and whether the use accords with the Master Plan for the site.

15. The portacabin proposed is low in height and of a modest size. It can be screened through existing and additional landscaping to the garden area. It will seen against a backdrop of single storey buildings and subject to condition on the colour of any external finishes will not be harmful to the openness, appearance or character of the Green belt in this area.
16. The additional floorspace of this temporary building would not be included in any proposals to redevelop the site, as the Development Brief, adopted as supplementary planning guidance, is quite clear that temporary floorspace and hardstandings are to be excluded. The siting of a temporary building for office use will therefore not result in the long-term increase in the floorspace of the site if it is re-developed.

Recommendation

17. Approval is recommended subject to the conditions set out below:
 1. Sc3 – Temporary permission worded ‘on or before 1st January 2007’ (Rc3/4a).
 2. The premises shall not be used for any purpose other for human health care or for the National Health Service office use (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Reason – To ensure that the use is consistent with the overall Master Plan for Fulbourn and Ida Darwin Hospitals (December 1997) which proposes that the site be utilised as fully as possible for healthcare and related purposes.
 3. Sc5a – Details of materials for external walls and roofs worded to include ‘the colour of any external finishing’ (Rc5aii add wording ‘and is not detrimental to the appearance of the Green Belt);
 4. Sc51 – Landscaping (Rc51);
 5. Sc52 – Implementation of landscaping (Rc52);

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P9/2a** (Green Belt);
 - **South Cambridgeshire Local Plan 2004: GB2** (Principles of Development), **GB3** (The Location of Development) and **GB4** (Major Developed Sites) and Fulbourn 1 (Fulbourn and Ida Darwin Hospitals).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - **Increase in footprint**
 - **Overall use of the site**

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Development Brief for Fulbourn and Ida Darwin Hospitals Site (Revised), May 1996.
- Planning file Ref: S/1977/04/F

Contact Officer: Melissa Reynolds – Senior Planning Assistant
Telephone: (01954) 713 237

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

S/2204/04/F - Gamlingay

Variation of Condition 1 of Planning Permission S/1737/01/O to allow a Further Period of 3 Years for the Submission of Reserved Matters for Industrial Development, Land South of Station Road, for Merton College

Recommendation: Approval

Site and Proposal

1. This full application, registered on 28th October 2004, relates to a 4.05ha area of land to the south of Station Road, Gamlingay, to the west of the existing Industrial Estate.
2. Consent is sought for a variation of Condition 1 of planning permission S/1737/01/O to allow a further period of 3 years for the submission of reserved matters in respect of development of the land for industrial purposes (Classes B1 and B2).
3. A copy of a letter accompanying the application from the applicant's agent is attached as Appendix 1.

Planning History

4. At the August 2004 meeting Members rejected a request from the applicant to extend the period for submission of reserved matters for a further 3-year period and granted consent for a 1-year extension of the period only (**Item 15 – Ref S/1302/04/F**). Members were concerned that the site had not been brought forward for development.
5. Outline planning consent was granted for Industrial Development of the site in January 1996 (**Ref: S/1479/95/O**). That consent was renewed in 2001 (**Ref: S/1737/01/O**).
6. In 2002 a full consent was granted for the construction of an access road to serve the proposed industrial use of the land, along with associated landscaping and engineering works involving the construction of a balancing pond (**Ref: S/1467/97/F**). That application also included the use of an adjacent area for recreational purposes by Gamlingay Parish Council. That consent expires on 23rd December 2007.

Planning Policy

7. **Policy EM1** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") allocates the site for employment development for uses within Classes B1 and B2 of the Town and Country (Use Classes) Order 1995 (offices; research and development; light industry and general industry).
8. **Policy Gamlingay 2** in Part 2 of the Local Plan confirms this allocation.

Consultation

9. **Gamlingay Parish Council** recommends refusal. "The Parish Council stands by its comments made on the previous application for time allowed to approve reserved matters. After discussion with the agent at the Council meeting the Council considers that after eight years, the landowners are not serious about developing this site for industrial development. There are numerous examples of other industrial land which has been developed in South Cambs over this period, whilst the Gamlingay site remains redundant. The site needs to be developed now, for the benefit of local Gamlingay employers and residents."

Representations

10. None received.

Planning Comments – Key Issues

11. As I set out in the August report the key issue to be considered here is whether extending the period allowed for the submission of reserved matters prejudices the aims of Policy EM1 and Gamlingay 2 of the Local Plan, having had regard to the concern raised by Gamlingay Parish Council. Members also need to consider the additional information submitted by the applicant at Appendix 1.
12. The site remains allocated for employment use in the Local Plan 2004, which remains in place until 2006. As pointed out in the August report the site benefits from reserved matters consent for the construction of an access road in connection with the employment use of the land which remains extant until 23rd December 2007. As pointed out in the letter from the applicants' agent this consent also covers the associated landscaping and engineering works involving the construction of a balancing pond. Given the existence of this reserved matters consent I remain of the view that the request for a further 3-year period in which to submit reserved matters is not unreasonable.
13. The letter from the applicant's agent sets out the commitment of Merton College to bring the land forward for employment purposes and refers to the marketing exercise that has been undertaken. I have asked for written details of this exercise and will share this information with Members at the meeting. I can confirm that a 'for sale' board stood on the site for some time.
14. Gamlingay Parish Council remains concerned that the landowners are not serious about developing this site for industrial development and that it should be brought forward at an earlier date for the benefit of local Gamlingay employers and residents. Members will need to balance this concern against the additional information from the applicant concerning the costs of bringing the land forward and the 'lead in' time involved.
15. In my view the request for a further 3 years in which to submit the remaining reserved matters is reasonable.

Recommendation

16. That consent be granted for a variation of Condition 1 of planning permission S/1737/01/O to allow a further 3 year period for the submission of reserved matters, subject to the conditions previously imposed

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Plan 2004: EM1** (Allocations for Classes Employment Uses
 - **Gamlingay 2**

Background Papers: the following background papers were used in the preparation of this report: South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003
Planning Application Files S/2204/04/F; S/1302/04/F and S/1737/01/O

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/2144/04/PNA - Girton
Erection of General Purpose Agricultural Building, Manor Farm, for
Mr and Mrs K Dawson**

Recommendation: No objections

Site and Proposal

1. The application site measures 1.2 ha/3 acres in area and is part of Mr and Mrs Dawson's 47 ha/117 acre agricultural holding. This 1.2 ha/3 acres site is owner occupied while the remaining 46.0 ha/114 acres of the agricultural holding is leased to Mr and Mrs Dawson on an Agricultural Holdings Act Tenancy. Manor Farm House and other associated barns are sited approximately 80 metres south of the site with Girton Cottage, a privately owned residential dwelling, sited in between.
2. The rear most point of Girton Cottage is sited approximately 22 metres from the field boundary. The application site is bound on all sides by an established hedge. The boundary to Girton Cottage is slightly higher and is more dense.
3. This Prior Notification of Agricultural Development, received on the 20th October 2004 seeks approval for the siting and appearance of a general-purpose agricultural building that is to be used for the storage of hay and straw and some farm yard equipment/machinery. The 18.29 metre long structure is to be sited adjacent to the southern boundary of the site, set 32 metres back from the field access. The entrance to the barn will be sited due north of Girton Cottage. The barn measures 9.14 metres in width and 4.88 metres in height (floorspace 167 sq.m.)

Planning History

4. None relevant

Planning Policy

5. The site is located within the Green Belt. **Planning Policy Guidance Note 2** (Green Belts), **Policy P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003, ('Structure Plan') and **Policy GB2** of the South Cambridgeshire Local Plan 2004, ('Local Plan') seeks to restrict inappropriate forms of development within the Green Belt. The siting of agricultural buildings is considered appropriate providing the openness of the Green Belt is maintained.
6. **Policy P1/3** of the Structure Plan states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultation

7. **Girton Parish Council** – Refuse, for the following reasons:

- Concerned about continued right of access
- The impact on Girton House
- Lack of specific detail on the proposed use of the barn

Representations

8. None received at time of writing this report. Notification by way of site notice only; the 21 day consultation period does not expire until 1st December 2004. Any comments received will be reported verbally to Committee.

Planning Comments – Key Issues

9. As this is a Prior Notification of Agricultural Development, only the siting and appearance of the barn are to be considered. The key issues are the design of the barn and the impact of the proposed structure on the openness of the Green Belt and residential amenities of Girton Cottage.

Green Belt

10. To avoid unnecessary intrusion into the Green Belt/open countryside, additional agricultural buildings are ideally agglomerated together. In this instance the proposed barn is to be sited on a separate parcel of land, 80 metres north of the farmyard, (on the only owner occupied part of the holding).
11. Whilst the barn is not incorporated within the existing farmyard, it is considered that the proposed structure will not adversely affect the openness of the Green Belt. The majority of the structure will be well screened by the boundary planting. The site is also located adjacent to existing buildings, (Girton Cottage and Manor Farm) and will not be viewed as a stand-alone structure.

Impact on Girton Cottage

12. The proposed barn is to be sited to the north of Girton Cottage and will in part be located directly to the rear of this dwelling. Whilst the proposed barn measures 18.29 metres in length and 4.88 metres in height, more than 22 metres separation is provided between the field boundary and Girton Cottage. This boundary is also well treed and as a result limited views of the structure will be provided from within the residential curtilage of the adjacent property.
13. Ideally the barn would be sited sufficient distance back from the field entrance so as not to be located directly north of Girton Cottage. Whilst this possible amendment was suggested to the agent, the applicant is reluctant to re-site the structure further within the field. Such an amendment would increase construction costs, (the entranceway would need to be longer), and the ground becomes progressively more damp towards the centre of the field. Given the points raised in paragraph 12 it is not considered that this amendment can be insisted upon.
14. The Parish Council has questioned the proposed use of the barn. The agent has however confirmed that the barn is to be used for the storage of hay, straw and some equipment and machinery. As, due to seasonal changes, the contents of the barn will vary throughout the year, more specific details are not available. The barn will not be used to accommodate livestock. Indeed such a use would require planning permission. The proposed use of the barn is considered acceptable given its siting in relation to Girton Cottage.

Design of Barn

15. The proposed barn is a standard design. Given its sympathetic location it is considered that the proposed structure will not appear intrusive. The proposed barn is to be painted dark green. This will ensure the building does not appear incongruous within the rural landscape.
16. Access to the barn is provided across the applicant's legal right of way leading from Manor Farm Road, along the track adjacent to Girton Cottage.

Recommendation

17. Approval of details of siting and appearance.

Background Papers: the following background papers were used in the preparation of this report:

- Planning Policy Guidance Note 2 (Green Belts)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file S/2144/04/PNA

Contact Officer: Paul Belton – Planning Assistant
Telephone: (01954) 713253

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st December 2004
AUTHOR/S: Director of Development Services

**S/1931/04/F - Great Shelford
Extension and Conversion of Barn into Dwelling Together with New Boundary Wall
and Gates (Amended Design to Include Conversion of Outbuilding into
Office/Workshop for Residential Use) at De Freville Farm, High Green
for Dakin Estates Ltd**

Recommendation: Approval

Departure Application**Conservation Area****Site and Proposal**

1. The application relates to an L-shaped building which was a timber framed, black boarding and arched corrugated sheeting roof barn with an attached flint and pitched corrugated sheeting roof stables/store element at right angles to the main part of the barn. It is situated to the rear/southwest of a group of listed buildings, including the farmhouse, at De Freville Farm.
2. This full application, registered on the 15th September 2004 and amended by plan date stamped 21st October 2004, proposes to extend and convert the barn into a dwelling and erect new boundary walls and gates. The amended plans were submitted in response to the comments of the Conservation Manager in relation to the original plans and show one of the originally proposed windows in the front of the office/workshop replaced by a full height glazed screen and stable door.

Planning History

3. Listed building consent has been granted for the scheme subject of this application (**S/1930/04/LB**).
4. Planning permission and listed building consent was granted under references **S/0783/03/LB** and **S/0784/03/F** to extend and convert the building to a dwelling. An amended design was subsequently approved under references **S/0507/04/LB** and **S/0508/04/F**.

Relevant Planning Policy

5. The site is adjacent to the village framework but within the countryside and the Green Belt as defined in the Local Plan 2004. It is also within the Conservation Area and the building is curtilage listed.
6. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.

7. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not be permitted.
8. Paragraph 17 of Planning Policy Statement 7 'Sustainable Development in Rural Area' (2004) states that "The Government's policy is to support the re-use of appropriate located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.
9. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in Local Development Documents (LDDs) their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.
10. These criteria should take account of:
 - a. The potential impact on the countryside and landscapes and wildlife;
 - b. Specific local economic and social needs and opportunities;
 - c. Settlement patterns and accessibility to service centres, markets and housing;
 - d. The suitability of different types of buildings, and of different scales, of re-use;
 - e. The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
11. Local Plan 2004 **Policy GB2** states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. It also states that development is inappropriate unless it comprises, amongst others, the re-use of buildings provided that: the development does not result in a materially greater impact on the openness of the Green Belt; strict control is exercised over any proposed extensions and associated uses of surrounding land; the buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction; and the form, bulk and general design of the buildings are in keeping with their surroundings.
12. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
13. Local Plan 2004 **Policy EN20** states that the District Council will refuse planning permission for extensions to listed buildings which: are not necessary to ensure the continuing use of the building; would dominate or detract from the listed building; would imply the loss of building fabric of architectural or historic interest; would damage archaeological remains of importance; or would harm the well-being or setting of adjacent listed buildings.
14. Local Plan 2004 **Policy EN26** relates to the conversion of listed buildings to new uses and states that, in judging applications for the change of use of listed buildings, the District Council will consider whether or not: the existing use can continue with reasonable utility or life expectancy; all other options for less damaging uses have been explored; the proposed use can take place without the necessity of extensive alterations or extensions which would be harmful to the fabric, character or setting of the building; the proposal would harm the setting and amenity of adjacent buildings.

15. Local Plan 2004 **Policy EN28** relates to development within the curtilage or setting of a listed building and states that the District Council will refuse applications which dominate a listed building; damage the setting, well-being or attractiveness of a listed building; or would harm the visual relationship between a listed building and its formal or natural landscape surroundings.
16. Local Plan 2004 **Policy EN30** states that the District Council will refuse permission for schemes within conservation areas which do not specify local materials and details and which do not fit in comfortably into their context.

Consultation

17. **Great Shelford Parish Council** recommends approval.
18. **Conservation Manager** raises no objections to the amended scheme.
19. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the construction period except in accordance with agreed noise restrictions, and driven pile foundations are attached to any approval. He also recommends that an informative is attached to any approval stating that there shall be no bonfires or burning of waste on site except with his Department's prior permission.

Representations

20. None received. The application has been advertised as a departure from the Development Plan.

Planning Comments – Key Issues

21. The key issue in relation to this application is whether the introduction of an office/workshop element (to be used by the occupiers of the dwelling) to the previously approved scheme is acceptable in relation to countryside/Green Belt policies and the character and appearance of this curtilage listed building.
22. The principle of extending and converting the building to a dwelling has been established by the granting of the permission under references S/0784/03/F and S/0508/04/F. The main difference between the current scheme and the scheme approved under reference S/0508/04/F is that part of the covered parking/storage area is now proposed to be enclosed and used as an office/workshop by the occupiers of the dwelling. The physical alterations to the building are considered to be acceptable in terms of the character and appearance of this curtilage listed building and the use of part of the building as an office/workshop by the occupiers of the dwelling may reduce the need for the occupiers to travel and is considered to be acceptable in terms of countryside/Green Belt policies.
23. No objections to the application have been received. There would be no serious detrimental impact on neighbours. Access arrangements/parking provision (3 spaces would still be provided) are acceptable.
24. I do not consider it necessary to refer the application to the Secretary of State.

Recommendation

25. Approval (as amended by drawing no. 03043-22B date stamped 21.10.04)

1. Standard time Condition A – Reason A;
2. Unless otherwise agreed in writing by the Local Planning Authority, the tiles approved under planning reference S/0507/04/LB shall be used, the flint work for the new walls shall match the newly constructed wall to the northeast (approved under planning reference S/0784/03/F) and the development shall be carried out in accordance with the joinery and plinth details and General Construction Notes approved under planning permission S/0508/04/F – RC To ensure good quality materials and detailing appropriate to this group of listed buildings;
3. During the period of construction, no power operated machinery shall be operated on the premises before 08:00 hours on weekdays and 08:00 hours on Saturdays nor after 18:00 hours on weekdays and 13:00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (RC - To minimise noise disturbance to adjoining residents.)
4. Unless otherwise agreed in writing by the Local Planning Authority, the office/workshop shall not be used other than by occupiers of the hereby permitted dwelling – (RC The use of the office/workshop independently from the use of the dwelling is likely to lead to serious harm to the occupiers of the dwelling through disturbance as a result of the close proximity of the uses and the positions of the entrance to the office/workshop and parking area).

Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal represents a suitable new use for this curtilage listed building; and there are extant permissions for the extension and conversion of the barn to a dwelling.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development) and P7/6 (Historic Built Environment);
 - South Cambridgeshire Local Plan 2004: GB2 (Development in the Green Belt), EN20 (Extensions to Listed Buildings), EN26 (Conversion of Listed Buildings to New Uses), EN28 (Development Within the Curtilage or Setting of a Listed Building) and EN30 (Development in Conservation Areas)

Informatives

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.

During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

Background Papers: the following background papers were used in the preparation of this report:

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning Policy Statement 7 'Sustainable Development in Rural Area' 2004

Planning file Refs: S/1931/04/F, S/1930/04/LB, S/0508/04/F, S/0507/04/LB, S/0784/03/F and S/0783/03/LB

Contact Officer: Andrew Moffat – Area Planning Officer
Telephone: (01954) 713169

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/2011/04/F - Great Shelford
Erection of Annexe at 5 Davey Crescent for Mrs S Nettleton**

Recommendation: Approval

Members of Committee will visit the site on Monday 29th November 2004

Site and Proposal

1. The application site is occupied by a 2 storey semi-detached dwelling located within an estate situated on the north eastern side of Cambridge Road. Two storey dwellings lie to the east and west of the site whilst to the north is a semi-detached bungalow.
2. The full application, submitted on 30th September 2004, seeks consent for the erection of a detached timber outbuilding, measuring 5.94 metres long x 3.65 metres wide x 3.5 metres high, within the garden. The building, which it is intended to be used as an annexe to the main dwelling for occupation by the applicant's mother who has Parkinson's Disease, would comprise a bedroom, bathroom and living room but no kitchen facilities. The annexe would be sited upon the northern part of the garden approximately 15 metres away from the rear elevation of the dwelling.

Planning History

3. None

Planning Policy

4. **Policy HG12** of the Local Plan states that permission for the extension and alteration of dwellings will not be permitted where:
 - The design and use of materials would not be in keeping with local characteristics;
 - The proposal would harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass, or would adversely affect surrounding properties by virtue of its design, layout, location or materials;
 - There would be an unacceptable loss of off-street parking or garden space;
 - There would be an unacceptable visual impact upon the street scene;
 - Boundary treatment would provide an unacceptable standard of privacy and visual amenity.

5. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
- result in overbearing, overlooking or overshadowing of existing residential properties;
 - result in noise and disturbance to existing residential properties through the use of its access;
 - result in highway dangers through the use of its access;
 - be out of character with the pattern of development in the vicinity.
6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

Consultation

7. **Great Shelford Parish Council** objects to the application stating:

“This separate unit of accommodation would overlook the gardens of adjoining properties, would set a precedent for similar developments and would be out of keeping with the existing development.”

Representations

8. A letter supporting the application has been received from No. 6 Davey Crescent.

Planning Comments – Key Issues

9. The key issues to consider in the determination of this application relate to:
- The impact of the proposal upon the character of the area; and
 - The effect of the proposal upon the amenities of adjoining residents.
10. The Parish Council has expressed concern about the application on the basis that the development would be out of keeping with the character of the area. Whilst I am not aware of any detached annexes within the gardens of properties in the vicinity of the site, the building proposed is no larger or higher than a summer house or large shed and would not be a prominent feature in the street scene when viewed from the front of the site.
11. With respect to the impact of the annexe upon the amenities of adjoining residents, the building has been designed so that its principal outlook is to the west. The western boundary of the site with No. 4 Davey Crescent is reasonably well screened and the bedroom and lounge windows in the west elevation of the annexe would have glimpses of the bottom of No. 4's garden. This part of the garden comprises a greenhouse and is used for growing plants/vegetables rather than being the main private/sitting out area of the garden. This factor, together with the lack of objection received from the occupiers of the adjacent dwelling (this was confirmed verbally on site), leads me to conclude that the proposal is, on balance, acceptable in terms of its impact upon the amenities of No. 4.

12. There is a bathroom window in the eastern elevation of the annexe. The boundary between the site and No. 6 Davey Crescent is defined by a close boarded fence at this point and I am satisfied that there would be no overlooking from this window. In addition, there are no windows in the northern/rear elevation of the proposed building and I consider the impact of the development upon the bungalow to the rear (No. 8 Bridge Close) to be acceptable. I did note, however, that it appears that a section of close boarded fence has fallen down along the rear boundary of the site. Should Members be minded to grant consent for the scheme, I would recommend that it be subject to a condition requiring the erection of a fence along this boundary and preventing the insertion of any windows in the north elevation of the annexe in order to protect the future amenities of the occupiers of No. 8 Bridge Close.
13. There is a pair of doors in the southern elevation of the annexe facing towards the existing dwelling at a distance of approximately 15 metres away. This relationship would clearly be unacceptable, for the occupiers of both the dwelling and annexe, if the annexe were to be occupied as a separate unit of accommodation to the main house. The applicant has clarified that the building would be occupied by her mother. Should Members be minded to grant consent for the application, it would need to be subject to a Section 106 Agreement to ensure that the occupation of the annexe remains linked to the dwelling in perpetuity.

Recommendation

14. Subject to the prior signing of a Section 106 Agreement to ensure that the occupation and use of the annexe is linked to that of the dwelling, Approval subject to the following conditions:
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc60 – Details of boundary treatment to northern boundary (Rc60 and to safeguard the privacy of occupiers of the adjoining dwelling to the north, No. 8 Bridge Close);
 3. Sc22 – No windows, doors or openings of any kind...north elevation (RC22 - To safeguard the privacy of occupiers of the adjoining dwelling to the north, No. 8 Bridge Close).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development);
 - **South Cambridgeshire Local Plan 2004:** HG12 (Extensions to Dwellings within Frameworks) and HG11 (Backland Development)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Residential amenity;
- Impact upon the character of the area

Background Papers: the following background papers were used in the preparation of this report: Local Plan, Structure Plan, File Ref: S/2011/04/F.

Contact Officer: Lorraine Casey – Senior Planning Assistant
Telephone: (01954) 713251

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1662/04/F - Highfields Caldecote
Erection of Two Shops and Four Flats with Associated Car Parking.**

Recommendation: Approval

Site and Proposal

1. The site occupies 0.05ha of land situated at the junction of Furlong Way and Highfields Road. The land is laid to grass and bounded by railings to the grounds of the village hall, which adjoins to the west. On the opposite side of Furlong Way there is an open landscaped area which is being considered by Caldecote Parish Council for adoption as a village green.
2. The full planning application received 10th August 2004 and amended by plans received 5th October and 12th November 2004, is for the erection of two ground floor shops and four first and second floor flats. Two flats have two bedrooms, and the remaining units have one bedroom each. The shop units each have gross retail areas of 36 sq m. Parking provision for 10 cars and 6 bicycles is shown. Access is proposed from Furlong Way, sited 18 metres from the junction. Vehicle-to-vehicle visibility to the west along Furlong Way is limited to 23 metres.
3. The proposed elevations show a single block with double gables and a ridge height of 10.1 metres. External materials have not been specified. Provision has been made for bin storage.
4. The agent has indicated that the Parish Council may be able to offer additional land to provide a lay-by on the opposite side of Furlong Way, but this is dependant on the Parish Council successfully completing negotiations to purchase the land.

Planning History

5. Outline planning permission for the erection of a single shop and flat on the site was granted in 2001 (**S/0494/01/O**). All details, including means of access, were reserved for subsequent approval and no consultation with the Highway Authority was made.
6. The land is affected by a Section 106 Agreement dated 17th December 1999 that was drawn up at the time of the applications for the adjoining housing development by Wilcon Homes Ltd. In this Agreement, the site is reserved for use for the development of shops with or without ancillary living accommodation for a period of ten years, i.e. until 17th December 2009. If after that time, and after reasonable endeavours to market it, the site remains unsold for this purpose, it may then be offered for general residential development.

Planning Policy

7. Cambridgeshire and Peterborough Structure Plan 2003: **Policy P2/6** (Rural Economy): sensitive small-scale employment development in rural areas will be facilitated where it contributes to, amongst other things, helping to achieve a balance

of employment with the type and quantity of local housing, and helping to maintain the vitality of rural areas. **Policy P5/5** (Homes in Rural Areas): small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable housing, the character of the village and its setting, and the level of services provision in the immediate area.

8. South Cambridgeshire Local Plan 2004: **Policy SH5** (New retail development)- proposals for the development of new shops within the village framework will be permitted provided:
 - the size of the shopping development is of a scale appropriate to the size of the village;
 - development would not have an adverse impact upon the amenity of adjoining uses;
 - the existing site does not form an essential part of village character.
9. **Policy SE4** (Group Villages) of the South Cambridgeshire Local Plan 2004 states that redevelopment up a maximum scheme of 8 dwellings will be permitted within the village framework provided that the retention of the site in its present form is not essential to the character of the village; the development would be sensitive to the character of the village and the amenities of neighbours.
10. **Policy HG7** (Affordable Housing on Sites within Village Frameworks): Within villages with less than 3,000 population, affordable housing of up to 50% of the total number of dwellings will be expected, unless other factors indicate a higher or lower proportion.
11. **Policy TP1** (Planning for More Sustainable Travel): in considering planning applications, the Council will seek to restrict car parking to the maximum levels set out in Appendix 7/1, and will require safe and secure cycle parking as set out in Appendix 7/2. **Appendix 7/1**: developers will be required to provide car parking spaces up to the maximum standards –food shops: 1 space per 14 sq m gross sales area, non-food shops: 1 space per 20 sq m gross sales area. Small shops should have short stay parking at the front. Dwellings should have an average of 1.5 spaces per unit. Disabled parking at a rate of 5% of capacity should be made. **Appendix 7/2**: for small shops, one cycle space per 25 sq m should be made.
12. **Housing Needs Survey** (Caldecote 2002) indicates that 4.5% respondents required a 1bed home/flat, whilst 15.5% required a 2 bed house.

Consultations

13. **Caldecote Parish Council** – strongly recommends approval of this application for a much-needed Parish facility. It supports the design of the building. It recommends the imposition of conditions to control noise, smell, late night trading and litter. It asks for additional screening on the boundary with Highfields Road. One shop is to be leased to the Parish Council.
14. **Highway Authority** – the HA has concerns about the proposal. The provision of eight parking spaces in the original proposal is considered to be insufficient, as well as poor vehicle-to-vehicle visibility. The comments of the HA on the latest amended proposals are as follows:

“Given the location of the carriageway narrowing within Furlong Way, I am prepared to accept the vehicle-t-vehicle splay of 2.4m x 23.0m shown on the submitted plan.

I remain most concerned about the likely on-street parking that will be generated by this development - which clearly has insufficient parking spaces to serve even the residential units and staff parking.

I trust your authority will consider the implications of the likely on-street parking and the problems that this is likely to cause for residents accessing the exiting the housing development.”

15. **Environment Agency** – the EA has indicated that surface water discharge to the adjacent housing estate system is acceptable in principle.
16. **The Chief Environmental Health Officer** - no objection in principle subject to a condition to ensure adequate sound insulation between the shops and flats.

Representations

17. Caldecote Village Institute Trustees welcomes the project in an area that may soon be the vibrant heart of Highfields. The Trustees have some concerns, however;
 - a. possible noise disturbance to future residents of the flats from discos and live music in the adjacent village hall;
 - b. possible conflict with future plans to extend the village hall.
18. Two letters from residents of Highfields Road have indicated concerns:
 - c. at three storeys, the building is too high and is out of keeping with the appearance of dwellings in the adjacent housing estate, the school and the village hall;
 - d. overdevelopment – one shop plus two flats would seem to be more appropriate for village needs;
 - e. possibility of the shops remaining empty and being converted to additional flats;
 - f. inadequate provision for car parking on site. Could cars park in the village hall car park?
 - g. possibility of parking on the road blocking private driveways. This already happens as a result of the primary school being close by;
 - h. possible noise disturbance to residents from users visiting the shops after 6pm. A condition to control opening hours is requested;

Planning Comments – Key Issues

19. The main considerations are the scale and height of the development, the provision for car parking and visibility splays, and affordable housing provision.

Scale and height of development

20. The previous permission for one shop and one flat has not been implemented because of the economics of developing the site. The Parish Council is persuaded that the current scheme is much needed in the village, and in my opinion the scale of development is acceptable. The height, at 10.1 metres, is considerably greater than the adjacent single-storey village hall. However, given the open setting of the site

and its position at the entrance to the housing estate, a well-designed landmark building is appropriate in my opinion.

Car parking and visibility splays

21. The submitted scheme shown is one car parking space less than the maximum requirement, and there is a possibility that off-site provision may be made on the adjacent open area in the future on land to be acquired by the Parish Council. In my opinion the shortfall is not significant. The siting of the proposed access midway on the Furlong Way junction results in a 23 metres visibility splay to the west. The road turns and narrows with traffic calming surfacing at this point, with a result that traffic speeds are likely to be low.

Affordable housing provision

22. As the market value of the proposed 1- and 2-bed flats is likely to be modest and will meet some of the demand for smaller housing in the village and the scheme brings forward much needed retail units, I am proposing that no formal requirement for affordable housing be made in this instance.

Other matters

23. Both the Parish Council and a nearby resident have requested the use of a condition to control opening hours of the shops in the evening. I am not convinced that this is necessary in this case, as no hot food takeaway is proposed and there is no evidence to suggest that any disturbance will be likely to occur. The Village Hall Trustees have indicated concern at possible noise disturbance to future residents of the flats, but as the scheme's architect has confirmed that each unit will be provided with double glazing I believe this to be a case where purchasers will be aware of the potential for noise from events prior to deciding to buy.

Recommendation

24. Approval

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));
3. Sc51 – Landscaping (Rc51);
4. Sc52 – Implementation of landscaping (Rc52);
5. Sc60 – Details of boundary treatment (Rc60);
6. Sc29 – Details of noise insulation between shops and flats (RC29);
7. Highways C3 – Provision for parking and turning;
8. Surface water drainage details.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P2/6** (Rural Economy) **Policy P5/5** (Homes in Rural Areas);
 - **South Cambridgeshire Local Plan 2004: Policy SH5** (New retail development); **Policy SE4** (Group Villages); **Policy HG7** (Affordable Housing on Sites within Village Frameworks); **Policy TP1** (Planning for More Sustainable Travel); **Appendices 7/1 and 7/2** (Car and cycle parking standards).

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Economic vitality of the village;
 - Residential amenity including noise disturbance issues;
 - Highway safety;
 - Visual impact on the locality

Background Papers: the following background papers were used in the preparation of this report: Planning applications S/0494/01/O and S/1662/04/F, Cambridgeshire and Peterborough Structure Plan 2003; South Cambridgeshire Local Plan 2004.

Contact Officer: Ray McMurray – Senior Planning Assistant
Telephone: (01954) 713259

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/2002/04/F - Haslingfield
Erection of Two Dwellings Following Demolition of Existing Dwelling at 1 Butler Way
for Aspire Homes (Cambridgeshire) Ltd**

Recommendation: Approval

Members will visit the site on 29th November 2004.

Site and Proposal

1. The site lies off a cul-de-sac, Butler Way, a narrow road with narrow footpaths. It comprises a chalet dwelling set at an angle from Butler Way. Three other properties, two bungalows and a chalet dwelling are also accessed from Butler Way.
2. To the south, approximately 30m away from the back edge of the site, lies a two storey property, No. 10 Church Street with windows at ground and first floor level in its northern elevation, facing the site.
3. The site lies adjacent to the Haslingfield Conservation Area. The boundary of which runs along the eastern boundary of the site where there is a footpath to the Church. To the south east lies The Vicarage, a Grade II Listed Building. There are two further Listed Buildings to the north east approximately 25-40m from the site.
4. The full planning application, received on 29th September 2004 proposes the erection of two 3 bedroom dwellings approximately 7m in height with a footprint of approximately 85m² and 89m².
5. The dwellings are to be set back from the back edge of the footpath by 4m. There will be a 6m gap between them and approximately 5m to either side (east and west boundaries).

Planning History

6. The existing dwelling on the site was granted approval in 1964.
7. In March 2004 planning permission was granted in Outline for the erection of two dwellings following the demolition of the existing bungalow – matters of siting, design, means of access and landscaping were reserved.
8. In July 2004 a full planning application was withdrawn for two 4 bedroom dwellings approximately 7.5m and 7m in height with a footprint of approximately 106m² and 112m².

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003 (the Structure Plan) Policy P1/3 – Sustainable Design in Built Development.

9. This policy stresses the need for a high standard of design and a sense of place which responds to the local character of the built environment, amongst a whole host of other sustainability considerations.

Structure Plan Policy P7/6 – Historic Built Environment

9. Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

South Cambridgeshire Local Plan 2004 (the Local Plan) Policy SE4 – List of Group Villages

10. Haslingfield is listed as a Group Village

Residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages 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, particularly policy EM8. (Loss of employment sites in villages.)

Development may exceptionally consist of up to 15 dwellings, if this would make the best use of a brownfield site.

All development should provide an appropriate mix of dwelling size, type and affordability.

Local Plan Policy HG10 – Housing mix and design.

11. Residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs.

The design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency. The District Council will support the preparation of Village Design Statements to secure these aims.

Local Plan Policy EN30 – Development in Conservation Areas

12. 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. This must include drawings or other pictorial material which illustrates the proposed buildings in their context, and in most cases outline applications will not be acceptable. Proposals will be 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. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.

Local Plan Policy EN28 – Development within the Curtilage or Setting of a Listed Building.

13. Where it appears that proposals would affect the curtilage or wider setting of a Listed Building, the District Council will require the submission of sufficient illustrative and technical material to allow its impact to be clearly established. The District Council will resist and refuse applications which:
- (1) Would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance;
 - (2) Would damage the setting, well-being or attractiveness of a Listed Building;
 - (3) Would harm the visual relationship between the building and its formal or natural landscape surroundings;
 - (4) Would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.

Consultation

14. **Haslingfield Parish Council** recommends refusal:
“Our previous concerns re overdevelopment appear to have been addressed by reduction of the footprint area of the revised plans. However, our worries about available on-site parking and the narrowness of Butler Way are still there.

This could be alleviated by increasing the number of parking spaces from 2 to 3, which we understand that the applicant is prepared to provide. We also request that permitted development rights be withheld from any area that is a designated car parking space.
15. **Chief Environmental Health Officer**
No objection subject to safeguarding conditions to control noise and disturbance during the period of demolition and construction.
16. **Trees and Landscape Officer**
“Refer to my comments on the previous application [A quite densely vegetated site, but nothing of particular quality. A poor quality Norway Spruce and a suppressed Yew will be compromised but no objection]

Whilst understanding neighbours concerns I must emphasise that the Norway Spruce on the frontage is located only 1.5m from the existing structure, within 2m of an adjacent street light and not a tree of a quality that I would consider for a Tree Preservation Order. The Holly located rear to the site frontage is again not something that I would consider worthy of a TPO. I therefore have no objection to the application. I note that it is intended to retain existing planting around the site perimeter. I would suggest that the better quality planting on these boundaries could be considered along with submitted landscaping plans.”

17. Conservation Manager

"No objections"

Representations

18. Seven letters of objection have been received, five from the occupiers of 4 Butler Way and one each from the occupiers of 3 Butler Way and 13 Oak Cottage, Broad Lane.

4 Butler Way

19. Proposal will be out of character with the loose knit form of the surroundings contrary to the South Cambridgeshire Design Guide. Houses are to replace a chalet bungalow in a setting that contains only bungalows or chalets.
20. The two houses shown are larger in footprint than that allowed in the Outline application.
21. Garages could be built to the sides without needing planning permission which would result in built development extending across the width of the site.
22. Proposal is an overdevelopment of the site, out of keeping with the character of the road and adjacent conservation area.
23. *The Human Rights Act Article 8*
The Charter of Fundamental Rights of the Union Article II-7
"Huge infringement of our right to 'respect for our private and family life'".
24. Overlooking of the whole length of our garden from proposed house no.1. Most of our garden is to the front of the property which we consider to be our main garden with only a very small area to the rear which is used as a utility area. Overlooking of the 'main' garden by the properties will seriously infringe our right to privacy and quiet enjoyment of our garden.
25. The garden is surrounded by a 4 foot high hedge which cannot be grown any higher. This height means that villagers passing by are able to see briefly into our garden. We accept this small loss of privacy but strongly object to having the garden permanently overlooked by the two proposed properties.
26. "It seems likely that delegated officials... will approve planning permission...we intend to plant a Cupressocyparis leylandii hedge around the perimeter of our property bounding the highway...anticipate a height of not under 20' foot"
27. Overlooking of our chalet bungalow including ground and first floor windows (living rooms and upper bedroom) our drive and side garden from house no.2.
28. Increase in height will exacerbate loss of privacy.
29. Distance of 16m between front of new properties and our property is insufficient
30. Loss of Yew, Holly and Fir trees and subsequent loss of habitat for wildlife.
31. The landscaping of the area will be diminished.

32. The existing drainage system cannot deal with the additional dwellings. "We will not give permission to the developers...to connect into the private drain which is in, and runs the length of our garden." Connection to the main sewer which runs the length of Broad Lane will be necessary.
33. Multi-paned windows are out of keeping with the picture-windows in the other properties in Butler Way.
34. There are velux windows in the rear but there is no overlooking problem there.
35. No turning area within the site.
36. No extra parking for visitors.
37. Parking on the narrow road will hamper emergency vehicles.
38. The revised parking plan will not work as vehicles will not be able to turn into the spaces shown at the front of the properties.
39. "Given the possibility of the two proposed properties each building a garage at a later date with accommodation over, the preservation of privacy for No. 10 Church Street would lie in the two proposed properties being built as bungalows."
40. *Suggestions:*
The two houses be altered to two bungalows with integral garages to prevent further development.
41. Both units to be set back 8m from the road boundary. This would prevent overlooking, ensure the survival of at least two of the threatened trees, allow for car turning space and extra parking, preserve the character of the road and the conservation area and remove most of our present objection.
42. "The preservation of our privacy would lie in the two proposed properties being built as bungalows with a distance of 70' between us. There is no single instance in the village of Haslingfield where two properties opposite each other are built at a distance of less than 70'. This distance seems to be established practice and we feel that approval of any less a distance would be discrimination."
- 13, Oak Cottage, Broad Lane**
43. Overdevelopment of the plot
44. Opportunity to build something better
45. Loss of trees will be out of keeping with surroundings and conservation area.
- 3 Butler Way**
46. No garages, properties close to road – no new parking facilities in the front drive. This will naturally lead to parking in the street. [This comment was made before the revision of the plans to improve the parking arrangements was submitted]
47. Parking in the turning head would cause significant problems for me reversing out of my drive.
48. Access by emergency vehicles may be blocked by vehicles parking on the road.

49. "My wife has a serious medical condition and I am extremely concerned if access 'to and from' my property is impeded. I hope that these observations will be taken into account when reaching a decision on this application."

Planning Comments – Key Issues

50. The key issues in this application are the impact of two dwellings on the amenity of surrounding residents, the impact on the street scene, the impact on the character and appearance of the Haslingfield Conservation Area, the impact on the setting of nearby Listed Buildings, including the Church, the potential impact from additional traffic, parking difficulties and the suitability of the sewerage system to accommodate a further dwelling.

Amenity of occupiers of surrounding properties.

Impact on No. 2 Butler Way

51. This property lies immediately to the west of the site. Its main living room window is at ground floor level and faces, at an angle, onto the western boundary of the site. The nearest of the two dwellings is to be some 5m away from this boundary giving an approximate distance of 12m between the window and the new property. The window faces north east and I do not believe the development will result in any material loss of light to this window or the garden and I do not believe, at this distance, that the new dwelling would appear overbearing.

Impact on No. 10 Church Street

52. This is the property that lies immediately south of the site. There are 5 rooflight windows on the rear elevation of each of the new dwellings. In each case the three small windows serve bathrooms and the two larger ones a bedroom. The back to back distance to windows in the rear elevation of No. 10 is approximately 40m which is acceptable. The bedroom windows will gain glimpses of the rear garden to this property but existing vegetation, on the southern site boundary, (which is to be retained) is sufficient to limit any views into the garden to an acceptable degree. A swimming pool in the rear of this garden will not be overlooked due to the angles between the rear facing windows of the new dwellings and the swimming pool being too oblique.

Impact on No. 4 Butler Way

53. The proposed dwellings will have windows that will face across Butler Way and views into the front garden of No. 4 and into windows on the front elevation of this property will be possible. The distance between windows will be of the order of 16-17m.
54. A hedge of little more than a metre high surrounds the garden. Public views of this garden are therefore readily available as are views into the ground floor windows and up at the first floor windows. The occupiers of this property state that occasional views of their garden from passers by are acceptable but the permanent overlooking is not. It is my view that the number of occasions when views will be obtained from the windows in the front elevation of the new houses into the garden and into the windows of No.4 will depend on the habits of the future occupants but it is by no means certain that they will be materially any greater than the number of occasions that the garden is viewed by passers by, particularly as a footpath to the Church exists in close proximity. The objection is to 'permanent' overlooking but I do not consider this to be the case. On balance I believe that views of the front of the property and its front garden are already readily available to any passer by and I do not consider that the additional views from the front of the new properties will result in a material loss of privacy that would justify refusal of the application.

55. The greatest impact on the privacy of the occupiers of No. 4 will be on direct views from first floor bedroom windows in the new dwellings to the first floor bedroom window of No. 4. No such view currently exists due to the angled orientation of the existing property. Whilst this will result in a reduction in privacy levels I do not consider this to be unacceptable. It is generally accepted that the front elevation of a property, which fronts a road, is the public face of the building. Privacy here is not expected to the same degree as to the rear. I therefore consider that it would be unreasonable to refuse planning permission because there will be views into the front windows from a development that is some 16-17m away.
56. The buildings will be of greater height than the existing chalet bungalow but I do not consider they will appear overbearing at 16-17m away and viewed across the road. For similar reasons I do not believe there will be any material loss of light.

Impact on street scene

57. The present scheme has been the result of much negotiation with planning officers and the Conservation Manager.
58. The existing properties in Butler Way are all either bungalows or 1½ storey dwellings. This proposal is for two storey dwellings. However I consider the scale of the dwellings to be acceptable. The previous application was withdrawn as it was the view of officers that the dwellings were too large and had too great an impact on the street scene and was likely to be recommended for refusal. These new dwellings have reduced the scale from 4 bedrooms to 3, reduced the height by 0.5m and footprint and removed conservatories and garages that were once suggested. There is now 6m separation between the two dwellings and the design differences between the two will help to avoid the appearance of two identical properties and help assimilate them into their surroundings. The previous scheme also had three dormer windows in the first floor of each dwelling which has now been reduced to two and a rooflight in the current scheme.
59. A condition withdrawing Permitted Development Rights is necessary to retain the scale of the new development.
60. There is adequate space to the side of each dwelling to respect not only the amenity of the occupiers of No. 2 but also the visual spacing in the street scene. There is approximately 5m space on the eastern side to the footpath to the Church. This protects the existing planting and will not result in the development dominating the path.
61. The new dwellings are higher than any of the other dwellings in Butler Way but I do not consider it is essential to mirror the existing development as the character of Butler Way is of no particular merit in its own right. What is important is to ensure that the development respects but not necessarily mimics its surroundings.
62. It is regrettable that trees will be lost. However there are no trees on the site that are worthy of protection and there is no current restriction on the removal of any of the trees. I note the comments of the Trees and Landscape officer that he would not consider any statutory protection for any of the trees. The scheme would be subject to landscaping conditions requiring new planting as well as retention of some existing planting. A new beech hedge is proposed for the front boundary.

Impact on the character and appearance of the Haslingfield Conservation Area and the setting of nearby Listed Buildings, including the Church.

63. I note that the Conservation Manager has no objections. It will be important to ensure that materials are appropriate to the setting of the Conservation Area and nearby Listed Buildings.

Additional traffic and parking difficulties

64. Butler Way is not wide and has narrow footpaths. This quiet cul-de-sac is not heavily trafficked and is accessed off a bend in Broad Lane, which, coupled with its length of only 48m (approximately), means that vehicle speeds are low. The point of access onto Broad Lane is good and I do not, therefore, believe that an additional dwelling in Butler Way will result in a significant impact on highway safety.
65. As in many small cul-de-sacs where there is a turning head, parking is difficult. This is especially so in this case because of the restricted width of the road. I consider it essential that each property should have space for the parking of two cars clear of the highway. The submitted plans showed two 'tandem' spaces which is not ideal. The latest revised plans show parking spaces to the side and front of each property. I consider this to be acceptable.
66. The parking standards in the Local Plan allow for a maximum of two spaces only. It is difficult, therefore, to require three or more off-street spaces. Due to the low speed of vehicles I do not consider that turning space should be required. I note that occupiers of other properties in Butler Way reverse directly onto the public highway.

Suitability of the sewerage system

67. It would appear, from the comments of neighbours, that the existing arrangements are unsatisfactory. A full examination of this issue will be necessary and be required by condition prior to any development taking place.

Recommendation

68. Approval as amended by plan reference BW-04/c and subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a);
 3. Sc5e – Details of finished floor levels (Rc5e)
 4. Sc51 – Landscaping (Rc51);
 5. Sc52 – Implementation of landscaping (Rc52);
 6. Sc60 – Details of boundary treatment (Rc60);
 7. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To protect the visual quality of the area);
 8. No development shall commence until details of the design and materials to be used for the external windows and doors 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 neighbouring buildings and respects the visual quality of its surroundings)

- 9 The development shall not be occupied until space has been laid out within the site (in accordance with plan no. BW-04/c attached hereto) for 2 cars to be parked and that area shall not thereafter be used for any purpose other than parking of vehicles.
(Reason - To ensure adequate space is provided and thereafter maintained on site for the parking of vehicles.)
10. No development shall commence until precise details of both the existing provision for surface water drainage and foul sewage disposal and the proposed method of surface water drainage and foul sewage disposal 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 satisfactory drainage of the site and satisfactory disposal of foul sewage from the site).
11. No power operated machinery shall be operated on the premises during the period of demolition and construction, before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason – To minimise noise disturbance to adjoining residents)
12. No windows, doors or openings of any kind shall be inserted in the south or west elevations of the house on plot 1 or the south, east or west elevations of the house on plot 2, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
- 13 The first floor windows in the south elevation of the buildings shown serving bathrooms and en-suite rooms on plan no. BW-04/c, hereby permitted, shall be fitted and permanently maintained with obscured glass.
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
14. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
- i) PART 1, (Development within the curtilage of a dwellinghouse, all classes
 - ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences)
- (Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: SE4** (List of Group Villages), **HG10** (Housing Mix and Design), **EN30** (Development in Conservation Areas), **EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area and nearby Listed Buildings

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/0029/04/O, S/1176/04/F, S/2002/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003

Contact Officer: Nigel Blazeby – Senior Planning Assistant
Telephone: (01954) 713256

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st December 2004
AUTHOR/S: Director of Development Services

**S/1997/04/F - Histon
Extension at 6 New School Road
for Mr. P. Osbourne**

Recommendation: Approval

Members will visit the site on the 29th November 2004.

Site and Proposal

1. The site is a Victorian mid-terrace property that has an existing single storey, flat roofed, rear extension. This is the full width of the property to a depth of 2.3m closest to the house and narrows to accommodate a path for a further depth of 3.75m. A single storey, flat roofed extension at No. 4 New School Road, adjoins the extension and path, which is southeast of the application site. The neighbouring dwelling to the northwest (no. 8 New School Road) also has single storey rear extensions comprising a kitchen extension with a flat roof and a conservatory with a glazed lean-to roof. Due to a 'kick' in the boundary, the site 'wraps' around the conservatory at no. 8 New School Road. It is proposed to build on a similar 'kick' on the boundary with no. 4, therefore a certificate B notice has been served on the owner of that dwelling. The rear of the house faces northeast.
2. This full planning application, received on the 28th September 2004 proposes the erection of a single storey rear extension following demolition of the existing building, which is reported to be in poor repair. This will have a pitched roof and will fill in the 'wrap-around' area adjacent to the conservatory at no. 8 New School Road.
3. The application was amended on the 11th November 2004. The amendment included an alteration to the roof so that a lower ridge height can be achieved, with the design altered from an asymmetrical roof to a central ridge line and corrected the elevational details to nos. 4 and 8 New School Lane.

Planning History

4. There is no planning history for this site.

Planning Policy

5. **HG12 Extensions and Alterations to Dwellings within Frameworks** of the South Cambridgeshire Local Plan 2004 sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval.
6. **Policy P1/3 'Sustainable Design in Built Development'** 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.

Consultations

7. **Histon Parish Council** recommended refusal on grounds that the extension is of an excessive scale and will result in the loss of access for essential maintenance.

Representations

8. Councillor Muncey has requested that the application be considered at Committee, as the Parish Council is concerned about the effect it will have on the neighbour.
9. Councillor Mason has also requested the application be put to Committee with a site visit for reasons that the Parish Council objected on grounds of poor design, loss of amenity and ownership/boundary issues. It is unclear from the drawings as to the use of walls not in the applicant's ownership. The proposed extension would appear to project beyond the ground floor extensions of adjoining properties.
10. Letters of objection have been received from the neighbouring occupiers at nos. 2, 4 and 8 New School Road on grounds of:
 - Roof design – loss of light, out-of-keeping design and the size and shape will be overbearing.
 - Depth - loss of light, out-of-keeping with neighbouring extensions and will be overbearing. Building on land not within the applicant's ownership.
 - 'Wrap-around' – loss of amenity.
 - Precedent
 - Details of joins with neighbouring extensions and drainage are unclear.
11. Other issues raised which are not directly planning matters include maintenance of walls where the buildings link, lack of access to drainage pipes, existing seal on wall where the conservatory at no. 8 joins the existing extension at no. 6, loss of property value, loss of view, and house purchase contract conditions.

Planning Comments – Key Issues

12. The key issues to consider in respect of this application are the scale and impact upon neighbouring residential amenity.

Scale

13. For the reasons set out in the following paragraphs below, the scale is not considered to be unacceptable.

Residential amenity

14. The issue of light is not considered to be a significant concern. The proposed extension will project 2m past the rear extension to no. 4. The neighbouring extension has no rear facing windows. Any light loss will be very minimal and restricted to late afternoon and evening to the adjoining garden.
15. The existing conservatory and kitchen extensions to no. 8 will adjoin the proposed extension. It will block some early morning light from the conservatory at no. 8 however, the eaves adjacent to the boundary are a height of 2.7m for the main part of the extension, lowering further to 2.1m where it comes across the rear of the

conservatory. The light will not be significantly reduced, as the existing extension to no. 6 New School Road has a parapet wall to a height of 2.72m along the boundary.

16. The projection past the property at no. 4 will not be visually overbearing, having a depth of just 2m and a relatively low ridge height. The extension is not visible from within the dwelling and any small impact will be limited to the private garden area of this dwelling, which is also separated from the main part of the dwelling by the single storey extension to it.
17. The wrap-around adjacent to no. 8 New School Road is of greater concern, however it has been designed so that only a small triangle of wall will be visible above the wall of the conservatory. Similarly a small area of wall and roof will be visible from within the garden of no. 8. While not ideal, this is not considered to be visually overbearing.

Other matters that are not material planning considerations

18. The approval of this proposal would not set a precedent, as all applications for planning permission are determined on their own individual merits.
19. Details of the drainage and boundary walls are not particularly clear, however the application before the Committee is to be determined based upon the information supplied. Matters covered by separate legislation such as the Party Wall Act and Building Regulations are not for consideration under this planning application. If the applicant requires guttering and drainpipes to overhang the boundary a new planning application could be required, with the appropriate notices served. The drawings submitted show plans to build only within the application site (with the possible exception of adjacent to no. 4, where notice has properly been served). If the proposals alter to require building over a party wall boundary a new planning application will be required. An informative can be added to draw the applicant's attention to this.
20. In light of the planning considerations detailed above, I do not consider that there will be harm to the amenities of neighbouring properties to warrant refusal of the application.

Recommendation

Approve as amended by letter dated 9th November 2004 and plan franked 16th November 2004, subject to:

1. Standard Condition A – Time limited permission (Reason A).

Informatives

1. If the guttering and drainpipes on the approved extension are to overhang the boundary line a new planning application will be required, with the appropriate ownership certificate and notices served. The drawings submitted and hereby approved, show plans to build only within the application site (with the possible exception of adjacent to no. 4, where notice has properly been served).
2. If the proposals alter to require building over a party wall boundary a new planning application will be required, with the appropriate ownership certificate and notices served.

3. The granting of planning permission does not confer or imply land ownership entitlement to the applicant. This is a matter of civil law that should be resolved before works commence on site.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3 (Sustainable design in built development).**
 - **South Cambridgeshire Local Plan 2004: HG12 (Extensions and Alterations to Dwellings within Frameworks).**
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - **Scale**
 - **Residential amenity**

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/1997/04/F

Contact Officer: Melissa Reynolds – Senior Planning Assistant
Telephone: (01954) 713 237

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

S/1801/04/F - Hinxton
Conversion of Farm Buildings to 6 Dwellings at Barns at Lordship Farm, Mill Lane, for Wellcome Trust Ltd

Recommendation: Approval

Departure Application

Conservation Area

Site and Proposal

1. The application relates to a group of agricultural buildings constructed from brick, flint, clunch, render, boarding, corrugated sheeting and pantiles to the east of Lordship Farmhouse, a Grade II listed building. The site is served by existing accesses onto Mill Lane to the north and High Street to the east. Fields extend to the south. There are residential properties fronting Mill Lane and High Street to the north and east respectively.
2. This full application, registered on the 25th August 2004 and amended by plans date stamped the 9th November 2004, proposes to convert all but one of the buildings into 6 dwellings (1no. 3-bedroom, 3no. 4-bedroom and 2no. 5-bedroom). The building not to be converted, an open sided barn, would be demolished as part of the scheme. Three of the dwellings would be served from the existing access onto Mill Lane with the remaining three being served by the widening of the existing access onto High Street. Two covered parking spaces each are proposed for Units 1-5. Four covered spaces are proposed for Unit 6. Visitor spaces are also shown on the plans.
3. The application was accompanied by a Structural Appraisal of the buildings which details the repair works required to each building. Some of the buildings have corrugated sheeting roofs. These are to be replaced by slates and pantiles which will require strengthening of the roofs to accommodate the additional weight. New openings would be kept to a minimum by utilising existing openings for the new doors and windows. The clunch walls to Unit 1 would need to be repaired or rebuilt where the outward leans are excessive. A copy of a Supporting Planning Statement submitted as part of the application is attached as Appendix A.

Relevant Planning History

4. A listed building application for the proposal is currently being considered (**S/2191/04/LB**).
5. Planning and listed building applications to convert the buildings into 7 dwellings were withdrawn earlier this year (**S/0848/04/LB & S/0849/04/F**).

6. The District Council confirmed that prior approval for a general purpose agricultural storage building for the Wellcome Trust on land to the north of 131 High Street was not required (**S/2387/02/PNA**).
7. Planning permission was granted for a holiday use of a listed barn adjacent to the site under references **S/0773/93/F** and **S/0774/93/LB** and subsequently renewed in 1998 (**S/1719/98/F** and **S/1836/98/LB**) and 2003 (**S/1952/03/F** and **S/2165/03/LB**),

Planning Policy

8. The site is within the countryside as defined in the Local Plan 2004 and within the Conservation Area. The buildings are curtilage listed.
9. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
10. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not permitted.
11. Paragraph 17 of Planning Policy Statement 7 'Sustainable Development in Rural Area' (2004) states that "The Government's policy is to support the re-use of appropriate located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

These criteria should take account of:

- a. The potential impact on the countryside and landscapes and wildlife;
 - b. Specific local economic and social needs and opportunities;
 - c. Settlement patterns and accessibility to service centres, markets and housing;
 - d. The suitability of different types of buildings, and of different scales, of re-use;
 - e. The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
12. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
 13. Local Plan 2004 **Policy EN26** relates to the conversion of listed buildings to new uses and states that, in judging applications for the change of use of listed buildings, the District Council will consider whether or not: the existing use can continue with reasonable utility or life expectancy; all other options for less damaging uses have been explored; the proposed use can take place without the necessity of extensive alterations or extensions which would be

harmful to the fabric, character or setting of the building; the proposal would harm the setting and amenity of adjacent buildings.

14. Local Plan 2004 **Policy EN28** states that the District Council will refuse applications which dominate a listed building; damage the setting, well-being or attractiveness of a listed building; or would harm the visual relationship between a listed building and its formal or natural landscape surroundings.
15. Local Plan 2004 **Policy EN30** states that the District Council will refuse permission for schemes within conservation areas which do not specify local materials and details and which do not fit in comfortably into their context.

Consultation

16. **Hinxton Parish Council** recommends refusal. Its detailed comments are attached as Appendix B
17. **Conservation Manager** raises no objections to the scheme as amended and states that he has no concerns about the conversion of the buildings, the layout or the details of the design. In relation to the amended plans he states "Details of the proposed boundary treatment and hard landscaping are acceptable and will retain the character of the former farmyard and the setting of the listed farmhouse. The introduction of the short screen walls to the boundaries between Units 2,3,4 and 5 provides some privacy immediately adjacent to the dwellings.
18. The omission of the plinth to the fenestration on the northwest elevation of Unit 6 has simplified the design.
19. The omission of the visitor parking adjacent to Units 3 and 4 will improve the setting of this curtilage listed building. Finally, the improvement to the access onto High Street will have no significant impact on the setting of the curtilage listed buildings or the character and appearance of the Conservation Area."
20. **Chief Environmental Health Officer** recommends conditions relating to the times during the conversion period when power operated machinery shall not be used unless in accordance with agreed noise restrictions, driven pile foundations and requiring an investigation of the site to establish the nature and extent of any contamination and any necessary remedial works should be attached to any approval. He also recommends that an informative relating to bonfires and burning of waste on site is attached to any approval.
21. **Ecology Officer** visited the site in July of this year and found no strong evidence of bats but, although he did not consider that it was reasonable to insist upon a full bat survey, he recommends that an informative is attached to any approval in relation to the protected status of bats.
22. **Local Highway Authority** has considered the existing and resulting levels of use of Mill Lane, and visibility from the existing access onto Mill Lane, and confirms that the existing access onto Mill Lane is adequate to serve the 3 dwellings proposed to be served from this access. It also confirms that, provided the first 10m from the High Street is widened to a minimum of 4.5m to allow two vehicles to pass, the existing access onto High Street is also adequate to serve the remaining 3 dwellings as proposed. The amended plans, a set of which have been forwarded to the Local Highway Authority,

show the access onto High Street widened to 4.5m for the first 10m as requested. An additional comments received will be reported orally.

23. **County Archaeology** states that, following a detailed consideration of the proposal against its records, it considers it unlikely that advancement of the scheme would result in sufficient ground disturbance to warrant any archaeological works.
24. **Cambs Fire & Rescue Service** states that additional water supplies for firefighting are not required.

Representations

25. The occupier of 96 High Street makes the following comments: The barns are currently used. Why should they not be reused by bringing them up to EEC standard rather than have the facility relocated and the erection of a large steel structure on land north of 131 High Street which affects the Conservation Area eg. vermin, late night noise during the harvest time due to the closeness of houses; and the previous permission for the grain store (S/2387/02/PNA) and vehicular access (S/0290/03/F) should perhaps be revisited.
26. The occupier of 8 Mill Lane make the following comments:
 - The site is outside the village framework of what is an in-fill only village;
 - Taken with the recent approval for housing at Hunts Lane, the proposal represents a significant increase in the housing stock of the village and, as such, would have a major impact on the village, particularly in terms of population and vehicle movements;
 - The buildings are not redundant contrary to the statement in the application;
 - The conversion of the buildings would result in the farm's almost certain absorption into a larger holding;
 - No provision appears to have been made of the archaeological interest of the site;
 - The gardens of units 2-5 will take up land currently designated as farmland;
 - Mill Lane is not appropriate or safe as a vehicular access to the development;
 - Impact of construction traffic. Construction traffic should only use the High Street access;
 - Overlooking of Nos. 4, 6 and 8 Mill Lane from the new openings in the north elevation of unit 2;
 - The buildings could possibly be used by owls and/or bats;
 - Should development of some or all of the buildings not proceed, the Council should issue a repairs notice.

Planning Comments – Key Issues

27. The key issues in relation to the proposal are:
 - Whether there are any material considerations to set aside the normal presumption against residential development in the countryside;

- The affect of the development on the character and historic interest of these curtilage listed buildings, the setting of listed buildings at Lordship Farm and the character and appearance of the Conservation Area;
 - Highway/access matters; and
 - Impact on amenity of neighbours.
28. The buildings are curtilage listed and are of historical interest. The statement submitted as part of the application (attached as Appendix A) demonstrates that they no longer meet current standards and are no longer required for agricultural purposes. I consider that it is important that an alternative use is found to secure their future. Prior to the submission of the application, the Local Highway Authority confirmed that, in view of the number of vehicular movements likely to be generated by a business use, it could not support a commercial use of the site without significant changes to the High Street access, including significant widening and the removal of a large section of the important frontage wall along the west side of High Street in order to provide adequate visibility. The submitted statement also demonstrates that a holiday let use of the site would not be viable. In this regard, a 1993 permission, renewed in 1998 and 2003, for a holiday use of a barn adjacent to the site has not been implemented for this reason. The buildings are also adjacent to the village framework and lend themselves to conversion to dwellings without adversely affecting their historic character and appearance. For these reasons, notwithstanding the normal presumption against residential development in the countryside, I consider that the conversion of these agricultural buildings to 6 dwellings, and the associated access, parking and garden areas are acceptable in terms of countryside and listed building considerations.
29. I am also satisfied that the development would not adversely affect the amenity of neighbours. The occupier of No.8 Mill Lane raises concern in relation to overlooking of Nos. 4, 6 and 8 Mill Lane from the new openings in the north elevation of unit 2. I do not consider that there would be any serious overlooking of these properties as Nos. 4, 6 and 8 are set back from the road and the first floor windows in the north elevation of Unit 2 are high level/minimum 1.6m above floor level.
30. Although the Parish Council is concerned about the inadequacy of parking provision, provision is at the upper end of what would be considered acceptable in terms of current parking standards. The Local Highway Authority is satisfied that the access arrangements are acceptable.
31. The site is outside the Environment Agency's medium and high risk flood zones.
32. I do not consider that the proposal would seriously prejudice the implementation of the development plan. I do not therefore consider that it would be necessary to refer the application to the Secretary of State should Members be minded to support it.

Recommendation

33. Subject to confirmation being received from the Local Highway Authority that the amended plans adequately show the requested widening of the access onto High Street to 4.5m for the first 10m:

Approval (as amended by drawing nos. A.24.397b, 01-54-100E, 01-54-101B, 01-54-102F, 01-54-111D, 01-54-112C, 01-54-201A, 01-54-104F, 01-54-200A and 01-54-202 and certificate date stamped 9.11.04 and facsimile message dated 11.11.04) subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A);
2. Precise details of the proposed windows and doors to a scale not less than 1:20 shall be submitted for the prior written approval of the Local Planning Authority; development shall be carried out in accordance with the approved details (Reason – To ensure the use of details appropriate to this listed building).
3. The weatherboarding and all external joinery shall be stained black to the satisfaction of the Local Planning Authority (Reason – To ensure a traditional finish to the external joinery and weatherboards).
4. Before work commences on site, precise details of the position and details of soil vent pipes, extractors and flues shall be submitted for the prior written approval of the Local Planning Authority; development shall be carried out in accordance with the approved details (Reason – To ensure detailing appropriate to this listed building).
5. All mortars, plasters and render shall be lime rich to specifications submitted to and agreed in writing by the Local Planning Authority (Reason – To ensure the use of the appropriate mix of traditional lime plasters and mortars).
6. The roof of Units 3, 4, and 5 shall be covered in natural quarried slate (Reason – To ensure the use of roofing material appropriate to these listed buildings).
7. The roofs to the cartsheds for Units 3, 6, and 7 shall be covered with clay pantiles, a sample of which shall be provided on site for the prior written approval of the Local Planning Authority (Reason – To ensure the use of roofing material appropriate to these listed buildings).
8. Unless otherwise agreed in writing by the Local Planning Authority, the boundary treatments and the hard surfacing shown upon drawing nos. 01-54-102F, 01-54-104F, 01-54-200A, 01-54-201A and 01-54-202 shall be erected/carried out before the dwellings to which they relate are first occupied or the development is completed, whichever is the sooner (Reason – To ensure the satisfactory appearance of the development and to safeguard the amenity of the occupiers of the hereby permitted dwellings).
9. Standard Landscaping Condition 51 (Reason 51).
10. Standard Landscaping Condition 52 (Reason 52).
11. Prior to the commencement of development, an investigation of the site shall be undertaken to establish the nature and extent of any contamination and any remedial works to deal with contamination. This shall initially consist of a desktop study, which shall include details

of the site history, development of a site conceptual model and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by the initial study, a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing shall be included. Remedial work should be carried out in accordance with the approved details. Details of the site investigation and any necessary remediation strategy shall be submitted to and approved in writing by the Local Planning Authority (Reason – To protect future occupiers of the hereby permitted dwellings from possible contamination of the site).

12. Standard Condition 26 – “During the period of conversion...” (0800, 0800, 1800, 1300) (Reason 26).
13. Highway conditions

Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the Development Plan for the following reason: the proposal represents a suitable new use for these curtilage listed buildings and will thereby secure their future.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development) and P7/6 (Historic Built Environment);
 - South Cambridgeshire Local Plan 2004: EN26 (Conversion of Listed Buildings to New Uses), EN28 (Development Within the Curtilage or Setting of a Listed Building) and EN30 (Development in Conservation Areas)
3. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: current and possible future alternative uses of the buildings; countryside planning policies; overdevelopment; residential amenity interests; parking and access matters; increase in village housing stock; archaeology; wildlife; and flood risk.

Informatives

All bats and their places of shelter received full protection under the Wildlife and Countryside Act 1981. As such, if any bats are found during the works, works should cease and advice taken from English Nature (tel: 01733-405850)

The site could provide an opportunity for bats and barn owls, particularly in view of the open countryside surrounding. Artificial bat boxes and/or barn owl

boxes could be erected upon the buildings. The District Council's Ecology Officer can provide details of suppliers and suggest suitable locations of where to erect them.

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.

During the conversion, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

A guidance note on dealing with potential land contamination is available from the Council's Environmental Health Department.

Background Papers: the following background papers were used in the preparation of this report:

South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003
Planning Policy Statement 7 'Sustainable Development in Rural Area' 2004
Planning file Refs: S/2191/04/LB, S/1801/04/F, S/0849/04/F, S/0848/04/LB,
S/2165/03/LB, S/1952/03/F, S/0290/03/F, S/2387/02/PNA, S/1836/98/LB,
S/1719/98/F, S/0774/93/LB and S/0773/93/F

Contact Officer: Andrew Moffat – Area Planning Officer
Telephone: (01954) 713169

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1172/04/Circular 18/84 - Longstanton
Continuation of Use of Land and Buildings as an Immigration Centre for Further
Temporary Period to 31st December 2006, Oakington Barracks, for The Home Office**

Recommendation: No objections to a further temporary period of use.

Background

1. This notification under Circular 18/84 was considered by Committee at its meetings on 4th August 2004 (see agenda report Appendix 1) and 3rd November 2004.
2. Committee resolved at the August meeting that subject to no new material adverse comments being made by Longstanton Parish Council, officers be authorised to inform the Home Office that the Council has no objections to the continuation of use for an additional period up to 31st December 2006 subject to the conditions stated in the above report.
3. At the November meeting consideration was deferred pending further consideration by Longstanton Parish Council.
4. Longstanton Parish re-visited the application on Monday 8th November and noted the following:
 - “
 - Communications between the Immigration Centre and the Parish Council have improved over the past months
 - There have been fewer incidents at the Immigration Centre, and in October there were no incidents.

Based on the improving situation at the Immigration Centre and with the proviso that the good communications continue then the Parish Council withdraws its objections to the continuation of the life of the Centre until 31st December 2004.”

5. The Parish Clerk has subsequently confirmed that this should be until 31st December 2006.

Recommendation

6. No objections be raised to the use of Oakington Barracks for an Immigration Centre for a further period until 31st December 2006, subject to conditions suggested with the 1999 application.
 1. There shall not be accommodated at the Centre any persons known to have committed within the last five years any criminal offence which if committed in England or Wales would be an imprisonable offence.

(Reason – To allay public concern and prevent the character of the Centre changing from reception/assessment to custodial.)

2. There shall not be accommodated at the Centre any persons known to have an infectious, notifiable disease.
(Reason – To preserve as far as possible the health of the indigenous community and other detainees and to minimise the possibility of overextending existing local medical resources.)
3. No detainee shall be allowed to leave the Centre other than under escort.
(Reason – To minimise the risk of prejudicing public order and to allay public concern about the possible effect of significant numbers of strangers without support within the local community.)
4. The site of the Centre shall not be extended nor anything built thereon without further consultation under Circular 18/84: Crown Land and Crown Development.
(Reason – To secure the proper planning of the area.)
5. Detainees not deported will not be placed in South Cambridgeshire District.
(Reason – To avoid difficulties in integration, there being no identifiable equivalent local ethnic community.)
6. The number of detainees shall not materially exceed 400.
(Reason – To avoid pressure to increase the Centre site area and infrastructure.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:
P1/2 – Environmental Restrictions on Development**
 - **South Cambridgeshire Local Plan 2004:
EM10 – Employment in the Countryside**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for not objecting to a renewal of the use for a further temporary period expiring on 31st December 2006.

Background Papers: the following background papers were used in the preparation of this report:

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

Notification File: S/1172/04/Circ. 18/84

Contact Officer: David Rush, Development Control Quality Manager
Telephone: (01954) 713153

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

4th August 2004

AUTHOR/S: Director of Development Services

S/1172/04/Circular 18/84 – Longstanton

Continuation of Use of Land And Buildings as an Immigration Centre for a Further Temporary Period to 31st December 2006, Oakington Barracks, for The Home Office

Recommendation: No objections to a further temporary period of use.

Site and Proposal

1. The former Oakington Barracks is situated south-east of Longstanton and north of Oakington.
2. The area subject to the Notice is the former main accommodation block element, providing 400 bed spaces, but excluding the former industrial units, hangars, runway area and married quarters. The site boundaries are fenced and the accommodation provides for a single unit of family places, a single unit for females with remaining units taken up by single males. Except where necessary in respect of families catering, recreational and administrative activities are provided for centrally. The only new unit has been a small portacabin at the gate to act as a gatehouse where there will be 24-hour security. The existing fencing was retained and a new chainlink fence put up to divide off the Reception Centre from the remaining Barracks site. In the latter half of 2003 further security fencing was erected around the site perimeter.
3. The notice received on 4th June 2004 refers to the continued use of the Oakington Immigration Reception Centre until 31st December 2006 to coincide with the end of the Home Office's agreement with Defence Estates.

Supporting Letter and Statement

4. The applicant states that given the time until the expiry of the current "planning permission" ie. November 2004, the Home Office has decided not to invoke the special urgency procedure in this instance, giving the Council a standard 8 weeks period for consultations. A meeting has been held with the local MP and Parish Councils to explain the proposals. The Home Office has, as a result of this meeting, agreed to look further at ways in which communication between the Home Office and local representatives can be maintained and improved.

The report states:

"Introduction

5. The present temporary permission was granted on the basis of an initial three years with the possibility of two further one-year extensions. In November 2002, the Home Office submitted a further Planning Notification to extend the temporary permission for a further two years until the end of November 2004 and that was granted in January 2003.
6. The MoD originally leased part of the barracks to the UK Immigration Service for a period of 5 years, from November 1999. The barracks site was first opened as an

Immigration Reception Centre in May 2000 following a refurbishment carried out with the minimum of work.

7. As the Council is, of course, aware Oakington forms part of the wider site for the development of the Northstowe new settlement, as proposed through the Cambridgeshire and Peterborough Structure Plan. The plans for the new settlement are progressing and the Home Office has already given a commitment to Defence Estates that nothing will be done to hinder the timely development of the new settlement. This remains the case.
8. However, in the light of up to date information as to how the Northstowe site might be developed, Defence Estates has agreed to extend the lease with the Home Office for a further two-year period until the end of December 2006. At that time, it is anticipated that the need for the orderly development of the new settlement will require the developer to have control over the Oakington site.
9. Although the extension of time is sought until 31st December 2006, the Home Office anticipates that the process of winding down the operation of the Reception Centre will have begun a number of months in advance of this date. It is expected that full operations at the Reception Centre will conclude during the first half of 2006 with the latter part of the year spent decommissioning the Centre in readiness to hand it back to Defence Estates.
10. This Planning Notification seeks only an extension of time for the operation of the Immigration Reception Centre. No changes of use or further built development are required, or applied for, in this Notification.

Role and Function of Oakington Immigration Reception Centre

11. The country has continued to face pressures over recent years from the number of people seeking asylum in the UK. Overall, whilst asylum applications fell by 41% in 2003, they remain historically high at 49,370. A large majority of these people are not granted asylum, but their application has to be processed and considered properly. There is not sufficient accommodation at the sea and airports to house these people while their application is being considered. The Immigration Reception Centre was opened to provide fast track processing for asylum seekers. This enables asylum claims which, upon initial screening, appear to be capable of being decided quickly, to be determined in about 7-10 days.
12. Non-suspensive appeal (NSA) provisions have applied since November 2002. NSA removes the right to an in-country appeal for those applicants whose claims are refused and certified as "clearly unfounded". Subject to the criteria, applicants whose claims are considered to be capable of being decided quickly are detained at Oakington for interview, decision and possibly removal. This includes those from the countries on the NSA list.
13. Once a decision to refuse an application has been served, and where detention is deemed necessary to effect removal, this can occur either at Oakington or in the dedicated detention space elsewhere in the Immigration Service Removal Estate. Regardless of the decision, no applicant is allowed to just walk out of the gates and fend for themselves.
14. The Immigration Reception Centre at Oakington is an important and integral part of the Immigration and Nationality Directorate's management of asylum applications lodged in the UK. Currently there is no identified replacement for Oakington and there remains considerable pressure on the overall immigration estate. No final

decision has been made on the transfer of the Oakington operation, but maintaining the success of the Oakington fast-track facility is priority for the next two years, hence the requirement for the continuation of operations at Oakington.

15. For the period of the extension, there will be no significant change to the use of Oakington.
16. Non-suspensive appeals cases will continue to provide the greater proportion of those detained at Oakington. However, as a designated place of detention, it will continue to offer the opportunity for occasional use for the detention of other cases. It should be noted that, of the declining number of escapes from the centre, none has been from this group of detainees (i.e. non-fast track and non-NSA).
17. The Home Office has undertaken, at meetings with local representatives, to strengthen the process of information exchange with local communities through the local liaison group and the provision of regular statistical updates.

Details of the Immigration Reception Centre

Staffing and Services

18. The Reception Centre requires a range of staff including custodial staff, immigration staff, interpreters, health and occupational staff, and staff for catering, maintenance etc. Many of these are recruited locally.

Traffic

19. There is currently less traffic than was generated when the site was used as a Barracks, housing some 800 soldiers. Asylum seekers are transported by coaches and smaller vehicles with regular trips to and from the various ports and other locations. A regular coach service is provided during the day, between the centre and Cambridge railway station.

Conclusions and Timescale

20. The continuing need for an Immigration Reception Centre at Oakington is critical to the effective management of asylum processing in the UK. The Planning Notification seeks approval for the continued use of the Oakington Immigration Reception Centre until 31 December 2006 and until the end of the Home Office's extended lease period with Defence Estates.
21. The Home Office is aware of the importance of the proposed new settlement at Northstowe, of which the Immigration Reception Centre site forms a part. The Home Office has given an undertaking that it will not hinder the orderly development of the new settlement and this remains the case. The extension of time is to the end of 2006 and it is likely that active operations will cease some time before that date to allow for an appropriate decommissioning period prior to the handing back of the site to Defence Estates.
22. Use as an Immigration Reception Centre is principally for asylum claimants who have been assessed as suitable for the fast track process and regime operated at Oakington. These people are normally held at Oakington for about 7-10 days while their application for asylum is processed. Thereafter they are removed from the UK, moved to another place of detention or released pending the determination of any appeal. Sometimes the removal from the UK of those subjected to the Non-Suspensive Appeal procedure cannot immediately be effected – they may seek to

judicially challenge the certification of their claim as clearly unfounded or require a travel document to be issued by their Embassy or High Commission. In these cases, some people may remain at Oakington beyond the asylum process or be moved to other places of detention. Some people may also be detained at the centre for removal who have not been through the fast track process. In all situations, they are assessed to establish their suitability for remaining at the centre, taking into account their history, behaviour, needs and any associated risks. This enables us to make full use of the available bed capacity and in many cases enables people to stay near to their legal representatives and in an environment they have become settled and accustomed to”.

Planning History

23. In November 1999 the Council raised no objection to the use of Oakington Barracks for an immigration reception centre for a temporary period of between 3 to 5 years, subject to the following conditions:
1. After three years the use will be discontinued unless in the third year the Secretary of State notifies to the Local Planning Authority the need for a further year (and so on a yearly basis) and shall take account of representations made by the Local Planning Authority when any such extensions are proposed.
 2. There shall not be accommodated at the Centre any persons known to have committed within the last five years any criminal offence which if committed in England or Wales would be an imprisonable offence.
(Reason – To allay public concern and prevent the character of the Centre changing from reception/assessment to custodial.)
 3. There shall not be accommodated at the Centre any persons known to have an infectious, notifiable disease.
(Reason – To preserve so far as possible the health of the indigenous community and other detainees and to minimise the possibility of overextending existing local medical resources).
 4. No detainee shall be allowed to leave the Centre other than under escort.
(Reason – To minimise the risk of prejudicing public order and to allay public concern about the possible effect of significant numbers of strangers without support within the local community).
 5. The site of the Centre shall not be extended nor anything built thereon without further consultation under Circular 18/84: Crown Land and Crown Development.
(Reason – To secure the proper planning of the area).
 6. Detainees not deported will not be placed in South Cambridgeshire District.
(Reason – To avoid difficulties in integration, there being no identifiable equivalent local ethnic community).
 7. The number of detainees shall not materially exceed 400.
(Reason – To avoid pressure to increase the Centre site area and infrastructure).
 8. For so long as the Centre is in use the Secretary of State shall cause to be set up a Local Liaison Committee consisting of Home Office representation, a representative of the Operators, the Local Planning Authority and the local communities.

9. The Local Liaison Committee shall meet as often as is requisite but at least annually to discuss, avoid and resolve any local community problems arising out of the use of the site as an immigration reception centre.
(Reason – To encourage a harmonious relationship between the Centre and the local community).
24. In January 2003 no objections were raised to a further 2 year temporary period of use as an Immigration Reception Centre subject to the previous conditions imposed in 1999 (excluding Condition 1).
25. Members added that the Liaison Committee should continue, various road safety improvements were suggested and clarification of the status and proposed use of the centre were sought.

Appendix 1 is a copy of the report to the Planning Committee in January 2003.

Planning Policy

26. The following policies are relevant:

South Cambridgeshire District Council Local Plan 2004 Policy EM10 Employment in the countryside.

Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 Environmental Restrictions on Development.

Consultation

27. **Longstanton Parish Council** objects to the application. However the objection will be withdrawn “if the verbal assurances given by the Home Office and Group 4 Officers at a meeting chaired by Andrew Lansley MP at the Immigration Centre on Friday 14th May are confirmed in writing and formally agreed at the Liaison Meeting to be held on 24th June. These verbal assurances meet the concerns of the Parish Council, but have yet to be confirmed.”

A verbal report will be made.

Oakington and Cottenham Parish Councils approve the application.

Rampton Parish Council opposes the application but will withdraw its application on the same basis as Longstanton Parish Council (see above). A verbal report will be made.

Willingham, Over, Bar Hill Parish Councils have no recommendation.

Histon Parish Council has no recommendation but has concerns over increased traffic arising from increased usage of facility and traffic associated with Northstowe.

The **Health and Safety Executive** does not advise on safety grounds, against the granting of planning permission.

Environment Agency has no objections.

Cambridge Oakington Concern (CAMOAK) comments:

“The use of Oakington for NSA cases

28. Much disturbance to local residents of Longstanton has been caused by an increase in escapes and attempted escapes from the centre. The police are notified and may call out the helicopter to assist them in finding someone who has gone over the fence. People nearby are woken up and disturbed both by the noise of the helicopter and by the searchlight. This increase in escapes and attempted escapes coincided with the change of use to NSA cases. NSAs have no incentive to cooperate with the centre and every incentive to attempt to escape: they know they will almost certainly be refused and returned to their own country before they can lodge an appeal. The Independent Monitoring Board stated in its report cover the year 2003 that there were 64 successful escapes during that year. It is our understanding that the number of escapes and attempted escapes rose considerably in the first half of 2004. Why it took the IND so long to strengthen the perimeter fence we cannot understand.

The use of Oakington as detention overspill

29. This has also been disruptive. Many of those in this category detained at Oakington are either failed asylum seekers brought to Oakington for a few days prior to removal or are over-stayers. Some of these have been angry and disruptive, and, like the NSA detainees, have no incentive to cooperate with the centre and every incentive to try to escape. There seems to have been no preparation for the admission of these more difficult detainees.

Long stay detainees

30. We believe that there are more of these than the IND suggests, and that some of them stay for longer than is suggested. This includes some families with older children for whom no provision is made (the Report of the Independent Monitoring Board also notes this lack of provision). Oakington is not suitable for long-stay detention.

Failure to provide adequate security

31. The failure to provide adequate security at Oakington must also have affected police budgets. In our opinion pressure should be put on the Home Office to reimburse Cambridgeshire Police for these costs, since they have resulted in large part from IND incompetence in not providing sufficient security. There have also been medical costs as several of those who have attempted to escape sustained serious injuries and required hospital treatment.

Conclusion

32. All in all we do not believe that the IND has been fair, either to the staff at Oakington or to the residents of Longstanton village or, indeed, to the detainees, by the chaotic and unplanned changes of use of the centre. We understand that on occasions lawyers have enquired of the IND at Oakington what the situation was that week, only to be told “We don’t know. Phone Croydon”. We would urge South Cambridgeshire District Council to demand of the IND much clearer and more accurate indications of how they intend to use the centre and to ensure that security and staffing are adequate for the planned use *before* the change occurs.”

Representations

33. None

Planning Comments – Key Issue

- Security of site
34. Members are reminded that Development by the Crown does not require planning permission.
 35. The level of objection is much reduced compared to the initial reaction in 1999. Since November 2002 there has been a change in the composition of asylum seekers held at Oakington with the introduction of non-suspensive appeals (i.e. a higher percentage of detainees not likely to be granted asylum) but this does not appear to have a significant impact on the security of the site which has been upgraded to cope. The Home Office point to a declining number of escapes from the centre.
 36. Cambridge Oakington Concern (CAMOAK) claim there has been an increase in escapes since the introduction of the NSA system, with local residents disturbed by the police helicopter. 64 asylum seekers escaped during 2003 according to published figures. The figure is understood to have risen significantly during the first half of 2004. I have asked the Home Office for comments on these assertions.
 37. Longstanton and Rampton Parish Council's lodged a "holding" objection to the application, seeking written confirmation from the Home Office of verbal assurance given at a meeting in May 2004. A verbal report will be made.
 38. Given the Home Office's intention to conclude full operations during the first half of 2006 with the latter part of that year spent decommissioning the Centre prior to it being handed back to Defence Estates in preparation for the commencement of Northstowe, no objections are raised to a further temporary period of use until 31st December 2006.

Recommendations

39. No objections be raised to the use of Oakington Barracks for an immigration centre for a further period until 31st December 2006, subject to conditions suggested with the 1999 application.
 1. There shall not be accommodated at the Centre any persons known to have committed within the last five years any criminal offence which if committed in England or Wales would be an imprisonable offence.
(Reason – To allay public concern and prevent the character of the Centre changing from reception/assessment to custodial.)
 2. There shall not be accommodated at the Centre any persons known to have an infectious, notifiable disease.
(Reason – To preserve so far as possible the health of the indigenous community and other detainees and to minimise the possibility of overextending existing local medical resources.)
 3. No detainee shall be allowed to leave the Centre other than under escort.
(Reason – To minimise the risk of prejudicing public order and to allay public concern about the possible effect of significant numbers of strangers without support within the local community).
 4. The site of the Centre shall not be extended nor anything built thereon without further consultation under Circular 18/84: Crown Land and Crown Development.

(Reason – To secure the proper planning of the area.)

5. Detainees not deported will not be placed in South Cambridgeshire District.
(Reason – To avoid difficulties in integration, there being no identifiable equivalent local ethnic community.)
6. The number of detainees shall not materially exceed 400.
(Reason – To avoid pressure to increase the Centre site area and infrastructure.)

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/2 – Environmental Restrictions on Development
EM10 – Employment in the Countryside
 - **South Cambridgeshire Local Plan 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:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation 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.

Background Papers: the following background papers were used in the preparation of this report:

Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire Local Plan 2004
Notification File: S/1172/04/Circ. 18/84

Contact Officer: Mr R Morgan – Area Planning Officer, Telephone: (01954) 713163

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/2074/04/F - Melbourn
Extension to Existing Garden Wall at 2 The Lawns, for A Harry**

Recommendation: Delegated Approval

Site and Proposal

1. This full application, received 11th October 2004, proposes the extension to an existing garden wall.
2. The site currently comprises an area of land that is owned by the occupiers of No.2 The Lawns. It lies outside of the existing garden wall and would create approximately 125m² of additional enclosed garden space. The site is laid to grass and has several mature trees on the site, which fall within a Tree Preservation Order Area. The site is situated on a corner plot and is part of the entrance into The Lawns. The height of the new wall is to be the same as that of the existing, approximately 1.8 metres.

Planning History

3. **S/0836/04/F** – Garage and Garden Wall. Appeal Allowed.
The above application was allowed at appeal in 1987, the application was for a similar proposal, however the wall was located closer to the highway of Greenbanks. The inspector was site specific when referring to an alternative location and suggested this in the appeal statement.
The proposed wall extension in the new application has been drawn to the exact requirements made by the inspector in the 1987 Appeal Statement.

Planning Policy

4. **EN5** of the South Cambridgeshire Local Plan 2004, "The Landscaping of New Development", which aims to retain natural features in new development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality.

Consultation

5. **Melbourn Parish Council** recommends approval.
6. **Tree and Landscape Officer's** comments are awaited.

Representations

7. None received

Planning Comments

8. The key issue to be considered in this application is whether the trees located on this plot of land are adversely affected by the proposal.
9. The trees on this plot are large mature trees, in particular the two sycamores and an Ash tree. The site in which they are located is a visually important area within the estate and adjoining the Conservation Area and loss of any of these trees on this site would have a detrimental affect on the street scene.
10. I have concern over the erection of a wall so close to the highway and the overall visual impact the wall will have on the street scene, although a case against the proposal is weakened by the 1987 Inspector's Decision letter.

Recommendation

11. Delegated powers of approval subject to comments from the Trees and Landscape Officer.

Reason for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable Design in Built Development)
 - **South Cambridgeshire Local Plan 2004:**
HG12 (Extensions and Alterations 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.

Background Papers: the following background papers were used in the preparation of this report:

Planning Application File S2074/04/F
Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire Local Plan 2004

Contact Officer: Saffron Garner – Planning Assistant
Telephone: (01954) 713162

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1961/04/F - Sawston
Variation of Condition 5 of Planning Permission S/0945/99/O to also allow B1(c) Use
for the Period of Ten Years From the Time of First Occupation of Each New Building at
Dales Manor Business Park for Dencora Ltd**

Recommendation: Approval

Members will visit the site on Monday 29th November 2004.

Update

1. At the 3rd November meeting, members resolved to defer consideration of this application to allow a site visit to take place. A copy of the report to the November meeting is attached as an Appendix.

Consultation Update

2. A copy of the Parish Council's comments was forwarded to the **Chief Environmental Health Officer**. In response, and as reported orally at the November meeting, he has no objections to the application and recommends that no conditions other than those attached to planning permission S/0945/99/O are attached to any permission.

Recommendation

3. Approval subject to:

The conditions attached to planning permission S/0945/99/O as amended to reflect details already approved and the fact that development has commenced, and to Condition 5 being revised to read:

Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) – for a period of ten years from the time of first occupation of each new building, each and all of these Class B1 buildings (as defined by the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order) shall be used and occupied only for one or more of the following purposes subject to the respective limitations:

(a) Offices (use class B1(a))

- (i) without limit of size, comprising a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices: or otherwise

(ii) to a maximum floorspace of 300 square metres;

and/or

(b) Research and Development (use class B1(b)

(i) occupied by one or more high technology research and development firms, or organisations which can show a special need to be closely related to the Universities, or other established facilities or associated services in the Cambridge area;

and/or

(c) Light Industry (use class B1(c) to a maximum planning unit size of 1,850 square metres of floorspace.

(Reason – To safeguard the policies of the Cambridgeshire Structure Plan 2003 and the South Cambridgeshire Local Plan 2004, Policy EM3 in particular, which limit employment development in the Cambridge area to uses that need to be located close to Cambridge; and to reduce the movement of HGVs on the local road network)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P2/2 (General Location of Employment);

South Cambridgeshire Local Plan 2004: EM3 (Limitations on the Occupancy of New Premises in South Cambridgeshire) and **EM6** (New Employment at Rural Growth Settlements)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Residential amenity including noise disturbance; and
- Traffic along Babraham Road

Background Papers: the following background papers were used in the preparation of this report:

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Refs: S/0945/99/O, S/1764/00/F, S/0701/03/O, S/1711/03/RM and S/1961/04/F

Contact Officer: Andrew Moffat – Area Planning Officer
Telephone: (01954) 713169

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

3rd November 2004

AUTHOR/S: Director of Development Services

S/1961/04/F - Sawston

Variation of Condition 5 of Planning Permission S/0945/99/O to Also Allow B1(c) Use for the Period of Ten Years From the Time of First Occupation of Each New Building at Dales Manor Business Park for Dencora Ltd

Recommendation: Approval

Site and Proposal

1. The application relates to a 2.2 hectares/5.5 acres site which forms part of the Dales Manor Business Park. It was previously occupied by office, workshop and storage buildings plus a bungalow but, with the exception of Sindall House, they have now been cleared and the B1 development approved under planning references S/0945/99/O and S/1711/03/RM is under construction. The site is bounded by Babraham Road with dwellings on the opposite side of the road to the south, the Business Park to the north, Public Footpath 10, Babraham and fields beyond to the east and residential properties in Resbury Close beyond Grove Road to the west. The southern and eastern boundaries are marked by a 3-4 metre high hedge.
2. This full application, received on the 21st September 2004, proposes a variation of Condition 5 of outline planning permission S/0945/99/O to also allow light industrial (Use Class B1(c)) use for the period of ten years from the time of first occupation of each new building. Condition 5 (which is reproduced in full under the 'Planning History' heading below) as currently worded states that, for a period of ten years from the time of first occupation of each of the new buildings, they shall only be used and occupied as offices (Class B1(a)) and/or research & development units (Class B1(b)) subject to the local user limitations set out in the condition.

Planning History

3. Outline planning permission for B1 development on the site was granted in August 2000 (**S/0945/99/O**). The permission included a condition stating that development shall not exceed 8000m² gross external floor area. The reason for this condition is "To define the scale of development in relation to the traffic impact report." The site is subject to a Travel to Work Plan (a 'Green Transport Plan') dated 9th August 2000.

Condition 5 of permission S/0945/99/O states

"Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) – for a period of ten years from the time of first occupation of each new building, each and all of these Class B1 buildings (as defined by the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order) shall only be used and occupied as follows:

(a) Offices

- (i) normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices: or
- (ii) to a maximum floorspace of normally 300 square metres (3,300 sq.ft);

and/or

(b) Research and Development

- (i) to the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the Universities, or other established facilities or associated services in the Cambridge area.

(Reason – To safeguard the policies of the Cambridgeshire Structure Plan and the South Cambridgeshire Local Plan which limit employment development in the Cambridge area to uses that need to be located close to Cambridge and to reduce the movement of HGVs on the local road network.)”

- 4. An application to vary condition 2 of planning permission S/0945/99/O to introduce separate individual phased development was approved in November 2000 (reference **S/1764/00/F**).
- 5. An application to renew permission S/0945/99/O as amended by permission S/1764/00/F is yet to be determined (reference **S/0701/03/O**).
- 6. A reserved matters application for B1 development on a large part of the site was considered at the March 2004 meeting of this Committee and approved (**S/1711/03/RM**).

Planning Policy

- 7. Structure Plan 2003 **Policy P2/2** relates to the general location of employment.
- 8. The site is within the village framework. Local Plan 2004 **Policy EM6** states that, within village frameworks, planning permission will be granted for small-scale development in classes B1-B8 provided that: there would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors; and the development would contribute to a greater range of employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise.
- 9. Local Plan 2004 **Policy EM3** sets out the ‘local user’ limitations on the occupancy of new premises in the District.

Consultation

- 10. **Sawston Parish Council** recommends refusal and states “Site visit requested on the grounds of close proximity of residential area (Resbury Close) to site which may incur excessive noise regarding allowing B1(c) use due to early and late deliveries. + extra traffic along Babraham Road. Hours of operation need to be defined.”

11. A copy of the Parish Council's comments has been forwarded to the **Chief Environmental Health Officer** and any comments received prior to the meeting will be reported orally.

Representations

12. None received.

Planning Comments – Key Issues

13. The key issue in relation to this application is whether there are any significant adverse highway and/or neighbour impacts that would arise from a light industrial use (Class B1(c)) of the permitted buildings.
14. Having looked through planning file S/0945/99/O, it is clear to me that the intention of condition 5 is to ensure that any office (Class B1(a)) and research & development (Class B1(b)) occupier meets the 'local user' limitations set out in the condition rather than to specifically exclude a light industrial (B1(c)) user. However, in my opinion, the precise wording of the condition would not allow a B1(c) use of any of the units for a period of 10 years from the date each building was first occupied.
15. I do not consider that there would be any significant adverse highway or neighbour impacts arising from a B1(c) use of the buildings. At the time Members considered the reserved matters application in March, the submitted plans and my report clearly indicated that 23 of the 41 units proposed were intended to be used as light industrial units. At that time, the Chief Environmental Health Officer and the Local Highway Authority raised no objections to the proposal. Moreover, the Traffic Impact Report submitted and considered at the time of the outline application and the Green Travel Plan secured by Section 106 Agreement specifically considered and referred to B1(c) use of the buildings. In addition, light industrial uses (B1(c)) are normally considered to be acceptable within and close to residential areas. Including light industrial uses within the permitted uses would also potentially allow for a greater range of employment opportunities.
16. Approval of this application would, in my opinion, simply correct an unintentional consequence of the precise wording of condition 5 of the outline permission.

Recommendations

17. Subject to the Chief Environmental Health Officer raising no objections to the application, Approval subject to:

The conditions attached to planning permission S/0945/99/O as amended to reflect details already approved and the fact that development has commenced, and to Condition 5 being revised to read:

Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) – for a period of ten years from the time of first occupation of each new building, each and all of these Class B1 buildings (as defined by the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order) shall only be used and occupied as follows:

(a) Offices

- (j) normally to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge area excluding national or regional headquarters offices: or
- (ii) to a maximum floorspace of normally 300 square metres;

and/or

(b) Research and Development

- (i) to the provision for high technology research and development firms, or organisations, which can show a special need to be closely related to the Universities, or other established facilities or associated services in the Cambridge area;

and/or

(c) Light Industry to a maximum planning unit size of 1,850 square metres of floorspace.

(Reason – To safeguard the policies of the Cambridgeshire Structure Plan and the and South Cambridgeshire Local Plan 2004 Policy EM3 in particular, which limit employment development in the Cambridge area to uses that need to be located close to Cambridge and to reduce the movement of HGVs on the local road network)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P2/2 (General Location of Employment);

South Cambridgeshire Local Plan 2004: EM3 (Limitations on the Occupancy of New Premises in South Cambridgeshire) and **EM6** (New Employment at Rural Growth Settlements)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Residential amenity including noise disturbance; and
- Traffic along Babraham Road

Background Papers: the following background papers were used in the preparation of this report:

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Refs: S/0945/99/O, S/1764/00/F, S/0701/03/O, S/1711/03/RM and S/1961/04/F

Contact Officer: Andrew Moffat – Area Planning Officer
Telephone: (01954) 713169

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1203/04/F - Stapleford
Erection of Dwelling and Garage Following Demolition of Existing Dwelling Together
with Part Change of Use of Agricultural Land to Garden Land at Keepers Cottage,
Haverhill Road for Mr & Mrs J Culbert**

Recommendation: Approval

Members of Committee will visit the site on Monday 29th November 2004

Departure Application

Site and Proposal

1. Keepers Cottage is one of an isolated group of dwellings located on the brow of a hill in the countryside and Green Belt to the north of the village of Stapleford. The site is occupied by Keepers Cottage, an early twentieth century brick and tile bungalow designed by Edwin Lutyens that has been significantly extended, predominantly over the last 10 years, together with a range of outbuildings along the south-western boundary of the site.
2. The full application, submitted on 9th June 2004 and amended on 26th October and 3rd November 2004, seeks consent to demolish the existing dwelling and outbuildings and to erect a replacement dwelling on the site. The replacement dwelling would comprise three linked elements ranging in height from 5.8 metres to 6.7 metres and with eaves heights ranging from 2.6 metres to 3.1 metres. The central and northern blocks of the replacement dwelling would incorporate accommodation in the roofspace. Under the central block, there is proposed a basement swimming pool, sauna/steamroom and changing area. This sits partly under the footprint of the building and partly beyond its western extremity and leads onto an outdoor terrace area that will be created by excavating part of the site. The replacement dwelling would be constructed to the north of the existing property on land that, although owned by the applicant, has never been formally incorporated into the curtilage of the dwelling. As such, the proposal also seeks to change the use of this land from agricultural to garden land.
3. A covering letter submitted with the application states that the original dwelling was built near the beginning of the last century and has been extensively altered during the last 50 years to form a mix of construction and style. The current buildings appear as a mishmash of shapes and are substandard in terms of accommodation and quality of build. Keepers Cottage benefits from a superb location and the current family (2 adults, 4 children) require more space. Good use has been made of the outbuildings including the large barn which has been used as a covered play area. These outbuildings are not well suited for conversion and the inclusion of their volume in a more holistic approach to the buildings on site would be a better use of the space.

4. The proposed replacement dwelling has been positioned directly north of the existing dwelling. The overall volume of buildings on the site is slightly larger than at present yet has a smaller impact on the environment than the present structures and increases the separation between the dwelling and the immediate neighbours at The House on the Hill. The removal of existing buildings adjacent the driveway will improve openness along this approach and the roof of the new dwelling will be more muted than the current bright orange plain tile roof.
5. A design statement submitted by the applicant's agent states that Fox Hill is prominent in the local landscape and includes a number of dwellings and substantial areas of trees. The houses vary greatly in style and scale but are all substantial detached properties in landscaped settings. The existing property is visible from the surrounding areas with the appearance from a distance being of a tiled roof collection of buildings. The proposal aims to improve the quality of the accommodation by consolidating the accommodation into a cohesive plan form. The proposed house is set further north on the site to enable a better landscaping treatment, to reduce the impact from Haverhill Road and to increase the distance from the neighbouring property.

Planning History

6. The site has a long recent planning history. In 1993, the property consisted of the original bungalow, a flat roof extension to one side, a pump house building to the other side, a long range of outbuildings along the western boundary and a range of detached outbuildings on the south side of the dwelling.
7. Under planning ref: **S/1928/93/F**, an application to erect a 1^{1/2} storey extension on the rear/north side of the dwelling together with the addition of a first floor to the existing bungalow was refused on the grounds that the extension would be out of scale with the existing house and the resultant building would be visually prominent on this elevated site.
8. **S/0524/95/F** – An application for a temporary flat roof extension to the rear of the dwelling was refused on the basis that the design and materials of the extension would be out of keeping with the scale and character of the original dwelling.
9. **S/0658/96/F** – A proposal to add a single storey flat roof extension to the rear of the dwelling together with the change of use of paddock land on the north side of the dwelling to garden land was withdrawn.
10. **S/1483/96/F** – Consent granted for flat roof rear extension. Within this application, the residential curtilage on the north side of the property was shown as an L-shape, wrapping around the north-western side of the long range of outbuildings and including the area currently used as car parking.
11. **S/1940/00/F** - An application to add a chimney to the dwelling was submitted. Whilst this application was being considered, the outbuildings at the front/south of the property were being substantially rebuilt and converted to habitable accommodation and a single storey link constructed between the dwelling and outbuildings. This Authority took the view that the conversion works did not require consent but that the link did. As such, the application was amended and permission was granted for both the chimney and link structure.
12. **S/1819/03/F** – An application to add first floor extensions to the side, rear and front of the dwelling was submitted. This application is still undetermined. Officers intended

to refuse the application on the basis that the original dwelling has already been significantly extended (by well in excess of 50%) and any further additions would contravene policies relating to the extension of dwellings in the countryside.

Planning Policy

13. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
14. **Policy P1/3** of the Structure Plan states that a high standard of design and sustainability will be required for all new development which minimises the need to travel and reduces car dependency. In addition development is expected to provide a sense of place which responds to the local character of the built environment.
15. **Policy P9/2a** of the Structure Plan states that within the Green Belt new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area.
16. **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. Development is defined as 'inappropriate' unless it comprises (in part) replacements of existing dwellings in accordance with Policy HG15 and provided there is no adverse impact on the openness of the Green Belt
17. The supporting text to the above policy states that the replacement of dwellings need not harm the objectives of the Green Belt. Replacement on a one-for-one basis may be permitted subject to the requirements of the GPDO (ie – a maximum enlargement of 15% of volume). In addition, the change of use of land to residential curtilage will be resisted where it harms the openness and landscape character of the Green Belt.
18. **Policy HG15** of the Local Plan states that proposals for the replacement of a dwelling in the countryside will be permitted where:
 - The proposed replacement dwelling is in scale and character with the dwelling it is intended to replace;
 - The proposed replacement dwelling would not materially increase the impact of the site on the surrounding countryside.
19. **Planning Policy Guidance Note 2 (Green Belts)** states that there is a general presumption against inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness is clearly outweighed by other considerations. The replacement of existing dwellings need not be inappropriate providing the new dwelling is not materially larger than the dwelling it replaces.

Consultation

20. **Stapleford Parish Council** recommends refusal of the application stating:
 - Not in keeping with area and the style of existing properties;
 - Flouts green belt policy;
 - Constitutes overdevelopment;

- Unsafe access from site on to public highway – Haverhill Road.
21. **The Environment Agency** states that the application does not consider sufficiently issues of surface water and foul water drainage. As such, conditions need to be added to any planning consent requiring such details to be submitted and agreed prior to the commencement of any development.
22. **The Chief Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that a condition restricting hours of use of power operated machinery be applied to any planning consent.

Representations

The application was advertised as a Departure from the Development Plan.

23. Letters of objection have been received from 15 local residents – Old Galewood, Galewood House, The House on the Hill, Galewood End, Hillstead, Middlefield, Longacre, Middlefield Cottage (all these are located in the group of dwellings in the vicinity of the site); 19, 27, 37, & 45 Mingle Lane and 19, 41 & 65 Gog Magog Way. The main points raised are:
- The replacement dwelling is out of keeping with the scale and character of the dwelling it is intended to replace;
 - The replacement is 145-150% of the volume of the existing dwelling including all outbuildings;
 - The replacement dwelling is higher than the existing property, contrary to planning policy, and is sited on higher ground;
 - The dwelling as amended is not significantly different to the original. It has only been reduced in height by 0.2 metres and then only by digging down;
 - The ground level of the footprint is 1.5 metres higher than that of The House on the Hill;
 - The dwelling is almost twice the height of The House on the Hill in the nearest part;
 - The dwelling is situated on higher ground and would therefore be very dominant in the area;
 - The outbuildings along the western boundary of the site are not lived in and should not be included in any calculation;
 - The Middlefield Estate designed by Edwin Lutyens includes Middlefield House, The House on the Hill and Keepers Cottage;
 - The current applicants have increased Keepers Cottage to its present size (sometimes unlawfully);
 - As the dwelling has already been extended by more than the permitted policy increase of 50%, there are no grounds for allowing a further 15% increase;

- The land on which the dwelling would be sited is predominantly agricultural and not domestic land. The domestic curtilage was defined in 1996 and deliberately restricted so that no further building could be constructed on the site;
- The erection of a dwelling on agricultural land would harm the openness of the Green Belt;
- The proposed large, modern building would be out of keeping with the character of the area. The dwelling is not an aesthetically exceptional building that would warrant exceptional treatment in planning terms;
- The proposed dwelling would affect the outlook from and cut out light to The House on the Hill;
- The dwelling would overlook The House on the Hill;
- The new dwelling will require more energy to heat than the existing building resulting in more pollution and effluent being discharged into the surrounding area;
- The noise from the increased activity and plant needed for the swimming pool would impact on this otherwise quiet area;
- Any replacement building should be single storey and of similar style to the existing;
- The proposal would destroy the Lutyens heritage;
- The existing driveway is restricted in width to 2.8 metres. This is insufficient width for access for construction vehicles;
- The scale of the dwelling indicates that it may be used for commercial purposes;
- Since the curtilage was defined, a full hedge and shrubs have been planted around the paddock land. Just prior to the submission of the current application, a football goal and swimming pool were moved onto the land;
- The proposed basement is clearly habitable;
- The male and female changing rooms shown in the original application have now been altered to a pump room, storage and changing room area;
- No justification has been set forward for this departure from Green Belt policy;
- There is no access for the building work required or the traffic that the dwelling will generate;
- The access from Haverhill Road is dangerous and via a 3 metre wide hard track reducing to 2.8 metres in width adjoining The House on the Hill. The smallest Ridgeons lorry is 3.1 metres wide. The House on the Hill has suffered serious damage to the property in the past as a result of building works carried out at Keepers Cottage;

- The southernmost tip of Keepers Cottage is not an existing access, has trees and plants in place, is not suitable for large vehicles, would endanger other users of the drive, and has old and shallow services in the middle of it that feed The House on the Hill's adjacent vineyard;
 - The new garage should be sited on the existing hardstanding;
 - The proximity of the dwelling to The House on the Hill's barn and vineyard could threaten the neighbour's agriculture due to seasonal noise levels. Consent has been given to use the barn for vineyard equipment;
 - A new health and beauty company has just been registered at the dwelling and it appears that it may be intended to use the property for commercial purposes;
 - In the late 1960's, an application was submitted for the replacement of The House on the Hill with a modern building. The application was dropped after much controversy about the historic importance of Lutyens buildings and the importance of the Fox Hill landscape in the Gogs. In the 1970's, an application was made to replace Middlefield bungalow (now Keepers Cottage) with a large modern dwelling. Again, there was considerable concern about the destruction of the local heritage;
 - All spoil should be removed from the site;
24. A petition signed by a total of 37 people was submitted in support of the initial application. 3 of the people who signed the petition (19, 27 and 37 Mingle Lane) have since objected to the application as well as raising the following points:
- The full scale of the proposed building was not made apparent;
 - The fact that the building was to be constructed on agricultural land was not made apparent.

Representation by SOS Green Belt

25. A letter has been received from an organisation established to conserve the historic and Green Belt heritage of Stapleford, Save Our Stapleford Green Belt. Fox Hill, situated in the Gog Magog Hills, was occupied by Cambridge University Fellows in the Edwardian period and major architects (Alkinson, Flockhart and Lutyens) were employed to build houses. The historic scale, layout and design of the houses on Fox Hill have been carefully preserved.

Planning Comments – Key Issues

26. The key issues to be considered in the determination of this application relate to:
- Whether the development is appropriate in the Green Belt, having regard to **Policies GB2(4)** and **HG15** of the Local Plan 2004;
 - Whether the proposed development is in scale and character with the existing property;
 - The extent to which the proposal materially increases the impact of the site upon its surroundings;
 - The impact of the change of use of land from agricultural to garden land upon the character of the countryside and openness of the Green Belt;
 - The impact upon the amenities of adjoining residents.

- The Green Belt

27. National and Development Plan Policies confirm that the replacement of existing dwellings in the Green Belt is not necessarily inappropriate development so long as the replacement is not materially larger than the dwelling it replaces, it is in scale and character with the dwelling it is intended to replace, it would not materially increase the impact of the site on the surrounding countryside and there is no adverse impact on the openness of the Green Belt. These issues are considered below.

The character of the dwelling

28. The original dwelling is a small single storey brick and tile structure incorporating a steeply pitched roof. It stands approximately 5.8 metres high to ridge (2.6 metres high to the eaves). The converted outbuildings on the south side of the dwelling are pitched roof timber and tile structures with a total ridge height of around 4 metres. To the side and rear of the dwelling are 2.6 metre high flat roof timber extensions whilst on the west side of the property is a 4.2 metre high brick pump house building. Adjacent to the western boundary of the site are a range of timber and tin predominantly open-sided outbuildings. These outbuildings are around 31.5 metres long, 7 metres deep and range in height from 2.8 metres to 3.1 metres. The character of the existing site is one of a range of low, single storey buildings that sprawl across the site.
29. The proposal involves the replacement of all of the existing buildings on site with a dwelling comprising 3 linked elements set out in a courtyard arrangement grouped around a terrace on the western side of the building. The replacement dwelling is a brick and tile hipped roof structure incorporating accommodation at first floor level in the northern and central blocks. The northernmost block is 6.1 metres high (2.6 metres high to eaves), the central block 6.65 metres high (3.1 metres to eaves) and the southern block 5.7 metres high (2.9 metres to eaves). At its highest point, the replacement dwelling is just under 1 metre higher than the existing dwelling.
30. The replacement dwelling, unlike the existing, has accommodation at first floor level. However, the building has been kept low and has been designed so that its appearance is of a single storey building with accommodation in the roofspace rather than of a full height two storey dwelling. The plans have been amended to reduce the ridge and eaves heights of the northern block, which previously had the appearance of a two storey building and was considered to be out of keeping with the scale and character of the existing dwelling as well as being dominant in its surroundings. In addition, the amended plans have minimised the number of openings at first floor level in the front/eastern elevation of the dwelling. I would argue that the replacement dwelling, being a low building incorporating low eaves and being designed as a group of interlinked buildings, respects the character of the existing buildings on site.

The scale and impact of the dwelling upon the openness of the Green Belt

31. With regards to the scale of the development, the volume of the existing dwelling, as extended, is approximately 780 cubic metres whilst the volume of the replacement dwelling is around 1470 cubic metres. This represents an increase of some 88%. Clearly, the proposed dwelling is not in scale with the existing dwelling and is therefore contrary to part 1 of Policy HG15 of the Local Plan.
32. However, informal Officer advice has indicated to the applicant that it may be possible to include the volume of the existing outbuildings along the western boundary of the site (which are used for garaging, storage and covered play areas and the volume of

which amounts to approximately 650 cubic metres) when considering the scale of the replacement. This is subject to the proviso that the volume of the replacement dwelling and outbuildings, including garages, should be no more than 15% larger than the volume of the existing dwelling and outbuildings and providing the proposed dwelling and outbuildings would meet all the likely garaging and storage needs that would reasonably be associated with the proposed dwelling and site. The principle reason for this approach is that Part 2 of Policy HG15 of the Local Plan, which relates to consideration of applications for replacement dwellings, refers to the need to consider the impact of a site as a whole on its surroundings rather than specifically to the impact of the replacement dwelling itself. In this instance, it is considered the sprawling nature of the existing structures on site currently has an impact upon the openness of the Green Belt and the visual quality of the surroundings and that there is an opportunity to improve the appearance of the site.

33. The volume of the replacement dwelling and garage represents an approximately 20% increase above the combined figure. (It should be noted that this figure excludes the underground swimming pool, plant room and changing room. Officers have advised that any non-habitable underground accommodation can be in addition to the 15% guideline given that such works would not increase the impact of the dwelling in the landscape). On balance, I consider this relatively modest increase coupled with the removal of the sprawling outbuildings and the consolidation of existing volume into a more concentrated built form has an acceptable impact on the openness of the Green Belt and the site will not have a materially greater impact upon its surroundings than at present.
34. Should Members be minded to approve the application on the basis of the above rationale, it would be essential, given that it has been indicated that such an approach is only acceptable if the proposal meets all the needs of the site, to require a Section 106 Agreement to prevent the erection of any extensions to the dwelling and outbuildings within the garden area. In addition, given that the new dwelling would be built on a separate part of the site to the existing structures, the legal agreement would also need to require the removal of all existing buildings within, I would suggest, three months of the occupation of the new dwelling.

The change of use of land to garden land

35. The change of use of the agricultural/paddock land to garden land would not, in itself, materially harm the openness of the Green Belt because the land in question has been enclosed by hedging and, in appearance, relates more to the residential curtilage than the open countryside. I cannot deny that erecting buildings on this land would have a material impact on the character of the surrounding countryside and openness of the Green Belt. However, this impact needs to be balanced against the removal of all existing structures from other parts of the site. The existing dwelling is visible in long distance views of the site from Haverhill Road. The new dwelling would be moved behind the brow of a hill to the west and would therefore be less apparent than the existing when seen from long distance viewpoints. More immediate views are from the privately owned access track and adjoining dwellings but I am satisfied that, due to the orientation and low profile of the replacement dwelling, its impact upon the countryside and Green Belt would not be sufficiently harmful to warrant refusing the application on this basis.
36. Care will need to be taken in the choice of roofing material for the new dwelling and garage in order to achieve a more muted and hence less prominent tone than the bright orange tiles on the existing dwelling.

Neighbour Impact

37. The owners of the dwelling to the south east of the site, The House on the Hill, have expressed concern about the impact of the development upon their amenities. The replacement dwelling, at its nearest point, would be sited approximately 30 metres away from the neighbouring property. Rooflights inserted in the east/front elevation of the dwelling serve a study, bedroom and ensuite bathroom. Although these rooflights are low in the slope of the roof, the dwelling is orientated so that it faces eastwards rather than directly towards the front elevation of the adjoining dwelling. This factor, together with the distance between the two properties and the presence of substantial mature screening between the two sites (particularly in the front garden of the neighbouring dwelling) leads me to conclude that the adjoining dwelling would not be overlooked to such a degree as to warrant a refusal on this basis. In addition, although the replacement dwelling is sited on higher ground than The House on the Hill, I am satisfied that it is sufficiently far from the neighbour to avoid any undue loss of light or outlook.

Access to the site

38. The issue of the restricted width of the access to the site and the subsequent difficulties construction vehicles will face in trying to access the site has been raised by the immediate neighbouring property. This will be a matter for the applicant and neighbour to resolve and does not justify a refusal of the planning application.
39. The Parish Council has objected to the application for highway safety reasons as the junction of the access drive with Haverhill Road is considered to be hazardous. Whilst I agreed with this comment, the application is seeking to erect a one-for-one replacement rather than proposing development that would materially increase the volume of traffic to and from the site (other than during the construction period) and it would therefore be unjustified to refuse the development on highway safety grounds.

The use of the building

40. Concerns have been raised about the intended use of the building. Apparently, a health and beauty business has recently been registered at the property and concerns have been raised that the applicant intends to run a health and leisure club from the site. In addition, the initial application proposed male and female changing rooms adjacent to the swimming pool, although the amended scheme has now changed this to form one communal space. I must stress that this application seeks to erect a residential dwelling and its use for business purposes would require a further application that would need to be determined on its own merits.

Removal of excavated material from the site

41. The excavation of material in order to form a basement will result in significant amounts of spoil. The applicant has stated that it is intended to dispose of this material on land that he owns on the north side of the application site and has suggested that this could be included as part of any landscaping scheme. Members will be advised verbally at the Committee meeting whether this can be considered as part of a landscaping scheme or whether such works would need to form separate planning application.

The position of the garage

42. Concerns have been expressed that the proposed garage building would be constructed partially beyond land presently used for parking. Measurements have been taken on site and this has revealed that the north-eastern boundary of the site behind the garage is approximately 2 metres shallower than indicated on the plan. As such, amended plans showing the correct dimension of the site will be required before any consent can be issued. This matter does not affect the consideration of the other issues referred to above.

Conclusion

43. In summary it is considered that the proposed dwelling is not in scale with the existing dwelling but that the proposal would not materially increase the impact of the site on the surrounding countryside or adversely impact on the openness of the Green Belt. For that reason, but recognising this is a finely balanced judgement, I support the proposal as a Departure from the Development Plan.

Recommendation

44. A. Having regard to the nature of representations received in respect of inappropriateness in the Green Belt, it is recommended that the application be referred to the Secretary of State as a Departure from the Development Plan.
- B. If the application is not called in by the Secretary of State, the application be Approved subject to the prior signing of a Section 106 Agreement to prevent any extensions to the dwelling together with the erection of additional outbuildings and to require the removal of all existing structures from the site within 3 months of the occupation of the new dwelling, and subject to the submission a revised site plan to amend the position of the north-eastern boundary, approve the application subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details and samples of materials for external walls and roofs of the dwelling and garage (Reason – To minimise the visual impact of the development upon the surrounding countryside and Green Belt);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc21 – Withdrawal of permitted development rights for roof alterations and extensions (Reason – To minimise the impact of the development upon the character of the countryside and the openness of the Green Belt);
 8. Surface water drainage details;
 9. Foul water drainage details;
 10. Restriction of hours of use of power operated machinery during the period of demolition and construction.

Informatives

Reasons for Approval

1. Although the development is not considered to comply with **Policy HG15(1)** of the South Cambridgeshire Local Plan 2004, it is considered that the development would generally accord with the Development Plan policies:

- **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development) and P1/2 (Environmental Restrictions on Development);
 - **South Cambridgeshire Local Plan 2004:** GB2 (Development in Green Belt) in regard to there being no greater impact on the openness of the Green Belt and HG15 (Replacement dwellings in the countryside), criterion (2).
2. The development is not considered to be significantly detrimental to other material planning considerations which have been raised during the consultation exercise: Impact of development on the character of the countryside; Residential amenity;

Background Papers: the following background papers were used in the preparation of this report: PPG2 – Green Belts; Structure Plan 2003; Local Plan 2004; Planning Application File S/1203/04/F; and related history files S/1819/03/F, S/1940/00/F, S/1483/96/F, S/0658/96/F, S/0524/95/F and S/1928/93/F.

Contact Officer: Lorraine Casey – Senior Planning Assistant
Telephone: (01954) 713251

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/2091/04/F - Guilden Morden
Double Garage with Studio above at 38/40 Dubbs Knoll Road for A E Keeling**

Recommendation: Approval

Conservation Area

Site and Proposal

1. The site lies within the village framework. Nos. 38 and 40 are two terrace cottage style properties at the end of a row of four that have been converted to a single dwelling.
2. Immediately south of the site lies a public footpath and beyond that No. 36 Dubbs Knoll Road, a modern detached house. To the north, the attached terrace property, No. 42.
3. The full planning application, received on 13th October 2004 proposes the erection of a 5.65m high double garage with studio above with a footprint of approximately 40m² at the end of the rear garden abutting a Protected Village Amenity Area.
4. The existing access is to be used which passes underneath a car port attached to the side of the property and will pass very close to a mature apple tree.

Planning History

5. In August 2004 planning permission was refused for a double garage with studio above that was 6m high and with a similar footprint to the current proposal on the grounds that the height and scale of the building would not preserve nor enhance the Conservation Area and that the building would be overbearing from the rear garden of No. 42 Dubbs Knoll Road.

Planning Policy

6. **Policy HG12 – Extension and alteration to dwellings within frameworks** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states:

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 harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass,

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 upon the street scene;
- (5) Boundary treatment would provide an unacceptable standard of privacy and visual amenity.

7. **Policy EN30** of the Local Plan – Development in Conservation Areas states (in part) that proposals will be 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

Cambridgeshire and Peterborough Structure Plan 2003 Policy P7/6 – Historic Built Environment

8. Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

Consultation

Guilden Morden Parish Council recommends refusal. It states:

9. “The proposed garage and “studio” WILL impact significantly upon the adjacent property if built on the boundary line between 40 and 42. The pc would consider more positively an application that rotated the property through 90 degrees and the garage built on the North and East boundaries with doors facing the road and turning area to the west of the plot.”

Conservation Manager

10. **“Observations:**

This is a revised application following refusal of a previous proposal. I was party to a detailed discussion with the applicant following the previous refusal in order to consider changes that might overcome my concerns. This has resulted in the revised proposals contained in the current application.

The size and massing of the new building has been reduced, though it still remains quite a large structure for a relatively small site. The brick type and roof tile now proposed are much more appropriate for use in the Conservation Area and the rooflights are a ‘conservation’ type, again more suitable than the Velux windows previously proposed.

From my discussions with the applicant, I was under the impression that he had agreed to include the removal of the existing carport as part of the proposals. This would give a significant benefit to the streetscape and help off-set the impact of the new garage.

Recommendations:

No objection to the revised proposals but I would wish to see the existing carport removed (and not replaced) prior to occupation of the new garage.”

Representations

11. One letter of objection has been received from the occupiers of the adjacent property, No. 42 Dubbs Knoll Road.
The main points of objection are:
12. The only notable changes from the previous scheme are the change in materials and a drop in the ridge height of 350mm. Therefore we feel the reasons for refusal and previous comments still apply:
13. "The proposal, by reason of its height and scale, is out of proportion with the size of garden and modest nature of the existing terrace of properties. It will neither preserve nor enhance the character and appearance of Guilden Morden Conservation Area. In addition it will be overbearing when viewed from the rear garden of the neighbouring property"
14. "Contrary to Policies HG12 and EN30"
15. "The scale of the proposed development appears, to me, out of proportion with the size of the garden and the modest nature of the existing terrace. It is, therefore, in conflict with Policy EN30 that requires developments in Conservation Areas to preserve or enhance the special character of Conservation Areas especially in terms of their scale, massing roof materials and wall materials. For this reason I would wish to see the proposals modified and reduced in scale"
16. "...No. 44 already has a garage of similar proportions to that proposed for this site and, if this is a precedent that we must accept then I would wish to see modifications to the materials."
17. "I do not consider that the harm caused by the proposal is outweighed by the precedent argument"
18. "The proportion of the proposal with the size of the garden is felt to have a negative impact on the Conservation Area."
19. Furthermore Local Plan Policy EN32 states:

"In the case of buildings which make little or no contribution to the character or appearance of their Conservation Area, demolition will not be permitted unless redevelopment of the site... would make a positive contribution to the character or appearance of the conservation area concerned."
20. The height and scale proposed will not make a positive contribution.
21. Size and scale and massing along the boundary will be overbearing and will block light from our property.

Planning Comments – Key Issues

22. The key issues are the impact of the proposal on the character and appearance of the Guilden Morden Conservation Area and the amenities of the occupiers of adjacent properties.

General

23. The modifications from the previous refused application are relatively minor. Materials and fenestration details have been revised and the height reduced. At first sight it would appear that nothing significant has changed and the previous reasons for

refusal should stand. However it is my opinion that the changes tip the balance in making the development acceptable. It was not possible to negotiate these matters on the previous application within the prescribed time allowed to determine it, which led to the refusal.

Conservation Area

24. I note the comments of the Conservation Manager with regard to the impact of the proposal on the character and appearance of the Conservation Area.
25. In my opinion whilst it would be desirable for the car port to be removed I do not believe this should be required by condition as it does not relate specifically to the development.

Precedent

26. Precedent in this case is not a significant determining factor – each application should be determined on its merits. It is my view that the presence of a building of similar scale and height positioned at the rear of No. 44 Dubbs Knoll Road does not justify this proposal per se. However this proposal has to be considered within the context of the character and appearance of the area.

Amenity

27. The proposed building has been reduced in height which also reduces the mass of the roof and the bulk of the building in general. The building will sit well below the level of the rear of the garden to No. 42 which has been raised up approximately 1m whilst the ground level of the application site is approximately 0.5m lower again. I consider that at the bottom of the garden this proposal is unlikely to have a significant impact on the living conditions of the occupiers of No. 42 when viewed either from within their property or from the garden.
28. The suggestion of the Parish Council to relocate and reposition the building may possibly have some merit but this alternative does not make this proposal unacceptable.

Apple Tree

29. This tree will almost certainly die as a result of the development despite the intention of the applicants to retain it. The access details have been revised from the previous application to try to accommodate the tree. In my view the comments of the Trees and Landscape officer in relation to the previous application still apply:

“The access will require the felling of the apple tree. The tree is mature and well established but does not make any particular impact to the street scene or the character of the Conservation Area.”

Parking and turning

30. There is not enough space within the site to practically allow for turning and vehicles may have to reverse down the drive and onto the highway. Since vehicles are reversing onto Dubbs Knoll Road at present I do not consider that turning can be required.

Recommendation

1. Approval
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);

3. Sc5e - Levels
4. Sc60 – Details of boundary treatment (Rc60);
5. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To respect the character and appearance of the Conservation Area);
6. Sc22 – No windows at first floor level in the north and west elevations of the development (Rc22);
7. No development shall commence until details of the design and materials to be used for the external doors and windows 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 neighbouring buildings and respects the character and appearance of the Guilden Morden Conservation Area).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: HG12** (Extension and alteration to dwellings within frameworks),
 - **EN30** (Development in Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon the character and appearance of the Conservation Area

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/1222/04/F and S/2091/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003

Contact Officer: Nigel Blazeby – Senior Planning Assistant
Telephone: (01954) 713256

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1698/04/F - Steeple Morden
Erection of 37 Dwellings to Include 21 Live/Work Units, Ashwell and Morden Station
Yard, Odsey, for T M S Management Ltd**

Recommendation: Refusal

Departure Application**Site and Proposal**

1. Ashwell and Morden Station Yard is located north of the A505 and east of Station Road, in the hamlet of Odsey. It has been used for a number of years as a crane and plant hire depot by Chamberlain Plant Hire. The site contains the former goods shed building and is bounded by the railway line to the south. To the north the site is bounded by an embankment with agricultural land beyond. There is a public right of way along the northern boundary just beyond the embankment. To the west is car parking to Ashwell and Morden Station and to the east disused land, beyond which is the Omya UK chalk quarry.
2. Access to the site is via the Station approach road to the west. Visibility to the south at the junction of the road with Station Road is severely restricted by the bridge over the railway line.
3. The north west corner of the site comprises the eastern end of a copse of trees, which is subject to a Tree Preservation Order. There is a telecommunications mast in the north east corner of the site.
4. This full application, registered on 13th August 2004, proposes the erection of 37 dwellings, including 21 live/work units. These units comprise a two-storey extension to either side of the existing goods shed, each measuring 36m x 10.4m to the west and 24m x 10.4m to the east, and 6.6m high. There will be a new building measuring 58m x 19m to the north of the goods shed. This building will have a ridge height of 9m.
5. Extracts from a supporting statement submitted by the applicant, setting out the aims of the Zed factory housing, as a fully sustainable development, are attached as Appendix 1. A full copy of the supporting statement, including photographs and plans that are not reproduced in the Agenda, can be viewed as part of the background papers and will be displayed at the meeting.
6. The red-edged application site does not currently extend to the public highway and revised plans have been requested from the applicant, along with revised ownership certificates if necessary.

Planning History

7. In 2002 consent was refused for the erection of 6 dwellings on the site on the grounds that the site was outside the village framework (**Ref S/1489/02/F**).

8. Previously there have been a number of applications associated with the use of the goods yard.

Planning Policy

9. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) restricts development in the countryside unless it can be demonstrated to be essential in a particular location.

10. **Policy P1/3** of the County Structure Plan promotes sustainable design in built development.

11. **Policy P2/6** of the County Structure Plan states that sensitive small-scale employment in rural areas will be facilitated where, amongst other criteria, it provides opportunities for home working, or making good use of new information and communication technology, or where it helps to maintain or renew the vitality of rural areas.

12. **Policy P5/5** of the County Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting and, the level of jobs, services, infrastructure and passenger transport provision in the immediate area.

13. **Policy P7/4** of the County Structure Plan states that development must relate sensitively to the local environment and contribute to the sense of place, identity and diversity of the district landscape character areas.

14. **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Steeple Morden as a group village where residential development and redevelopment up to a maximum scheme size of 8 dwellings is permitted within a village framework. Exceptionally up to 15 dwellings may be permitted if this would make the best use of a brownfield site. The hamlet of Odsey does not have a village framework.

15. **Policy SE8** of the Local Plan states that residential development outside village frameworks will not be permitted.

16. **Policy HG10** of the Local Plan requires residential developments to contain a mix of units providing a range of types, sizes and affordability, making the best use of a site and promoting a sense of community which reflects local needs. The design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Scheme should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.

17. **Policy HG22** of the Local Plan states that the District Council will look favourably upon residential schemes, which include measures to conserve energy, subject to other policies and proposals in the Local Plan.

18. **Policy EM9** of the Local Plan states that the District Council will support proposals for teleworking schemes, which bring home and workplace physically together on sites within village frameworks and by conversion or adaptation of rural buildings outside

village frameworks, provided that there would be no adverse impact on residential amenity, traffic, character and the environment generally.

19. **Policy TP1** of the Local Plan states that the District Council will seek, through its decisions on planning applications, to promote more sustainable transport choices, to improve access to major trip generators by non-car modes, and to reduce the need to travel, especially by car.
20. **Policy CS10** of the Local Plan states that where planning permission is granted for 4 or more dwellings the District Council will seek a financial contribution to improvement of education facilities where capacity at local schools would be exceeded during the 5 years following the date of the application.
21. **Policy CS13** of the Local Plan states that in considering planning applications for housing, the Council will seek to ensure that appropriate consideration has been given to all aspects of design and layout, to minimise the opportunities for crime and the circumstances where the fear of crime would be increased.
22. **Policy EN1** of the Local Plan states that the District Council will not grant planning permission for development which would have an adverse effect on the character and local distinctiveness of landscape character areas.
23. **Policy EN5** of the Local Plan requires trees, hedges and woodland to be retained wherever possible in proposals for new development
24. **Policy EN44** of the Local Plan states that the District Council will support and encourage proposals for the use of renewable energy resources, water efficiency and for developments using energy conservation technologies subject to other policies in the Plan.
25. **Policy ES1** of the Local Plan sets out the Districts Council's policy when considering proposals for redevelopment of potentially contaminated land.
26. **Policy ES8** of the Local Plan states that the District Council will seek, by means of appropriate planning conditions, to minimise the impact on noise from railways on noise-sensitive development.

Consultation

27. **Steeple Morden Parish Council** recommends refusal. Its comments are attached as Appendix 2.
28. The **Chief Environmental Health Officer** recommends conditions be attached to any consent restricting the hours of operation during the period of construction, and requiring an investigation of the site to be undertaken prior to development commencing to establish the nature and extent of any contamination of the site and put forward remedial works to deal with it. Comments are put forward regarding the use of driven pile foundations and burning of waste.
29. The **County Archaeology Office** recommends that the site be subject to a programme of archaeological investigation to be secured by condition.
30. The **Cambridgeshire Fire and Rescue Service** requests a condition securing the provision of fire hydrants.

31. The **Trees and Landscapes Officer** objects to the application as the proposed car parking and part of the footprint appears to encroach into the copse area that is subject to a Tree Preservation Order. The impact on this area will be quite substantial, bearing in mind that the levels would also be changed dramatically.
32. The **Architectural Liaison Officer, Cambridgeshire Constabulary** is concerned at several aspects of the layout.
33. The **Strategic Development Officer** comments that the proposed development is closely based upon the existing Beddington Zero Emission Development (BedZed) regarded by many as a 'cutting edge' example of a truly sustainable housing development.
34. The need to encourage such developments is particularly important given the world's rapidly increasing demand for non-renewable fossil fuels and the associated threat of human-induced climate change. Moreover, there is a strong link between people, buildings and climate. Globally, buildings are responsible for 50% of all human-induced CO₂ and greenhouse (GHG) emissions and, more worryingly, buildings are using more and more energy resulting in even more GHG emissions. This 'vicious circle' needs to be broken through a series of measures including the construction of new housing developments that are highly energy efficient and utilise renewable energy. It is evident the proposed development meets these objectives and satisfies a wide range of important sustainability criteria most notably:
 - the utilisation of a brownfield site
 - the local sourcing of labour and sustainable building materials
 - high levels of energy and resource efficiency including rainwater harvesting
 - the on-site generation of 100% carbon neutral renewable energy in the form of a communal biomass boiler using locally sourced wood
 - waste minimisation and recycling measures
 - green roofs to help protect and sustain local biodiversity
 - the installation of energy efficiency appliances
 - the sourcing of locally produced food
 - the provision of on-site work and telecommuting facilities thus reducing the need for people to travel
 - the provision of electric and fuel efficient vehicles for commuting purposes
 - immediate proximity to a rail station with links to Cambridge and London
 - the provision of affordable housing both in terms of initial and lifetime energy and heating costs
35. The proposed development would also strengthen the Council's efforts to persuade other developers and house-builders to incorporate the same procurement, design and construction methods in the large-scale developments planned for the district. It would help demonstrate the Council's corporate commitment towards sustainable development and the promotion of quality village life. It would also complement the Council's efforts to reduce CO₂ and GHG emissions across the district. This is important given the Council has signed the Nottingham Declaration for Climate Change and it is involved in the European Climate Menu Programme. The Council is committed to meeting the Kyoto Targets for CO₂ and GHG emissions.
36. The **Environment Agency** requests conditions in respect of schemes for ground contamination investigation, assessment and remediation, along with schemes for foul and surface water drainage. In addition the Agency provides various informatives.

37. **Network Rail** comments that it has no objection to the application but points out that there are restrictive covenants on the site intended as a precaution to ensure that the stability and safe operation of the railway is not jeopardised and will require the applicant to submit to it a site-specific method statement and risk assessment prior to commencing works. It will also require details of any significant alterations to existing ground levels next to the railway boundary. It points out that the site access from Station Road is not in the applicant's ownership although a right of way exists. Provision must be made for maintaining vehicular access through the site to the land to the north-east and this must be kept free from obstruction at all times, including the construction period. Any external illumination must not cast glare onto the railway or otherwise interfere with train crews' sighting of railway signals.
38. The **Chief Financial Planning Officer, Cambridgeshire County Council** is concerned that the capacity at Bassingbourn Village College is fully committed to meet the needs arising from existing houses and asks that a sum of £70,000 is sought from the developer as contribution to cover the cost of the additional 7 places needed.
39. The comments of the **Local Highway Authority** will be reported verbally.

Representations

40. 10 letters have been received, including one from Omya UK Ltd, the operator of the quarry to the north east, objecting to the application on the following grounds:
41. The site is outside the village framework.
42. Access to Station Road and the A505 is extremely hazardous which in itself makes the application unsustainable. The Station bridge has been identified as one of the worst in the area and this application would make it even more dangerous.
43. Adverse impact on a small community which has been overlooked by the developers.
44. Designed in a style typical of modern urban developments, not in keeping with existing buildings and unpleasant to the eye. If any development has to take place it should be sympathetic to its surroundings.
45. Odsey is a small hamlet, which receives a large influx of cars from people in surrounding villages who commute to Cambridge or London. Parking is already a tremendous problem. The area for development has long been promised as a car park to solve this problem and if the site is to be used other than as a crane depot it should be used as a car park for the Station.
46. Designed with no clear understanding of the surrounding area and therefore contradicts the notion of being zero impact.
47. The development would be more workable in an urban setting where such a self-contained approach also has the advantage of a wide range of amenities and services nearby. Odsey has none of this. Whilst the offer of small shop seems nice it would not be sustainable within the small population base of Odsey.
48. The letter from Omya UK Ltd points out that chalk is quarried at Station Quarry, and taken north by conveyor belt about 1.5km northwards for processing at Plantation Quarry. Station Quarry and the conveyor are as close as 90m to the proposed

development. Omya also has a right of access through the station yard, which is used to receive and dispatch heavy quarry machinery etc for renewal and replacement. There are concerns on three grounds:

49. Noise – The planning permission for the quarry imposes a very strict noise limit, which is to be measured at No4 Railway Cottages, which is some 190m further away from the quarry than the new development. This could result in severe operational difficulties.
50. Public Safety – while Omya takes every precaution against trespass, introducing 37 new houses beside the quarry would seriously increase the risk of trespass and require a higher level of security, at greater cost and possible landscape impact.
51. Access for Plant and Machinery – the development as shown would appear to render it impossible for low loaders and heavy plant to access the quarry. Whilst it is recognised that this is ultimately a civil matter Omya would be required to protect right of access which would mean that the development could not be built in the layout applied for or possibly at all.
52. 3 letters have been received in support of the application:
53. Proposal is one of the most innovative and visionary housing developments
54. Could provide significant benefits to Odsey although there is some concern regarding traffic and it is suggested that the site should have a separate entrance
55. Applicants have a proven track record of delivery on target with sustainable objectives and have made a case for the development which cannot be faulted.
56. An industrial use, if permitted, might be less sustainable. If it became a car park it would result in run-off and generate more journeys by car, even if made by commuters to the station. If housing for agricultural workers (which might be difficult to justify) would housing be as energy efficient?

Planning Comments – Key Issues

57. The key issues to be considered with this application are whether there is sufficient justification to warrant a departure from development plan policies to allow this housing development in the countryside, and whether there are any site specific constraints which need to be addressed.
58. There is a strong presumption against new development in the countryside unless it can be demonstrated to be essential in a particular rural location. Although the site represents brownfield land planning consent has previously been refused for its redevelopment for housing purposes as a matter of principle. It is clear that the proposed scheme is unacceptable in principle in this location in addition to which the scale of development, 37 dwelling units, is totally out of scale with the area in which it is located and would more than double the existing number of dwellings in the hamlet of Odsey.
59. Notwithstanding the objection in principle to residential development in this location I am of the view the scale of the proposed building will represent a dominant feature, out of character with other buildings in the area.

60. Although the formal comments of the Local Highway Authority have not yet been received I am concerned at the lack of visibility to the south at the junction of the Station approach road with Station Road. There would appear to be limited opportunity to improve the existing situation.
61. Members will note the concerns of the Trees and Landscapes Officer and Architectural Liaison Officer and Omya UK in respect of the current layout. Given the objection in principle to the development of this site in the manner proposed I have not sought to enter into negotiations with the applicant to resolve these matters at this stage.
62. The comments of the Strategic Development Officer are noted and I agree with the points of principle that he raises. However, whilst there are Development Plan policies which support and encourage this type of development it is stressed that this is subject to other policies of the Plan. Although Policy EM9 supports proposals for teleworking schemes which bring home and workplace physically together it states that this should either be on sites within village frameworks or by adaptation and conversion of rural buildings outside village frameworks, provided that there would be no adverse impact on residential amenity, traffic, character and the environment generally. This proposal does not comply with these criteria.
63. In this instance I do not consider that the concept of the development proposed, as a sustainable development, and the various arguments advanced in support of scheme by the applicant, can outweigh the substantial policy objection to residential development on this site. I am disappointed that, knowing the significant policy constraints in advance, that the applicant has chosen this particular site to submit its first application in the District as the scheme represents an exciting concept but one which I have no alternative but to recommend for refusal in this particular location.

Recommendation

64. That the application be refused for the following reasons:
 1. The proposal involves the erection of 37 dwellings in the countryside contrary to the aims of Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy SE8 of the South Cambridgeshire Local Plan 2004 which restrict development outside village frameworks to that which is essential in a particular rural location. The applicant has not demonstrated that the development proposed is essential.
 2. The proposed development is unacceptable as it is out of scale with the character of the existing hamlet of Odsey and will have an adverse visual impact in the landscape, contrary to the aims of Policy EN1 of the South Cambridgeshire Local Plan 2004.
 3. The development as proposed is unacceptable in that it would result in the loss of part of an existing copse of trees which is subject to a Tree Preservation Order, the loss of which would detract from the visual quality of the area, contrary to the aims of Policy EN5 of the South Cambridgeshire Local Plan 2004
- + any reasons of the Local Highway Authority.

Background Papers: the following background papers were used in the preparation of this report: Application file Ref S/1698/04/F

South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st December 2004
AUTHOR/S:	Director of Development Services	

**S/1966/04/RM - Steeple Morden
Erection of 5 Dwellings, Land at The Mill, Ashwell Road, for Hasler (HTC) Ltd**

Recommendation: Delegated Approval

Site and Proposal

1. This application, as amended by drawings received 12th November 2004, seeks reserved matters consent for the siting, design, means of access and landscaping in respect of the erection of five dwellings on land extending to 0.32ha to the north of The Mill, Ashwell Road, Steeple Morden.
2. The site was previously used in part as a waste transfer station. That use has now ceased although a large brick industrial style building remains on the site. To the south the site abuts the residential garden of The Mill, Ashwell Road, and to the east the long rear gardens of properties in Station Road. To the west is agricultural land, with long distance views of the site being afforded from a public footpath. To the north of the site is land owned by the applicant with outline consent for residential development (see History below). Access to the site is via an existing roadway along the eastern boundary of the site, which also serves the existing dwelling. The site contains a Grade II Listed Stock Windmill at the rear of the existing house.
3. As amended the application proposes five detached dwellings. Plot 1, which is located in a similar position on the site to the existing brick industrial building, is a 4-bedroom house with a main ridge height of 7.7m with an attached double garage with bedroom above on its eastern end which has a ridge height of 6.3m. As amended the front elevation is barn like in character with a plain façade and five rooflights lighting the first floor accommodation.
4. Plot 2 is a 4-bedroom house with a main ridge and garage roof height similar to that of Plot 1. Plots 3 and 4, on the west side of the site are detached barn like structures, both with 4 bedrooms, with a main ridge height of 7.6m. Each dwelling is provided with a linked single garage and car port to the front. As amended Plot 5 comprises a detached 3-bedroom cottage with a ridge height of 7.5m. Two parking spaces are provided at the front of the plot.

Planning History

5. In December 2001 outline planning consent was granted for the erection of 5 dwellings on the site. A condition attached to the consent required that, prior to the submission of reserved matters, a scheme, which should include a timetable for implementation of any works agreed, for the proposed treatment of the external fabric of the Grade II Listed Stock Windmill; for the internal boundaries of the application site in relation to the stock windmill; the landscape treatment of the site in relation to the setting of the stock windmill and; the means of access to the stock windmill, shall

be submitted to and approved in writing by the Local Planning Authority. (Ref: **S/1774/01/O**).

6. In 2002 outline consent was granted for residential development on a further area of land to the rear of the current application site, but accessed through it. Under that consent the applicants put forward a Section 106 Agreement in respect of The Mill. (Ref: **S/0843/01/O**).

Planning Policy

7. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
8. **Policy SE4** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Steeple Morden as a group village where residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village framework subject to specified criteria.
9. **Policy HG10** of the Local Plan states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes and affordability, making the best use of the site and promoting a sense of community which reflects local needs.
10. **Policy SE9** of the Local Plan states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development in the countryside.
11. **Policy EN28** of the Local Plan 2004 seeks to preserve the setting of Listed Buildings. It states that the District Council will resist and refuse applications which would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; would harm the visual relationship between the building and its formal or natural landscape surroundings or; would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.
12. **Policy Steeple Morden 1** includes the application site as part of a larger area of land that is allocated for residential development. However, it states planning permission will only be granted for a scheme which (a) results in the relocation of the existing waste transfer station, (b) is accompanied by measures to ensure that full internal and external structural repair of the grade II listed stock mill is undertaken and c) provides sufficient open space around the mill to permit a reasonable appreciation of its original setting, including removal of the present brick wall partly surrounding the building. Reinforcement of the boundary hedge along the western boundary of the site will also be required.
13. **Planning Policy Guidance Note 15** at para 2.16 and Annexe C considers development affecting the setting of Listed Buildings. This refers to the setting of a Listed Building having its character robbed by a particular grouping of buildings.

Consultation

14. **Steeple Morden Parish Council** recommends refusal. Its detailed comments are attached as Appendix 1. Comments on the amended drawings will be reported verbally.
15. The **Conservation Manager** comments in respect of the original submission that he has considered the proposal in terms of its impact on the setting of the Mill; the impact on the setting of the village given the site abuts open countryside and is visible from the footpath network in the locality; and how this will lead to the refurbishment of the Mill.
16. He states that broadly the development follows the layout of the outline consent with the main difference being the separation of the units so that they are all now detached which it is understood is to enable the scheme to proceed as self-build.
17. Units 3 and 4 are designed to have the form of an agricultural building complex and although detached are in close proximity. The ridge height of these units is 7.5 metres which is considered acceptable. The design and form of Units 2, 3 and 4 is considered acceptable and the distance of these units from the Mill is such that they are not considered to harm the setting of the Listed Building.
18. The location of Units 1 and 5 means that these units have a direct relationship with the Mill, creating a new physical context or setting for the Listed Building. Plot 1 is viewed up the driveway to the site and there is currently an industrial brick structure on the site. The design as originally submitted is felt to detract from the approach and setting of the Mill by reason of the suburban residential form proposed for this building which fundamentally changes the character of the site. A simple barn format with the principle fenestration to the rear is encouraged, with only small openings on the front elevation and no decorative elements as found on the front projecting gable.
19. Plot 5 has the closest relationship to the Mill. The creation of a fake cottage has no precedent in this location and is not supported, as it will fundamentally alter the visual status of the Listed Building suggesting an historical and functional role which did not exist. The design of this unit should take the form of an ancillary outbuilding - one of a group of 'mill' buildings rather than a dwelling with an individual identity as a mill house. The rear garden room element should be deleted to reduce the footprint of the unit and the design simplified.
20. The details do not denote the boundary treatments for the overall site, which are an important consideration and need to be submitted for consideration at this stage.
21. Refusal of the application is recommended as originally submitted.
22. The revised drawings follow discussions with the Conservation Manager and his further comments will be reported to the meeting.
23. 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. There should be no bonfires or burning of waste on site without prior consent.
24. The **Local Highway Authority** comments that this development of five new residential units plus the existing house should be served by an adoptable road (and if the future extension of a further five units is to be realised it is strongly recommended that an adoptable road be provided). The need to retain an access

road of any greater width than 5m is questioned. Is there an overriding need (such as a business use within the existing house)? If the road is to remain, the access should be a simple crossing of the footway, i.e. no radius kerbing or break in the footway.

25. **Cambridgeshire Fire and Rescue Service** confirms that additional water supplies for firefighting are not required.
26. The comments of the **Environment Agency** and **Trees and Landscapes Officer** will be reported verbally.

Representations

27. Letters have been received from residents of Nos. 10, 12, 20 and 22 Ashwell Road objecting to the application on the following grounds:
28. Traffic – This is a major concern and presently traffic using Ashwell Road consists of a large number of vehicles, especially in the morning, with vehicles turning into Ashwell Road from Station Road to leave the village, many cutting the corner and accelerating immediately afterwards. The extra houses are a recipe for disaster. Is the roadway to remain private or will it be adopted, and will there be street lighting? The additional traffic will result in noise, dirt and air pollution to neighbouring properties.
29. Privacy – There is concern that the house on Plot 1 will look directly at the rear of No10 Ashwell Road, with unrestricted views into the rear gardens. The occupiers of 22 Station Road is concerned that a larger dormer window above the garage of Plot 2 will look into their rear garden and ask that it be switched to the front of the house thereby leaving two small velux type windows in the rear. The occupiers of 12 Ashwell Road object to the position of the windows in the front elevation of the roof of the garage on Plot 1 stating that bedroom 2 already has a large dormer window in the rear elevation. The window for the en-suite bathroom could be positioned on the rear roof area or on the side elevation, therefore making the front windows unnecessary. The current position of this dwelling causes overlooking and loss of privacy to back bedrooms, conservatory and full length of garden.
30. Sewerage – Will the existing sewers be able to deal with the additional demand from these houses and the proposed further development?
31. Build Times – It is understood that the applicant will manage the project and there is concern about the level of noise and lack of consideration that may take place for local residents at weekends.
32. Design of the Buildings – There is concern regarding the height and colour of the roofs of the five plots and how they might affect views of the windmill.
33. Site Boundaries – There is no reference to proposed treatment of site boundaries.
34. Windmill – The enhancement of the windmill is to be welcomed in preference to the waste transfer station.
35. Comments on the amended drawings are awaited.

Applicant's Representations

36. A copy of a report submitted in support of the application is attached as Appendix 2.

Planning Comments – Key Issues

37. Given that outline consent exists for the erection of 5 dwellings on this site the key issue to be considered with this application are whether the siting and design of the proposed dwellings are acceptable having regard to the setting of the Grade II Listed Building, the location of the site at the edge of the village framework, and the amenity of adjacent residents. It is also important to ensure that the application secures the measures to ensure renovation and preservation of the mill, as envisaged by the outline consent and Local Plan allocation.
38. The comments of the Conservation Manager on the revised scheme will be reported at the meeting. No objections have been raised to the design of the proposed houses on Plots 2,3 and 4. The revised details for Plots 1 and 5, which have the greatest effect on the setting of the Mill, have been discussed with the Conservation Manager prior to submission.
39. Long distance views of the site are obtained from the Ashwell Road when approaching the village from the west and from the public footpath network in the area. I am of the view that the barn like approach adopted for Plots 3 and 4 and the design of Plot 5, and the height of these units, is acceptable. The layout allows for additional planting on the western boundary of the site which will help soften the impact of the development on the adjacent countryside.
40. With regard to the impact of the development on adjacent dwellings it is Plots 1 and 2 that are most relevant. The dwelling on Plot 1 is in a position that reflects the existing industrial building. It is designed with rooflights at first floor level on the front elevation which faces Ashwell Road. With regard to the impact on adjacent properties in Ashwell Road the two closest rooflights serve an en-suite area to a bedroom above the garage, and a secondary window to the bedroom itself and can be non-opening and obscure glazed to prevent overlooking. Although there is a dormer window at first floor in the rear facing elevation of the garage in my view any overlooking will be at an oblique angle over the rear of the long gardens to properties in Station Road and will not result in a significant loss of privacy. Although there are first floor windows in the rear elevation of Plot 2 facing Station Road these are set a minimum of 15m from the boundary and again it is my view that there will be no significant loss of privacy from overlooking.
41. On site parking provision is adequate and turning space exists in front of the Mill. The outline consent contains a condition requiring the submission of schemes for foul and surface water drainage prior to the commencement of development. As outline consent exists for the erection of five dwellings on the site the issues raised in respect of traffic are not relevant at this reserved matters stage. I understand that the applicant is not seeking adoption of the roadway and therefore a condition in respect of details of street lighting would be appropriate. The Chief Environmental Health Officer has requested a condition controlling hours of operation of machinery during the construction period.
42. The planning consent and allocation of this site for residential development was based on the relocation of a non-conforming use on the site and the restoration of the Mill. The existing use of the site has ceased but it is important to ensure that this scheme secures the necessary work to the Mill to the satisfaction of the Conservation Manager. The applicant has stated that bringing forward development on the front part of the site will allow the actual repair of the Mill as set out in the Section 106 Agreement signed as part of the consent for the rear portion of the site, without

waiting for that development to take place. The scheme secured by the Section 106 Agreement goes beyond that required by the condition attached to the outline consent for the front part of the site. I will be discussing this matter further with the Conservation Manager prior to the meeting to ensure that the necessary provisions are in place to secure these works as part of this consent, if granted.

Recommendation

43. Subject to the receipt of no materially new objections to the amended drawings and securing the provisions of works to the Mill that delegated powers are given to grant reserved matters consent subject to safeguarding conditions and informatives suggested by the Chief Environmental Health Officer.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment);
 - **South Cambridgeshire Structure Plan 2004: SE4; HG10; SE9; EN28 and Steeple Morden 1**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent stock mill

Background Papers: the following background papers were used in the preparation of this report: Planning Application Files S/1966/04/RM; S/0843/01/O and S/1774/01/O

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255

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
S/1934/03/F	Mr J Crickmore The Barn, Chesterton Fen Road Milton 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. (Non-Determination)	Dismissed 21/10/2004
S/2352/03/F	Cambridgeshire Salad Producers Ltd Land South of Pampisford Road Great Abington Change of Use of Agriculture to Light Industrial (Class B1c) and Storage/ Warehousing (Class B8) (Delegated Refusal)	Dismissed 21/10/2004
S/2556/03/F	Mr & Mrs Bond The Mill, Royston Road Litlington Garage (Delegated Refusal)	Dismissed 21/10/2004
S/2473/03/F	F. Haslop Land Adjacent 5A High Street Milton Dwelling (Delegated Refusal)	Dismissed 26/10/2004
S/1964/03/F	D Cheesley R/o 10 Duck End Girton Bungalow (Delegated Refusal)	Allowed 28/10/2004
S/2380/03/F	Mr & Mrs Waddington 43 North Road Great Abington Replacement Garage and Store with Studio Above (Delegated Refusal)	Dismissed 09/11/2004

2. Summaries of recent decisions of interest

Mr J Crickmore – Change of use to tropical plant nursery and retention of caravan – The Barn, Chesterton Fen Road, Milton - Appeal dismissed and partial award of costs in favour of the Council

This appeal was against the non-determination of a planning application to use the site for a new business as a tropical plant nursery. Also proposed, were associated greenhouses, a sales and display area, store and car park. The appellant also wished to retain an existing mobile home. This is subject to an extant enforcement notice requiring its removal following the dismissal of an appeal in May 2003.

The three main issues were whether there is an agricultural need for the mobile home, whether the proposal would accord with policies to protect the Green Belt and the risks associated with flooding. The appeal was considered by way of a public inquiry. The County Council Farms Officer provided evidence for the Council on matters of agricultural need.

On the question of need for the mobile home, the appellant argued the proposal was novel in this country and mirrored a similar scheme in Malta. A business assessment plan had been provided outlining how the site would be used. Close supervision of the greenhouses was required in order to carefully control temperature, humidity and frost damage. While the inspector accepted that there was a need to have staff readily available for most of the time, he noted that the appellant and his father are currently constructing 19 flats about five minutes away from the site. He saw no reason why one of these units, or other caravan sites near by, could not house a worker on a temporary basis. The presence of CCTV cameras could also help to deter vandalism. There was no security risk that justified a caravan on the site.

The financial plans accompanying the application were deemed inadequate. The inspector concluded that they gave insufficient detail and did not provide the necessary clear evidence that the enterprise had been planned on a sound financial basis. The appellant admitted he had no personal knowledge or interest in horticulture and he had not shown he has the ability or commitment to develop the enterprise on a sustainable basis. This further counted against the need for a dwelling on the site.

The use of the site was an appropriate use in the Green Belt. The inspector agreed with the Council, however, that the planned extension to the existing barn, the extension of hardstanding, a formal parking area and retention of the mobile home were all inappropriate development. Much of the development would be on the rear part of the site and its existing open character would be harmed such that it would have an adverse impact on the Green Belt. This is a major feature of Green Belts that should be protected.

No very special circumstances had been advanced that outweighed this harm.

On the issue of flooding, there was conflicting information on the level of flood risk. The Environment Agency (EA) was asked to provide up-to-date information during the course of the inquiry. The inspector concluded that the proposal would not unacceptably increase flood risk and this could have been dealt with by way of a condition and a flood risk assessment.

Both parties made an application for costs.

For the appellant, the Council and the EA were criticised for not providing accurate information before the inquiry. This meant delays while this was provided during the inquiry. The Council had changed its position since the last appeal and could not prove there was a flood risk. The inspector accepted that the EA seems to continually change its flood maps. However, the appellant had ample time to check the up-to-date information and provide a

flood risk assessment. Had the appellant followed the normal procedures, an assessment would have been forthcoming and time would have been saved at the inquiry. Although the Council had not specifically notified the appellant at or before application stage, this did not amount to unreasonable behaviour. The application was refused.

The Council applied for costs on the basis that the appellant should have provided a flood risk assessment. Despite the criticisms of the appellant, the inspector reasoned that the Council could have alerted the appellant to a need for an assessment at application stage. No award of costs was justified.

The Council also argued that the appellant had been deliberately or wilfully uncooperative in providing the financial information needed to support the proposed use. The Council's advisor had requested further information but in the absence of this had been forced to prepare for and attend the inquiry. For his part, the inspector concluded there had been no meaningful technical appraisal of whether the enterprise was capable of being sustained. This should have been straightforward to provide if the appellant's claims that this was with his bankers was true. The Council's advisor had done all that he could to acquire the information. The appellant had therefore been unreasonable. A partial award of costs was made.

Comment: Issues concerning flood risk will continue to be relevant throughout the district. The EA are being asked to attend inquiries and hearings where there is an outright objection so that the Council's position is given due weight and protection.

3. Appeals received

Ref. No.	Details	Date
E 490 A	Mr Carter Berry House, 33 High Street Waterbeach Enforcement of removal of fence	19/10/2004
S/0445/04/F	Mr B York R/o 43A High Street Landbeach Change of use of paddock to residential garden associated with 43A High Street and the erection of a mower and tractor store. (Officer Recommendation to Approve)	19/10/2004
S/1394/04/F	Mrs A Gawthrop 1 Moores Court Cottenham Conservatory (Delegated refusal)	20/10/2004
S/1117/04/O	T Pavey 41 St Neots Road Hardwick Dwelling (Delegated refusal)	20/10/2004

S/1007/04/O	Executors of P E Q Francis Land adj 77 Station Road Stow-cum-Quy 2 houses renewal of time limited permission S/0411/01/O (Delegated refusal)	26/10/2004
S/0578/04/F	Upware Marina 15 High Street Shepreth Erection of house and garage following demolition of existing Bungalow (Officer Recommendation to Refuse)	26/10/2004
S/1692/04/F	Mr R Dias 44 Station Road Histon Use of premises for hot food takeaway between 11am & 2.30pm (Delegated refusal)	27/10/2004
S/1050/04/F	Mr J O'Farrell R/o 11/13 Fishers Lane Orwell Dwelling (Delegated refusal)	27/10/2004
S/1470/04/F	Mr W Willett Adj Appletree Close, Histon Road Cottenham Use of land as extension to mobile home park (no increase in numbers) incorporating landscape belt (Delegated refusal)	28/10/2004
S/1223/04/F	Mr J Mannion Magnolia House, Linton Road Horseheath Extension (Delegated refusal)	29/10/2004
S/1484/04/F	P Mullins 2 Cody Road Waterbeach Dwelling (Delegated refusal)	29/10/2004
S/0922/04/F	Ms A Engleman Grantchester Road Barton Formation of golf driving range, five hole golf course, range building, clubhouse and store (Delegated refusal)	29/10/2004

E484	Mr B York R/o 43A High Street Landbeach Enforcement against material change of use to residential garden, erection of building (store), erection of gates and gateposts over 2m high	01/11/2004
S/0844/04/F	Mr & Mrs Gordon 3-5 Station Road Histon Appeal against condition 7 of approval regarding erection of a lockable gate (Officer Recommendation to Approve)	10/11/2004
S/1702/04/A	C Tirrell Oakington Tomato Farm, Dry Drayton Road Oakington Signs (Retrospective) (Delegated refusal)	12/11/2004
S/1729/04/F	Mr & Mrs Jackson 16 Burrough Field Impington Extension (Delegated refusal)	12/11/2004

4. Appeals withdrawn or postponed - None

5. Local Inquiry and Hearing Dates Scheduled before the next meeting on 5th January 2005

Ref. No.	Details	Date
E502	Mr H Price Adj Moor Drove, Cottenham Road Histon Enforcement against: 1) Operational development by the laying of hardcore roads and septic tanks. 2) Material change of use of land from agriculture to the storage and residential use of caravans. 3) Operational development by the installation of foul sewers and mains water and electricity. (Local Inquiry Resumed to sit for 4 days)	14/12/04 Ground Floor Meeting Room

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

S/2194/03/F	Mr C Taylor 45 Spring Lane Bassingbourn Construction of raised decked area, path and sunken patio/lawn (part retrospective)	11/01/2005 Confirmed
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E473A	Optima (Cambridge) Ltd The Bury, Newmarket Road Stow-cum-Quy Enforcement against erection of flat roofed extension to existing office building	18/01/2005 Confirmed
S/0740/04/F	Optima (Cambridge) Ltd. The Bury, Newmarket Road Stow-cum-Quy Retention and conversion of unauthorised office extension to garden machinery store	18/01/2005 Confirmed
S/0019/04/F	Mr P Mansfield 29 Worcester Avenue Hardwick Change of use of land to garden land & extension to dwelling	08/03/2005 Confirmed
S/0358/04/F	Dr & Mrs N Coleman Adj 33 Mill Hill Weston Colville Erection of house and garage and carport for existing dwelling	09/03/2005 Confirmed
S/0466/04/F	Mr & Mrs North Clopton Lodge, The Cinques Gamlingay Appeal against condition 2 of permission - personal occupancy condition and removal thereafter	10/05/2005 Confirmed
S/0629/04/F	Mr and Mrs Noyes 22 North Brook End Steeple Morden Extension	04/10/2005 Confirmed
S/0628/04/LB	Mr and Mrs Noyes 22 North Brook End Steeple Morden Internal and external alterations including conversion of bathroom to utility room and two ground floor bedrooms to study and garden room	04/10/2005 Confirmed
S/1109/04/F	Beaugrove Ltd. Crail, High Street Croydon Erection of two houses following demolition of existing house	11/10/2005 Confirmed
S/0592/04/F	R W S Arnold Bennell Farm, West Street Comberton Erection of B1 offices	09/11/2005 confirmed

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

1st December 2004

AUTHOR/S: Finance and Resources Director

Tree Preservation Orders – Croydon, Bassingbourn and Whittlesford

Recommendation: To confirm without modification

Purpose

1. To review Tree Preservation Order nos.03/04/SC, 04/04/SC and 06/04/SC, made under delegated powers..

Effect on Corporate Objectives

2. Quality, Accessible Services	Not applicable
Village Life	The presence and protection of the natural environment enhances the quality of village life
Sustainability	The presence and protection of trees helps to control pollution levels, and therefore contributes to the Council's commitment to the climate change agenda. Trees provide an important micro habitat for both flora and fauna.
Partnership	Not applicable

Background

3. Once made, Tree Preservation Orders remain in force for a provisional period of six months, but can be confirmed at any time.

Considerations

03/04/SC – 'Crail', High Street, Croydon

4. Tree Preservation Order 03/04/SC was made on 19th July 2004. A plan is attached at Appendix 1.
5. The Council made the Tree Preservation Order because the individual trees identified provide a visual buffer to the front of this elevated site, providing an important visual feature from the highway and surrounding dwellings.
6. The statutory period for the registering of objections to the Order ended on 20th August 2004.. There were no objections.

04/04/SC – Elbourn Way, Bassingbourn

7. Tree Preservation Order 04/04/SC was made on 19th July 2004. A plan is attached at Appendix 2. 8. The Council made the Tree Preservation Order because the tree is considered an important feature of the area as it is a skyline tree

located prominently and adjacent to open fields, and therefore contributes significantly to the local landscape.

9. The statutory period for the registering of objections to the Order ended on 23rd August 2004.. There were no objections.

06/04/SC – The Maynards, Whittlesford

10. Tree Preservation Order 06/04/SC was made on 19th July 2004. A plan is attached at Appendix 3.
11. The Council has made the Tree Preservation Order because it considers the tree to be an important feature of the area as it is a skyline tree sited prominently and adjacent to open fields. Therefore, it contributes significantly to the local landscape.
12. The statutory period for the registering of objections to the Order ended on 23rd August 2004.. There were no objections.

Options

13. Under the legislation, the Council can confirm a Tree Preservation Order, confirm it subject to modification, or decide not to confirm it.

Financial Implications

14. There are no financial implications.

Legal Implications

15. There are no legal implications.

Staffing Implications

16. There are no staffing implications.

Risk Management Implications

17. There are no risk management implications.

Conclusion

18. The TPOs mentioned above remain provisionally in force until 18th January 2005.. By confirming them now, the Council will ensure that they remain in force beyond that date.

Recommendations

19. It is **recommended** that Tree Preservation Orders 03/04/SC in Croydon, 04/04/SC in Bassingbourn and 06/04/SC in Whittlesford be confirmed without modification.

Background Papers: the following background papers were used in the preparation of this report:

- Tree Preservation Order nos. 03/04/SC In Croydon, 04/04/SC in Bassingbourn and 06/04/SC in Whittlesford and the relevant files maintained by the Trees and Landscape Section

Contact Officer: Ian Senior – Democratic Services Officer
Telephone: (01954) 713028

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development Control and
Conservation Committee

1st December 2004

AUTHOR/S: Development Services Director

**Cambourne: Lack of Developer Approval
for Affordable Housing Schemes**

Purpose

1. This report highlights the problems being experienced by the Council's Registered Social Landlord (RSL) partners in securing developer approval to their housing schemes, and the consequential impact on funding.

Effect on Corporate Objectives

2. Quality, Accessible Services	N/A
Village Life	Affordable housing is an integral part of the life of a village, ensuring homes are available to all sections of the community.
Sustainability	A range of housing is necessary to sustain a community, especially in the long term.
Partnership	The Council's partnership with RSLs will be jeopardised if these schemes lose funding, as there will be a knock-on effect for future funding of affordable housing.

Background

3. The Cambourne Section 106 Agreement includes clause 17.4 which requires all development schemes, including housing, to be approved by the developers before any construction can commence. The actual clause reads:

"No built development shall be constructed on the site unless and until the Developers shall have approved the design, materials, elevations and type of construction thereof PROVIDED ALWAYS that the Developers shall have regard to any decision by the relevant local planning authority upon any reserved matters application in respect thereof and shall also have regard to the financial implications in respect of the provision of Social Housing, Affordable Housing and all community and public buildings referred to in the Third Schedule hereto."

Additionally, Part 6.1 of the Section 106 Agreement states:

"The Owners shall transfer to the Council (or as the Council may direct) 37 acres of Free, Serviced land in tranches throughout the Site allocated in accordance with the Master Plan;"

Considerations

4. The lead officer for the RSL consortium (Dianne Page) has written to the Council outlining the possible problems of delivering affordable housing within four housing pods, GC16, GC20, GC21 and GC22 (attached plan highlights locations and a copy

of Dianne Page's letter outlining the issues is also attached). The RSL's have been discussing these sites with the developers' consortium since March, but still no formal agreement has been given by the developers to allow the schemes to proceed. The RSL's need the developer approval prior to the commencement of work on site and continued delays seriously risk the delivery of these schemes. It appears that the developers are requesting information outside the requirements in the Section 106 Agreement (the submission of landscaping and external surfacing materials) and therefore deliberately slowing down the process of affordable housing. This is leading to a serious concern regarding the delivery of affordable housing within Cambourne and potentially puts at risk 6 million pounds of external housing funding. Should this situation result in the loss of affordable housing and the commitment of the RSL's in the area the consequence could be that it becomes difficult for future affordable housing to be delivered within Cambourne.

5. It is reasonable to conclude that the developers are waiting on the outcome of the Cambourne Enhanced Inquiry, pre-application discussions on market housing sites have revealed that they are reluctant to discuss schemes in line with the current Masterplan at this time and are submitting proposals substantially above the Masterplan allocated numbers.
6. Potentially the most seriously affected pods are GC22 and GC16, which have tight timetables to deliver next year. In addition GC16 has attracted European funding for the provision of a Sustainable Drainage System and was to be a showcase within Cambourne of how water concerns could be address within the environment rather than using the traditional piped systems.
7. A further consequence would be that ultimately the land would revert to the developers:
8. *"If construction of social housing on any tranche of land has not begun within 36 months from the date of transfer, the land shall be re-transferred within one month to the developers for affordable or MARKET HOUSING at their option"*
9. Currently the RSL's themselves have no ability to consider taking the developers to arbitration in order to ensure a fair and just hearing, due to the wording of the current Section 106 Agreement, therefore they have no way of ensuring development can take place. However, the Section 106 Agreement does allow the Council to undertake this course of action on behalf of the RSL's although it is a lengthy procedure.
10. A meeting was held between the main developer Managing Directors, their Project Director and senior Members and officers of the Council including the Chief Executive in September 2004 where the developers agreed not to withhold developer approval for the RSL sites prior to the outcome of the Cambourne Enhanced appeal. As this no longer seems to be the case, an emergency meeting has been set up with the lead developers' Managing Directors, Senior Council Officers and the Leader of the Council, in order to discuss this matter and to attempt negotiate a way forward, the results of that meeting will be reported verbally to this meeting.

Options

1. That the Council consider re-introducing the "embargo" on issuing planning permissions for market housing until the developers agree to allow the affordable housing to proceed. Each of these affordable housing applications have been considered by this committee and have pending planning permissions, subject to

final wording of planning conditions and legal agreements regarding tenure. The re-introduction of the embargo will have limited effect as there is currently only one market housing application awaiting decision.

2. That the Council refers the matter to Arbitration, as allowed for in the Cambourne Section 106 Agreement. Hopefully this will not be necessary, but remains available as a fall-back position.
3. To advise officers not to discuss future planning applications within Cambourne that are in accordance with pending Cambourne Enhanced Application until the outcome of the Inquiry or an agreement regarding the affordable housing sites has been reached.

Financial Implications

11. None for Option 1 at this time however, the developers could consider appealing future applications on the grounds of non-determination within the required 8 or 13 weeks and apply for costs.

Option 2 would require some fees to the Arbitrator.

None for Option 3

Legal Implications

12. The developer's Project Director has implied that he considers it illegal to withhold a planning decision. It is not. The developers may appeal against non-determination at any time.

Staffing Implications

13. Officer time

Risk Management Implications

14. None

Consultations

15. None.

Conclusions/Summary

16. The situation regarding the provision of affordable housing affects a major corporate objective of the Council and the actions of the developer's consortium are currently raising concern regarding the delivery of affordable housing within Cambourne. It is unfortunate that the developers appear to be causing problems with a group who do not have a means to consider arbitration, and are therefore powerless to alleviate the situation. It is therefore considered appropriate that the Council take a strong stance with the developers in order to assist in the delivery of this important sector of housing.

Recommendation

17. Option 2 and 3 are followed in until such time as the developers have granted developers approval for each of the outstanding Affordable Housing site. This

recommendation will be updated in the light of the meeting to take place between the Council and the developers in the meantime.

Background Papers: the following background papers were used in the preparation of this report:

Cambourne Section 106 Agreement

Planning applications – S/6225/03/RM (GC16)
S/6232/03/RM (GC20)
S/6226/03/RM (GC21)
S/6227/03/RM (GC22)

Contact Officer: Kate Wood – New Village/Special Projects Officer (Cambourne)
Telephone: (01954) 713264

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development Control and
Conservation Committee

AUTHOR/S: Development Services Director

1st December 2004

**Cambourne: Hodgkinson's Land (Residential Development)
and Trailer Compound Sites**

Purpose

1. To alert Members to the problems in achieving the trailer compound, and to recommend action to encourage the developers to provide it.

Effect on Corporate Objectives

2. Quality, Accessible Services	N/A
Village Life	The trailer compound is important to the village life of Cambourne residents, who presently have to store their caravans, etc at sites elsewhere in the district.
Sustainability	This facility is necessary to avoid the need for residents to travel elsewhere to store or collect their caravans.
Partnership	N/A

Background

3. The Cambourne S106 Agreement requires the developers to provide a trailer compound at Cambourne for residents to store their touring caravans, trailers, horse-boxes, etc. It was meant to be provided at 300 houses occupied, and Members will recall regular updates on this and the other community facilities. The developers have negotiated with a Mr Hodgkinson, owner of a large piece of land within Cambourne that was not sold to the developers, to provide the trailer compound on part of his land. Additionally, because of changes in the layout of the residential parts of Cambourne, the land became immediately adjacent to a residential development area instead of isolated, so the residential development of part of Hodgkinson's land was considered acceptable as a windfall site (subject to social housing provision and education contributions).
4. Planning permission has already been granted for the trailer compound on 18th June 2003. It contains 14 conditions, 7 of which require submission to be made for approval prior to commencement on site. No attempt has been made to submit the required information in these 17 months. Planning permission will soon be able to be granted for the Hodgkinson's Land residential site, as the S106 agreement for social housing and education contributions has been signed, but has not yet been legally "completed".

Considerations

5. The Council needs a commitment that the trailer compound will be provided in accordance with the requirements of the S106 agreement. As the site is outside the land covered by the original planning permission and S106 (because it was not

owned by the developers) it cannot be used to enforce the correct operation of the trailer compound, leaving it open to being unattractive, uneconomical, uncompetitive, unsafe, insecure, and able to be closed down at any time without any requirement to reopen elsewhere. Therefore, the Council needs the following

1. Submissions to comply with ALL the planning conditions, including a wider interpretation of condition 7 (management regime), so that the management regime includes what will happen if the use ceases, that only Cambourne residents can use it (as Unit End Users - see S106 page 47), maintenance regime, management of access, lighting, security, etc.
 2. Some kind of enforceable commitment, including timescale, to construct the site (in accordance with the submissions under the conditions that are eventually approved), and make it available for use by residents.
 3. Secured future management.
6. In a recent email, the developers' Project Director made the following comment:

"Mr. Taylor acknowledges the great efforts the Developers have made in keeping to their promises and 'rectifying (?) the infrastructure defaults across the board!' but will report to members of the Development and Conservation Control committee his concern about the delivery of the Trailer Park. He doesn't appear to understand that from a contractual standpoint (which is not reversible) that without the planning consent on Hodgkinson's land, the Trailer Park cannot be provided. Therefore his illegal action to withhold the consent stops us from providing the Trailer Park. The problem is of his making."

In fact the problem is of the developers' making, by creating a contract that ties the trailer compound to a residential permission.

Options

1. Hodgkinson's land (residential) permission should not be issued until the matters detailed as points 1-3 in paragraph 5 above have been agreed to the satisfaction of the Council, effectively a mini-embargo just on the Hodgkinson Land application, rather than all application as Members have previously used. It is not considered necessary to restrict all applications, as these two are so closely linked, and the developers have indicated a willingness to provide the trailer compound.
2. Refer the matter to Arbitration, as allowed for in the Cambourne S106 Agreement. Hopefully this will not be necessary, but remains available as a fall-back position.

Financial Implications

7. None for Option 1, Option 2 would require some fees to the Arbitrator.

Legal Implications

8. The developers' Project Director implies that it is illegal to withhold a planning decision. It is not. The developers may appeal against non-determination at any time.

Staffing Implications

9. Officer time.

Risk Management Implications

10. None.

Consultations

11. None.

Conclusions/Summary

12. It is unfortunate that the developers have put themselves into a situation where they cannot guarantee delivery of this community facility, and where the Council has fewer powers under the Section 106 Agreement as a result of land ownership. It may well be the case that the provision of the trailer compound may be delayed if planning permission is upheld, or even refused, but it is considered important to obtain robust provision of this facility for the future.

Recommendation

13. Option A, not to grant permission for Hodgkinson's Land residential application until the matters required to secure the provision and operation of the trailer compound have been agreed.

Background Papers: the following background papers were used in the preparation of this report:

Cambourne Section 106 Agreement,
Planning application S/6184/03/F (Hodgkinson's Land),
Planning permission S/6187/03/F (trailer compound).

Contact Officer: Kate Wood – New Village/Special Projects Officer (Cambourne)
Telephone: (01954) 713264.

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