

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



16 December 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, 5 JANUARY 2005** 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	
PLANNING APPLICATIONS	
2. S/2030/04/F - FULBOURN	1 - 10
3. S/2093/04/O - FULBOURN	11 - 18
4. S/0266/04/RM - GAMLINGAY	19 - 22
5. S/2238/04/F - GAMLINGAY	23 - 28
6. S/2213/04/F - GREAT SHELFORD	29 - 32
7. S/0934/03/F - HIGHFIELDS CALDECOTE	33 - 38
8. S/2062/04/F - TOFT	39 - 42
9. S/1840/04/F - HASLINGFIELD	43 - 50

10.	S/1607/04/F - LINTON	51 - 54
11.	S/2181/04/F - MELBOURN	55 - 58
12.	S/2250/04/F - MELDRETH	59 - 62
13.	S/1964/04/RM - SAWSTON	63 - 68
14.	S/2080/04/F - SAWSTON	69 - 74
15.	S/2410/04/F - FEN DITTON	75 - 78
16.	S/2128/04/F - LANDBEACH	79 - 86
17.	S/2135/04/F - BABRAHAM	87 - 92
18.	S/2241/04/F - GREAT ABINGTON	93 - 96
19.	S/2177/04/F - BALSHAM	97 - 100
20.	S/6277/04/RM - CAMBOURNE	101 - 104
	OTHER ITEM RELATING TO APPLICATIONS	
21.	MAJOR APPLICATIONS: TARGET FOR DETERMINATION	105 - 108
	APPEALS AND ENFORCEMENT ACTION	
22.	APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION	109 - 118
23.	ENFORCEMENT ACTION - PROGRESS REPORT	119 - 154
	GENERAL ISSUE IN CAMBOURNE	
24.	CAMBOURNE: LACK OF DEVELOPER APPROVAL FOR AFFORDABLE HOUSING SCHEMES	155 - 158

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.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
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: Approval
 Date for Determination: 31st December 2004**

Conservation Area

1. The above application was deferred at the December Committee (Item 16) to enable Members to visit the site; this will take place on Tuesday 4th January 2005.

Up-Date (1)

2. **The Council's Ecology Officer** advises me that there is evidence of at least one bird's nest in the canopy of one of the large sycamore trees which certainly contribute to the site's biodiversity value. Any approval should be conditioned to provide artificial nest boxes.

Up-Date (2)

3. Councillor Scarr, who was unable to attend the December Committee, comments:
 - "1. This development will, if permitted, cause the home to be extended to 73 rooms and give it the proportions of a small hospital;
 2. I do not believe that an establishment of this nature will be sustainable on this site because:
 - 2.1 Fulbourn is in the 'travel to work area' of two local hospitals (Fulbourn and Addenbrookes). Both hospitals can be reached from the village by bus, and the only route to Home Close also serves both hospitals.
 - 2.2 Following on from this, who will work at the home? Fulbourn and its catchment area is well-served for hospital employment, which is likely to be better-paid than here.
 3. The site exits onto a busy road through the village at a bend, and over-development will put more traffic onto the village streets.

In view of this, I hope that Committee will be minded to refuse the application on traffic grounds, sustainability grounds, and development inappropriate in a Conservation Area."

Up-Date (3)

4. Although recommended previously for a delegated approval, officers were concerned with two issues. The first was the proximity of the bedroom block to two large

sycamore trees, both the subject of TPOs, to which the Trees and Landscape Officer strongly objected. The second issue was the formation of a new car-park in the garden adjacent the front bedroom wing.

5. Revised plans, which followed discussions with officers, were received the day before the December Committee.
6. **The Conservation and Design Officer** is happy with the revised plans but feels that the north-eastern 'splayed' gable could be better designed. Sketch alternatives have been sent to the Agent for comment.
7. **The Trees and Landscape Officer** has no objections but requests conditions, in the event that the scheme is approved, for protective fencing during the period of construction and details of footway construction to protect any shallow roots.
8. The revised plans have also been sent to **Fulbourn Parish Council** and immediate neighbours. Comments will be reported verbally.

Planning Comments

9. The key issues are the effect on the Conservation Area and the Trees.
10. The revised plans overcome the officers previous concerns although I would expect the Parish Council to maintain its objection.
11. Subject to the further revision of the 'splayed' gable, approval is recommended.

Recommendation

12. Approval, as amended, subject to the conditions proposed on the December Report and conditions requiring tree protection, construction details of footpaths and provision of bird boxes.

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

This page is intentionally left blank

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 5th January 2005
AUTHOR/S: Director of Development Services

**S/2093/04/O - Fulbourn
Nine Houses and Garages at Hall Farm, School Lane
for Mrs. M. Wright**

**Recommendation: Delegated Approval
Date for Determination: 8th December 2004**

Conservation Area**Site and Proposal**

1. The site is a farmyard totalling an area of 0.334 ha, comprising of a paddock to the frontage, yard, with barn, two grain silos and a water tower. There is a vehicular access adjacent to the library, with a further field access to the paddock. The site is in the heart of the village and with the library and school to the south and west of the site. To the north the site adjoins gardens, including to the public house on High Street. Two residential properties adjoin the site No. 6 School Lane to the north, has no windows in its southern wall that faces the site. There is a garage serving this property adjacent to the boundary. A further dwelling, at no. 16 School Lane, adjoins the site access to the south. This dwelling has a ground floor kitchen window in its north elevation that faces onto the existing access to the farmyard.
2. This outline planning application, received on the 13th October 2004 proposes the erection of nine dwellings with garages, at a density of 27 dph. Approval of siting and access are sought, with all other matters to be reserved. Revised plans have been requested to address matters that have arisen through consultations and notifications.

Planning History

3. There is no previous planning history relevant to this site.

Planning Policy

4. **Policy SE2 'Rural Growth Settlements'** of the South Cambridgeshire Local Plan 2004 ("Local Plan") defines Fulbourn as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.
5. **Policy HG10 'Housing Mix and Design'** of the Local Plan requires developments to include a mix of housing types and sizes, with the design and layout being informed by the wider area.
6. **Policy TP1 'Planning for More Sustainable Travel'** of the Local Plan seeks to promote sustainable travel and as such planning permission will only be granted where small-scale increases in travel demands will result, unless satisfactory

measures to increase accessibility are included. Standards for maximum car parking levels and requirements for cycle storage are found in Appendices 7/1 and 7/2.

7. **Policy CS10 ‘Education’** of the Local Plan requires a financial contribution towards provision of additional temporary or permanent educational accommodation on schemes of four or more dwellings where it would cause the planned capacities to be exceeded within a five year period following the application.
8. **Policy EN15 ‘Development Affecting Ancient Monuments or Other Archaeological Sites’** of the Local Plan sets out measures the Council will take to protect known or suspected sites and features of archaeological importance and their settings.
9. **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.
10. **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.
11. **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.
12. **Policy P7/6 ‘Historic Built Environment’** of the Structure Plan requires Local Authorities to protect and enhance the historic environment, including designated conservation areas and archaeological remains.

Consultations

13. **Fulbourn Parish Council** – recommends approval.
14. **Environment Agency** – recommends a surface water drainage condition and standard informatives.
15. **Environmental Health Officer** – recommends conditions on hours of construction and investigation of contamination and remedial works if necessary. Informatives regarding bonfires, demolition notices and driven pile foundations are also advised.
16. **County Archaeology Office** – recommends inclusion of a negative condition requiring a programme of archaeological investigation, as per PPG16, paragraph 30.
17. **County Highways Authority** – no objections to the principle of development. Comments on the access and layout:
 - A turning area will need to be incorporated for the access to plot 6, which utilises the existing farm access.
 - The car parking area for plots 3 & 4 needs to be redesigned to avoid cars parking in front of these spaces, resulting in obstruction of the access to garages serving plots 1 & 2 and plot 1.

- The garages for plots 8 & 9 should be set back to allow a 6m driveway in front of them.
 - A turning head for refuse vehicles will need to be incorporated.
 - They now are having to allow higher numbers of dwellings from off private drives, rather than the traditionally accepted five dwellings. It would in this case be acceptable to adopt a private drive serving eight dwellings and this arrangement may well be preferable.
18. **Building Inspector** – comments that there appears to be insufficient space to enable a fire service vehicle to turn around.
19. **General Works Manager** – raises several issues with the layout proposed:
- The site must be highway standard, whether adopted or not and capable of carrying 26 tonnes GVW.
 - The radii at the junction with School Lane must be properly curved, not straight.
 - No details are provided of refuse storage, plots 2 - 5 need to have integral storage to the front of the building, while plot 6 has side access and plots 7 – 9 could use their rear gardens.
20. **Conservation Manager** – comments that pre-application discussions were held, the proposed scheme broadly follows the recommendations made. While the density has been increased from five to nine, the site can accommodate this and given its location and proximity to the village centre it is appropriate that the density should be reasonably high. The outline application is acceptable as it includes details of the siting and means of access together with some indicative elevations and schedule of materials. I am satisfied that, so long as the scheme is developed in accordance with the principles set out in this outline application, it will not unduly impact upon the setting of the Conservation Area, and the removal of unsightly existing structures and band of conifers across the site will be a positive improvement.
21. No objection is raised however he suggests conditions requiring:
- The development of the site to be in accordance with the layout accompanying the outline application, with two storey dwellings and single storey garage blocks under pitched roofs.
 - Materials should be good quality traditional materials of the area (i.e. gault brick, timber weatherboarding, painted render to walls, with clay plain-tiles, pan-tiles or blue black slates to the roofs and all windows and doors in timber).
 - The boundary wall fronting School Lane should be retained (except where new accesses are to be formed) and extended with detailing all to match existing.
 - The existing railings forming the southern boundary should be retained and repaired as necessary.
 - Protection of the existing trees during construction.
 - Removal of permitted development rights in respect of extensions and alterations to the external fabric.
22. **Landscape Design Officer** – comments that any landscaping should enhance the street character. Access to plots 8 & 9 would be better sited to the rear to avoid a visual break. Queries practicality of retaining railings to the rear of plots 4 & 5, as security and screening will be required.

23. **Trees and Landscape Officer** – the trees on the site frontage, while not being individual specimens, do contribute to the street scene. The proposed main access to the site will mean the loss of the two smallest, poor and insignificant trees on site and no objection has been raised to the location of the access. The smaller access to serve plots 8 & 9 will compromise two better quality trees and the distinct change in site levels would also compromise the remaining two trees, therefore he objects to this element of the proposals.
24. **Cambridgeshire County Council's Chief Financial Planning Officer** – comments that adequate secondary school capacity is not available to meet the needs arising from this development. A contribution of £20,000 from the developer to cover the cost of two additional secondary school places is to be sought.

Representations

25. Occupier of 6 School Lane is not opposed to the development but raises concerns regarding road safety on this busy school route. Two more drives will create more problems and the increased traffic from so many dwellings will exacerbate this. The two car parking spaces per dwelling that has been allotted is likely to be insufficient and will result in on-street car parking.
26. Plots 4, 5 and 7 seem to be inches away from the existing garage at no. 6 School Lane. They are concerned about the proximity.
27. Plot 9 appears to be very close to the existing flint wall, which may become unstable if building work is so close. They are also concerned that no windows in this property result in overlooking.
28. They feel that the development should not have safety implications for existing residents and that the intensity of development in this busy area needs to be considered.
29. Occupier of 16 School Lane is not concerned about the dwellings themselves, but is concerned with regard to the number of access points onto School Lane, which will result in loss of on-street car parking, exacerbating existing problems. They question whether a dropped kerb could be provided to their property to make parking there illegal.
30. The Head Teacher and Chair of Governors for Fulbourn Primary School commented that:
31. As the school caters for children from the age of 4 years to 11 years of age, they would expect the boundary to be of such a height and construction as would ensure the safety and security of its pupils. They request that this would need to be installed from the outset of the planned development, again for reasons of health and safety. Furthermore, as the existing playground and access to the Library and Activity Centre would be very close to some of the proposed houses, appropriate design of the boundary wall/fence should be considered to avoid nuisance.
32. The existing barn already causes them some difficulties with rat infestation. They would wish appropriate measures to be taken by the developer to eliminate such pests prior to disturbance of the barn.
33. Plot 1 is noted to be very close to the school swimming pool and they consider that parents would be very concerned if windows on this property overlooked the pool and changing facilities.

34. The existing uninterrupted parking facility along the proposed frontage is used by parents when dropping off or collecting children at the school. Any anticipated reduction in the availability of this parking will constitute a potential road safety hazard.
35. They noted that three vehicular access routes cross the existing footpath, which parents and pupils use, on their journeys to and from school. Having just completed the 'safer routes to schools programme' they are very concerned that this will increase the potential danger to those users.
36. The apparent variation in existing land levels could mean that drainage on the existing playground and surrounding area could be adversely affected. Further investigation and discussion at the time of final planning would be appreciated.

Planning Comments – Key Issues

37. The key issues in considering this outline planning application are those matters relating to access and siting, having regard to the presumption in favour of development in principle in this Rural Growth Settlement.

Access

The issues which have been raised in relation to access can be overcome with amendments to the submitted scheme.

38. The number of access points is to be reduced, with a 6 metre wide drive to serve eight of the nine dwellings proposed and the existing access point being reduced in width to serve plot 6. A third access point is to be removed. There will then be just two access points, reducing the loss of on-street car parking and overcoming concerns regarding the impact on trees and differences in site levels adjacent to the road.
39. It is proposed to alter the car parking arrangement to the rear of plots 7 – 9. This can be achieved through siting the dwellings at plots 8 – 9 slightly closer to the road to allow room for garages to the rear of them. This layout shall incorporate room for fire and rescue vehicles to turn and will overcome the problems of obstruction to the access point to garages for plots 1 and 2 and access to plot 1. The siting of garages to the rear of plots 7 – 9 will have the added benefit of providing some screening of views from the dwellings proposed at plots 2 – 6.
40. Revised plans will also incorporate turning for plot 6.

Siting

41. The neighbouring occupier has raised the proximity of the garages serving plots 4, 5 and 7. The submitted scheme details a gap of 400mm from the boundary. This gap would allow for guttering not to overhang. Details of the garages to be submitted as reserved matters will address the visual impact of these garages, on the neighbouring dwelling. A garage serving the neighbouring dwelling is, however, sited along this boundary adjacent to the proposed siting of those proposed and therefore it is unlikely that any significant impact on the neighbouring amenities will result.
42. Plot 9 is to be sited 1 – 1.4 metres in from the boundary wall and as such is unlikely to impact the flint wall, however conditions seeking its retention will ensure that it is retained. As a result of the siting of the proposed dwellings and associated garages

it is unlikely that any overlooking will result. This can be addressed as part of a detailed application for the design of the buildings proposed.

43. Similarly, a condition limiting first floor windows would address concerns relating to overlooking of the pool and changing rooms at the school.
44. The revisions to the proposed siting of the dwellings at plots 7 – 9 will require the agreement of the Trees and Landscape Officer in order to ensure that they will not unduly impact upon existing trees to the frontage.
45. Details of boundaries can be conditioned, however it is worth noting that in order to provide adequate screening to the school, the railing may have to be replaced. A condition requiring details of boundary treatments to be agreed will allow these matters to be addressed as part of a detailed application.
46. Notwithstanding that the application is in outline only, sufficient information has been submitted to demonstrate that the character and appearance of the Conservation Area will be preserved.

Recommendation

47. Subject to no objections from the Local Highways Authority, Trees and Landscape Officer and Conservation Manager being received to amended plans which are awaited and, to the signing of a Section 106 Agreement securing a financial contribution towards the provision of secondary education, delegated powers are sought to approve the application as amended, subject to the following conditions:
 1. Standard Condition B – Time limited permission (Reason A);
 2. Sc1 – Reserved matters (design and landscaping) (Rc1)
 3. Sc5:
 - a – Details of materials for external walls and roofs (Rc5aii);
 - b – Surface water drainage (Rc5b);
 - d – Refuse storage accommodation (Rc5d);
 - f – Materials to be used for hard surfaced areas (Rc5f);
 - j – Car parking (Rc5j);
 4. Highways C3a and b – permanent space for car parking and turning;
 5. Sc21 – Withdrawal of permitted development rights (a) Part 1 and (b) Part 2 Class C (Rc21a and c ‘Conservation Area’)
 6. Sc22 – No further windows ‘west elevation of plot 1 and north elevation of plot 9(Rc22)
 7. Sc26 – ‘During the period of construction no power operated machinery ...before 8 am on weekdays and 8 am on Saturdays nor after 6pm on weekdays and 1pm on Saturdays (nor at any time on Sundays or Bank Holidays) (Rc26);
 8. Sc44 Garages (Rc44)
 9. Sc51 – Landscaping (Rc51);
 10. Sc52 – Implementation of landscaping (Rc52);
 11. Sc56 – Protection of trees during construction (Sc56)
 12. Sc60 – Details of boundary treatment (Rc60);
 13. Sc66 Archaeology (Rc66);
 14. Other conditions as recommended by Highways, Conservation, and Trees and Landscape Officers.

Informatives

- To cover Environment Agency and Environmental Health comments.

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 P1/2 'Environmental Restrictions on Development', Policy P1/3 'Sustainable Design in Built Development' and Policy P7/6 'Historic Built Environment'.
 - **South Cambridgeshire Local Plan 2004:** Policy SE2 'Rural Growth Settlements', Policy HG10 'Housing Mix and Design', Policy TP1 'Planning for More Sustainable Travel', Policy CS10 'Education', Policy EN15 'Development Affecting Ancient Monuments or Other Archaeological Sites' and Policy 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 and overlooking issues
 - Highway safety
 - Impact upon the setting of the Conservation Area
 - Trees

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/2093/04/O

Contact Officer: Melissa Reynolds – Senior Planning Assistant
Telephone: (01954) 713237

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005

AUTHOR/S: Director of Development Services

**S/0266/04/RM - Gamlingay
Erection of Four Houses each with Annexe, Land off West Road,
for Potton Developments**

**Recommendation: Approval
Date for Determination: 12th April 2004**

Site and Proposal

1. This application, as amended by drawings received on 29 October 2004, seeks reserved matters for the siting, design, means of access and landscaping of four detached houses, each with an annexe, on a 0.497ha site that formerly comprised part of the garden land to 24 West Road, a large detached house to the south of the site. The site drops in level significantly from east to west.
2. The site is partially screened by trees and conifers on the north and west boundary with the rear gardens of detached houses in Fairfield. To the east is an existing bungalow, also built on part of the original garden of 24 West Road. Access to the proposed dwellings is from West Road as an extension of the existing private driveway serving this bungalow.
3. As amended the application proposes the erection of three four bedroom detached houses, each with an attached annexe which provides an additional bedroom, and attached double garage. The fourth dwelling, adjacent the existing bungalow, is a three bedroom detached house, with an attached double garage. The maximum ridge height of the dwellings varies between 7.5m and 8m. Any two-storey elements of the dwellings are set a minimum of 15m from the boundaries of properties in Fairfield.
4. Materials proposed are yellow stock bricks and terracotta clay roof tiles. Finished floor levels are provided.
5. The density of the development is 8 dwellings per hectare.

Planning History

6. Outline planning consent was originally granted for residential development of the site on 23rd April 1996 (**Ref S/1780/95/O**). In December 1998 an application to allow a further period for submission of reserved matters was approved (**Ref S/1839/98/F**). An additional condition attached to that consent restricted development of the site to a maximum of 2 dwellings to comply with Local Plan policy.
7. In February 2001 consent was granted for variation of conditions to allow a further period for the submission of reserved matters and to allow the erection of four dwellings on the site, reflecting a change in Development Plan policies (**Ref S/2229/00/F**).

Planning Policy

8. **Policy SE3** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Gamlingay as a Limited Rural Growth Settlement where residential development and redevelopment of up to 30 dwellings can be permitted subject to specified criteria. Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a maximum of 30 dwellings per hectare unless there are strong design grounds for not doing so.
9. **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 on the countryside.
10. **Policy HG7** of the Local Plan sets out the Councils policy in respect of affordable housing provision on sites within village frameworks. In villages with a population of over 3000, such as Gamlingay, the requirement to provide affordable housing affects schemes of more than 10 dwellings only.
11. **Policy HG10** of the Local Plan requires residential developments to contain a mix of units providing accommodation in a range of types, sizes and affordability, making 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 local townscape and landscape.
12. **Policy P5/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that average densities of new housing development will need to be increased across the area in order to maximise efficiency in the use of sites. Densities of less than 30 dwellings per hectare will not be acceptable. Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.

Consultations

13. **Gamlingay Parish Council** recommends refusal of the application as amended. "The Parish Council has strong objections to the density and design of these units, which are not in keeping with Gamlingay. Development is contrary to local plan policies on density and offers no affordable housing.
14. The **Chief Environmental Health Officer** requests a condition restricting the hours of operation of power driven machinery during the period of construction and comments in respect of the use of driven pile foundations and the burning of waste.
15. The **Bedfordshire and River Ivel Internal Drainage Board** comments that although the site is outside the Board's drainage district, the ditches adjacent to the site discharge directly to the Board's watercourse, Millbridge Brook. This brook is liable to flood during intense rainstorms, hence the Board would be reluctant to accept the discharge of any additional surface water into the watercourse and, therefore, the proposal to use soakaway drainage would be preferred option. It is essential, however, that the ground conditions are investigated and, if found unsatisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest. In the event that ground conditions are unsatisfactory, any direct discharge to the nearby watercourse must be limited to the greenfield runoff equivalent and will require the Board's prior consent.

Representations

16. Letters from the occupiers of 8, 10 and 12 Fairfield were received in respect of the original scheme objecting on the following grounds.
- Concern about subsidence. Some properties in Fairfield have been underpinned twice in the past 20 years. It is questioned as to who will be liable if the building work adversely affects the subsidence that has been evident in the past.
 - Attention is drawn to an adjoining stream, which has flooded and been a factor in causing some of the difficulties of earlier years and any development may well exacerbate them in the future.
 - If development proceeds then a strong 6ft fence should be erected between the new plots and existing properties to protect both privacy and security. There should be a covenant precluding the planting of conifers as such trees have been contributory to past subsidence troubles.
 - Are all the existing trees to be retained?
17. The occupier of 8 Fairfield has written stating that the amended drawings do not overcome the concerns.

Planning Comments - Key Issues

18. This application seeks approval of reserved matters and therefore the key issues to be considered must be restricted to siting, design, means of access, and landscaping.
19. Outline planning consent exists for the erection of four dwellings on this site. Although I note the concerns of Gamlingay Parish Council about the density of the scheme it is not something that can be addressed under this reserved matters application. Affordable housing was not required at the outline stage and in any event would only apply to a development of more than 10 dwellings as the population of Gamlingay exceeds 3000.
20. As originally submitted the scheme proposed the erection of 4 identical dwellings, each with four bedrooms and an attached annexe. The revised scheme has reduced the size of the unit adjacent to the existing bungalow and as a result the relationship between these two dwellings is now satisfactory as well as improving the mix of units within the scheme.
21. The relationship with existing dwellings in Fairfield is acceptable.
22. The design of the proposed houses does not reflect the character of existing dwellings in the area, however the site is reasonably self-contained with modern estate houses to the north and west, bungalows to the east, and a large detached house to the south. In my view it would be difficult to sustain an objection on design grounds in this case. The precise colour of tiles to be used for the roofs should be the subject of further discussion. In my view a dark tile would be more appropriate here.

23. The outline consent requires the submission of a scheme for surface water drainage. The comments of the Bedfordshire and River Ivel Internal Drainage Board can be passed on to the applicant.
24. Although the application form states that approval is sought for landscaping insufficient details have been submitted to allow that matter to be dealt with at this stage. Treatment of the site boundaries will be particularly important. Existing trees are shown as being retained.

Recommendation

25. That reserved matters consent is granted in respect of the siting, design and means of access to four dwellings, subject to compliance with outstanding conditions on outline consent reference S/2229/00 dated 13th February 2001 and to additional condition:
 1. Sc5a - Details of materials for roofs (Rc5aii).

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:**
 - SE3** (Development in Limited Rural Growth Settlements)
 - SE9** (Village Edges)
 - HG10** (Housing Mix and Design)
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
 - Visual impact on the locality
 - Density

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 files Ref. S/0266/04/RM: S/2229/00/F; S/1839/98/F and S/1780/95/O

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/2238/04/F - Gamlingay

Variation of Condition 1 of Planning Permission S/2331/00/O to Allow a Further Period of 3 Years for the Submission of Reserved Matters for the Erection of a Production Building and Office, Ancillary Parking, Sewerage Treatment Plant and Outside Storage, Land at Potton Road for Potton Ltd

Recommendation: Approval
Date for Determination: 1st February 2005

Departure Application**Site and Proposal**

1. This full application, registered on 2nd November 2004, seeks variation of condition to allow a further 3 years in which to submit reserved matters in respect of an outline consent for the erection of a production building and office, ancillary parking, sewage treatment plant and outside storage, Potton Road, Gamlingay.
2. The site is a 3.1ha parcel of vacant land to the east of Potton Road, Gamlingay, to the south of the village. Immediately to the north of the site is a rectangular area of land owned by Potton Ltd containing a series of industrial buildings.
3. To the south of the site is a detached dwelling and outbuildings. To the north are cottages fronting Potton Road. Opposite the site and to the rear is agricultural land.
4. An illustrative plan accompanying the original outline application indicated a possible production building measuring 100m x 25m with a smaller office building and parking for 196 cars although only 120 staff were indicated on the application form. The drawing included two areas for open storage with access to the site from Potton Road.

Planning History

5. Outline consent was originally granted for the development in December 2001 (**Ref S/2331/00/O**). Conditions attached to that consent required, amongst other matters, the submission of a Green Travel Plan, substantial landscaping, and the upgrading of the access onto Potton Road with the provision of a right-turn facility.
6. Planning consent was granted on the site in 1991 (**Ref S/0715/89/F**), and subsequently renewed in 1996 (**Ref S/0131/96/F**) for the erection of a production barn, offices, sewage treatment plant and outside storage. The production barn measured 40m x 10m, substantially smaller than that granted in 2001.

Planning Policy

7. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) states that development in the countryside will be restricted to that which is demonstrated to be essential in a particular rural location.
8. **Policy EM7** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that development for the expansion of existing firms within village frameworks or on suitable brownfield sites next to or very close to the village frameworks will be permitted subject to the provisions of **Policy EM3** (Local User) and **EM6** (no adverse impact on residential amenity, traffic conditions, village character and other environmental factors, and the development contributing to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is based upon the use of locally-based skills and expertise). A firm or business will be considered as “existing” if a significant element of its operations has been based in the Cambridge Area for a minimum of two years prior to the date of any application for development.

Consultations

9. **Gamlingay Parish Council** recommends refusal. “The Parish Council has concerns that nothing has occurred on this site since planning permission was granted in 1996. Concern was expressed over extending reserved matters timescale further. Council objects to the continuing extension of time for development which has implications on local employment levels.
10. The **Environment Agency** repeats its request for conditions requiring the submission of schemes for pollution control, including foul and surface water drainage and adds safeguarding comments.
11. The comments of Cambridgeshire **Fire and Rescue Service** and the **Local Highway Authority** will be reported at the meeting.

Representations

12. None received at the time of writing the report. The consultation period expires on 28th December 2004.

Applicant’s Representations

13. In a letter accompanying the application, the applicant’s agent states that the planning application submitted in 2000 followed a decision by Potton Ltd to reorganise and expand its production facilities currently concentrated at Great Gransden and involves the manufacture of house kits for the self build market, as well as mass produce modules used in the construction of Hotel, Hospital, student and nurse accommodation. Due to difficulties of expanding at the Great Gransden site the application sought approval for buildings that will enable production of the mass produce modules to be relocated to Gamlingay.
14. Although no progress has so far been made in relocating the mass-produced module production line, it remains the applicant’s intention to re-organise the business and it is advised that planning permission has been granted by Huntingdon District Council to concentrate the kit house operation at Great Gransden with a show house complex. Having secured this permission attention is now being given to the production unit requirements at Gamlingay. Because the detailed proposals are still under consideration the applicant is not in a position to submit the reserved matters details and in these circumstances a renewal is sought.

Planning Comments - Key Issues

15. The key issue to be considered with this application is whether there has been any material change in circumstances since the granting of outline consent in 2001.
16. Any issues relating to the impact of the development on residential amenity, highway safety and visual impact in the countryside were considered in 2001. In my view there have been no material changes in circumstances that warrant coming to a different view on these matters.
17. When considering the application in 2001 Members will have given weight to a Policy in the 1993 Local Plan and deposit Local Plan 1999 which stated that the District Council would support extensions to existing employment sites in the countryside subject to specified criteria. The Local Plan 2004 does not contain such a policy, the previous one having been deleted following a recommendation by the Local Plan Inspector, who suggested that such a policy was unnecessary and inappropriate in the circumstances of rural South Cambridgeshire to lend this kind of general support to the expansion of employment sites in the open countryside. He did state, however, that it would always be possible to bring forward case-specific 'material considerations' which may, in particular circumstances, allow for proposed extensions to outweigh the general protection from development afforded to the countryside. The application has been advertised as a departure
18. This site has benefited from planning consent for the expansion of the operations of Potton Ltd since 1991. The letter from the applicant's agent sets out the reasons why this site has not been brought forward since the granting of outline consent in 2001 and states that the development of this site is now being considered.
19. In my view an extension of the period in which to submit a reserved matters application is appropriate, although the period should be limited to coincide with the expiry of the outline consent i.e. 10th December 2006.
20. Given the history of the site it is not necessary to refer this application as a departure.

Recommendation

21. That consent is granted to allow a variation of Condition 1 of planning consent **S/2331/00/O** to allow submission of reserved matters until 10th December 2006, subject to the conditions set out in the original consent.
 1. Application for approval of reserved matters shall be made to the Local Planning Authority before 10th December 2006.

The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, or before 10th December 2006, whichever is the later.
(Rc - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
 2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:-

- a) the siting of the buildings;
 - b) design and external appearance of the buildings;
 - c) the means of access thereto;
 - d) the landscaping of the site.
(Rc - The application is for outline permission only and gives insufficient details of the proposed development.)
3. No development shall commence until details of the following 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.
- a) The materials to be used for the external walls and roofs.
(Rc - To ensure that visually the development accords with neighbouring buildings and that the development is not incongruous.)
 - b) Finished floor levels of the buildings in relation to ground levels.
(Rc - To ensure that the height of the building(s) is well related to ground levels and is not obtrusive.)
 - c) Car parking provision in accordance with the Local Authority standards.
(Rc - To ensure adequate car parking provision is provided and suitably laid out.)
4. Prior to the commencement of any development a scheme for the provision and implementation of pollution control, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme to be constructed and completed in accordance with the approved plans.
(Rc - To ensure a satisfactory method of surface/foul water drainage and to prevent the increased risk of pollution to the water environment.)
5. 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.
(Rc - To protect the occupiers of adjoining buildings from the effect of odour, dust or fumes.)
6. No power operated machinery shall be operated on the premises before 07.30 am on weekdays and 08.00 am on Saturdays nor after 17.30 pm on weekdays and 13.00 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.
(Rc - To minimise noise disturbance to adjoining residents.)
7. An adequate space shall be provided within the site to enable vehicles to: enter and leave in forward gear, park clear of the public highway and load and unload clear of the public highway. (Rc - In the interests of highway safety.)

8. The permanent space to be reserved on the site for turning, parking, loading and unloading shall be provided before the use commences and thereafter maintained. (Rc - In the interests of highway safety.)
9. If gates are to be provided to the vehicular access they should be set back 25 metres from the edge of the carriageway.
(Rc - In the interests of highway safety.)
10. The development hereby permitted shall not be occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority; implementation of the Plan shall be carried out in accordance with the approved details of the Plan.
(Rc - To encourage car sharing and the use of alternative means of travel to the site.)
11. The landscaping scheme, to be submitted under condition 2(d) above shall incorporate a 15 metre wide planting strip around the boundaries of the site, unless a variation to that width is agreed by the Local Planning Authority as part of the detailed schemes.
(Rc - To help assimilate the development into its surroundings.)
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
(Rc - To enhance the quality of the development and to assimilate it within the area.)
13. Before any building, car parking area or area of outside storage, approved as part of this application is brought into use a new vehicular access to Potton Road shall be laid out, constructed and thereafter maintained in accordance with the details shown on Drawing No. 47578/002/5050/04. The works shall include the provision of a right-turn facility.
(Rc - In the interests of highway safety.)
14. Within 7 days of the bringing into use of the new access the existing access to Potton Road shall be permanently and effectively closed. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before the work takes place.
(Rc - In the interests of highway safety.)
15. The detailed layout plan to be submitted under condition 2 above shall include indication of the areas of the site to be used for outside storage and the maximum height of storage within these areas. No outside storage shall take place other than within any areas approved under the above plan and storage shall not exceed the agreed maximum height.
(Rc - To protect the surrounding countryside.)

+ Environment Agency Informatives.

Informatives

Reasons for Approval

Although the application does not accord with the Development Plan the site benefits from outline consent for the proposed development. Given the history of the site and the case put forward by the applicant, the variation of Condition 1 of planning consent S/2331/00/O to allow a further period in which to submit reserved matters is not felt to materially prejudice the aims of the Development Plan, provided that the period does not extend beyond the expiry of the outline consent.

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/2238/04/F & S/2331/00/O

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/2213/04/F - Great Shelford
External Lighting in Car Park and Other Areas (Part Retrospective Application) at
Scotsdales Garden Centre, 120 Cambridge Road for Scotsdales Nursery and
Garden Centre**

**Recommendation: Refusal
Date for Determination: 24th December 2004**

Site and Proposal

1. The application site is occupied by Scotsdales, a large garden centre located in the Green Belt to the rear of residential properties fronting the north east side of Cambridge Road.
2. The full application, submitted on 29th October 2004, seeks to provide external lighting in the car park and other areas. A total of 18 x 6 metre high lighting columns (including 1 retrospective column) are proposed throughout the car parking area whilst a further 3 columns, also 6 metres high, would be provided in the external conservatory/shed show area. 7 of the columns would replace existing low-level lighting whilst the remainder would be new lighting columns. A covering letter submitted with the application states that the lighting for the site is paramount for the safety of both customers and staff. Currently, as soon as dusk falls, the car park becomes hazardous as it is not possible to see to walk to a parked vehicle. It is intended that the lights would be on from dusk until 6.30pm except for late shopping evenings.

Planning History

3. There is a lengthy planning history associated with the site. Of direct relevance to this application, in 1992 an enforcement notice was issued by this Authority against 11 tall lighting columns that had been erected in the Scotsdales car park. An appeal was lodged against the enforcement notice and was subsequently dismissed.
4. Under planning reference **S/1102/93/F**, planning permission was given for 5 x 1.75 metre high lighting columns within the car parks. This was subject to a condition that the columns be switched off between the hours of 6pm and 8am unless otherwise agreed in writing.

Planning Policy

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

6. **Policy 9/2a** of the Structure Plan states that within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area.
7. **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.
8. **Policy ES3** of the Local Plan states that, in considering development proposals requiring external lighting, the Council must be satisfied that the lighting scheme is the minimum required to undertake the task, there is no light spillage above the horizontal, the lighting does not have an adverse impact upon neighbouring or nearby residential properties, appropriate measures are undertaken to screen the lighting in edge of village or countryside locations, and there will be no dazzling or distraction to drivers, cyclists or pedestrians.

Consultations

9. **Great Shelford Parish Council** states:

“ In the past it has been the policy of the Parish Council to only approve low level lighting on this site, to avoid creating light pollution in the green belt and harming the amenities of residents along Cambridge Road. We understand that the lighting is needed for safety reasons but the proposed lighting is too industrial for the site viz.'suitable for use on factory roadways, approaches to industrial areas' and we therefore cannot recommend approval. We would need to be re-assured that any high level lighting meets with modern standards regarding sideways and upwards pollution and would not harm the amenities of adjoining residents. There is no need for high level lights on the western boundary of the site and we would prefer to see low level lights here. The lights should not be illuminated after opening hours.”
10. **The Chief Environmental Health Officer** raises no objections.

Representations

11. A letter of objection has been received from No.102 Cambridge Road. The main points raised are:
 - Scotsdales erected high level lighting in the car park some 9 or 10 years ago. The Council required them to be taken down and replaced with low level lighting which overcame neighbour objections about lights shining down their gardens;
 - The trees planted along the boundary with residents gardens have now grown but are deciduous and would therefore offer little cover from any new lights;
 - With respect to the issue of safety, the islands on which it is proposed to place the new lights are easy to see and contain bushes which help to outline them.

Planning Comments – Key Issues

12. The key issues to consider in the determination of this application are:
 - Impact upon the character, appearance and openness of the countryside and Green Belt; and
 - Impact upon residential amenity.

13. As stated in the history section above, an appeal against an enforcement notice requiring the removal of 11 tall lighting columns from the site has previously been dismissed.
14. This Authority considered the lighting columns to be clearly visible from Cambridge Road and from neighbouring properties. The applicants stated that the lighting was required for safety reasons and would be extinguished by 6pm other than during late shopping nights. However, this Authority's view was that the light emanating from the buildings of the garden centre together with the headlights of cars using the car park combined with some additional lighting should be sufficient for safety purposes. The additional lighting required should be in the form of low level bollards as the columns were considered to have a detrimental effect upon the green belt and upon neighbouring properties.
15. In his consideration of the case the Inspector stated:

“In this context it seems to me that the lighting columns which have been erected are mainly of a utilitarian design and more suitable for an urban area or an area of public car parking than the site close to residential properties and in the Green Belt. The most ornate columns near to the building also seem to my mind to be out of place.....Safety....considerations are important but it seems to me that this is not a public car park where vehicles might be left unattended for long periods or overnight where high level lighting might be needed to deter vandalism and crime. Neither will vehicular traffic be fast moving where again high level illumination might be required in order that vehicle drivers might avoid accidents.....Customer convenience is also important but again I do not consider that the present high level illumination is necessary to achieve that aim. Some illumination might be necessary to enable customers to load and unload their vehicle during hours of darkness but the present lighting columns are not to my mind justified for this reason alone.”
16. I have searched this Authority's records. There is a plan attached to the enforcement notice showing the location of the 11 lighting columns (these were sited adjacent to the eastern rather than western edge of the car park). However, I cannot trace any record of the height of the columns erected at the time. The lighting currently proposed is 6 metres high and has the appearance of footpath/street lighting. I consider the lighting to be both tall and utilitarian in design and I therefore consider that it does not overcome the reasons behind the dismissal of the aforementioned appeal. The current scheme also proposes 7 additional lights over and above those previously erected on the site and these are predominantly sited adjacent to the western boundary. Although the Environmental Health Officer has not raised any specific objections to the lighting proposed adjacent to residential boundaries, the impact would clearly be greater than the effect of the lighting previously erected on the site.
17. The current proposal is also justified on safety grounds. If additional lighting is required, I would suggest that further low level lights, in keeping with the existing car park lighting, should suffice.

Recommendation

18. Refusal

The proposed lighting, by virtue of the height, number, design and siting of lighting columns, would be detrimental to the character of the site and to the amenities of

residential properties in Cambridge Road. The proposal therefore constitutes inappropriate development in the Green Belt and the very special circumstances required to allow such development have not been demonstrated. As such, the proposal is contrary to South Cambridgeshire Local Plan 2004 Policy GB2 which defines inappropriate development and states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated; Cambridgeshire and Peterborough Structure Plan 2003 Policy P9/2a which states that, within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area; and Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 which states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.

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/2213/04/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/0934/03/F - Highfields Caldecote
Erection of Six Dwellings; Land off Samian Close/West of East Drive for
Taylor Woodrow Developments Ltd**

**Recommendation: Delegated Approval
Date for determination: 18th June 2003**

Introduction

1. I presented my report on this proposal to erect six dwellings on land off Samian Close to Members at the meeting of the Development and Conservation Control Committee on 7th July. Members resolved to defer consideration of the proposal to enable officers to investigate, together with the Environment Agency, the issue of storm water drainage.
2. A copy of my report is attached at **Appendix 1**.

Subsequent developments

3. The issue of storm water drainage has been under investigation by the Environment Agency. The applicant intends to install a third stormcell under public open space adjacent to the site. Maintenance arrangements for the stormcell have been resolved to the satisfaction of the Environment Agency. This is to remain the responsibility of the developers rather than Anglian Water. The developer has indicated that discussions with Caldecote Parish Council are continuing with a view to transferring maintenance responsibility in the future.
4. So the Environment Agency has withdrawn its objection now that a Section 30 Agreement has been agreed and signed with the Developer.

Representations

5. No further representations have been received.

Recommendation

6. Delegated Approval as indicated in my report dated 7th July 2004.

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/0934/03/F

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

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

7th July 2004

AUTHOR/S: Director of Development Services

**S/0934/03/F – Caldecote
Erection of 6 Dwellings, Land Off Samian Close/West of East Drive, Highfields
For Taylor Woodrow Developments Ltd**

Recommendation: Delegated Approval

Site and Proposal

1. The 0.18 ha rectangular site, formerly occupied by a bungalow and garden, lies to the west of East Drive and is surrounded on 3 sides by a residential estate currently under construction by the applicants. There is a large tree in the south-east corner of the site and hedges and trees on all boundaries but the hedgerows are sparse in places particularly on the East Drive frontage.

The full application, received on 23rd April 2003, proposes the erection of 6 dwellings on the site with vehicular access being achieved from the existing estate road (Samian Close). The development comprises 3 four bedroom detached houses and a terrace of three bedroom houses linked with an access to garaging. The individual designs are similar to and pick up the themes of those of the surrounding estate, in terms of scale, proportions, fenestration, patterns and materials etc. The density is 33 dwellings per ha.

Planning History

2. There is no relevant planning history.

Planning Policy

3. South Cambridgeshire Local Plan 2004 – **Policy SE4** – Group villages
Policy SE8 – Village frameworks
Policy HG7 – Affordable housing
Policy HG10 – Housing mix and design

Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/3 – Sustainable design in built development
Policy P5/5 – Homes in rural areas

Consultation

4. **Caldecote Parish Council** objects:
 - This application has been added to the overall development of the village as an afterthought. It was clearly agreed that the development in Highfields, Caldecote was not to be piecemeal development.

- Is this a private drive? The Parish Council has always strongly opposed private drives and has already begun receiving complaints from residents about their inadequate width, poor standard of construction and lack of lighting and poor security.
- A close boarded fence is required on the eastern side of the development.
- Windows overlook on the property marked as 120.6.

The Parish Council raised no objections to a subsequent amendment which involved changes to the proposed garaging.

The Local Highway Authority has no comment.

The Environment Agency initially objected and required the submission of a flood risk assessment. The applicants have submitted further information on the proposed method of foul and surface water drainage to the Environment Agency. A verbal report will be made.

The Police Architectural Liaison Officer has no comments.

The Cambridgeshire Fire and Rescue Service does not require further hydrants to be provided.

The Chief Financial Planning Officer requires a financial contribution for primary and secondary school provision.

The Council's Landscapes Officer is anxious to achieve as much clearance as possible to East Drive so that a hedge can be established. Amended plans have been submitted omitting the garage to Plot 6 and relocating two others for Plots 4 and 5 further away from the hedge, but the Landscapes Officer would prefer greater clearance.

Representations

5. No representations have been received.

Planning Comments – Key Issues

6. The site was previously occupied by a bungalow “sitting” in a large garden, surrounded on three sides by a residential allocation now under construction. As such it is the last piece in the jigsaw for the development along this section of East Drive, and there are no objections in principle to its development. It accords with Policy SE4 of The Local Plan. The density and style of the dwellings accords with the adjoining new development.

The application was submitted over a year ago but has been delayed partly because of the applicants desire to provide the affordable housing requirement, a single dwelling, as part of the development under construction rather than specifically on the site itself.

A plot with a two bedroom dwelling has now been identified and therefore the property can be made available relatively quickly as terms have already been agreed with a Housing Society. There is no objection from the Housing Manager to this approach, subject to a legal agreement to secure its provision.

At 17% the level of affordable housing is well below the 50% requirement in the current Local Plan but it corresponds to the provision by the same developer on the surrounding estate and has to be measured against the Parish Council's resistance to further affordable housing in the village.

The Parish Council's concerns about private drives is not applicable in this instance as the scheme essentially involves private driveways off a standard adoptable turning head.

The Landscapes Officer would prefer greater clearance between the proposed garages to plots 4 and 5 and East Drive. Amended plans now show the garage 2.5 m off the boundary which should be sufficient clearance for a hedge to be established. The Parish Council requires a close boarded fence along the East Drive boundary and providing this is set back to allow hedge planting, this would be acceptable.

Recommendations

7. Subject to the prior signing of a Section 106 Legal Agreement concerning the provision of an affordable house off-site and an educational contribution, delegated approval, subject to no objections being raised by the Environment Agency and the following conditions:
 1. Standard Condition A – Time limited permission (Reason A);
 2. No development shall commence until details of:
 - a) the materials to be used for the external walls and roof;
 - b) the surfacing treatment of the access road and driveways; and
 - c) the site's boundary treatmenthave been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (RC 5ai)
 3. SC51 – Landscaping (RC51)
 4. SC52 – Implementation of landscaping (RC52)

+ any conditions required by the Environment Agency

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: P1/3** (Sustainable design in built development) and **Policy P5/5** – Homes in Rural Areas
 - **South Cambridgeshire Local Plan 2004: SE4** - (Group Villages) **Policy SE8** – (Village Frameworks), **Policy HG7** – (Affordable housing), **Policy HG10** – (Housing mix and design).
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

The development of the site being piecemeal and out of keeping with the character of the village.

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.

+ Environment Agency informatives.

Background Papers: the following background papers were used in the preparation of this report: these documents need to be available for public inspection.

South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003 and Planning file ref. S/0934/03/F

Contact Officer: Mr R Morgan – Area Planning Officer
Telephone: (01954) 713165

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2004
AUTHOR/S: Director of Development Services

**S/2062/04/F - Toft
Erection of Class B1 Offices; Bennell Farm, West Street, Comberton
(in the Parish of Toft)
for RWS Arnold**

**Recommendation: Refusal
Date for Determination: 2nd December 2004**

Site and Proposal

1. The site forms part of an enclosure used for grazing adjacent to existing farm buildings some of which have been converted to Class B1 use. A farm storage building adjacent the proposed building is of recent construction. The land is located some 270 metres from West Street, and is accessed via a private driveway. There is a small copse to the south of the site which provides visual screening from West Street.
2. This full application received 7th October 2004 proposes the erection of a detached single storey building to be used as Class B1 offices. The building has dimensions L18.2m x D5.5m x H5.0m, providing a floor area of 100 sq m. The design shows a building resembling a converted traditional farm building, with brick plinth, timber cladding and traditional pitched roof. Precise details of external materials are reserved for subsequent agreement. The applicant has an office on the site employing 5 persons. If the development were to be implemented, a total of 7 persons would be employed. Existing parking provision on the site is proposed to be used to cater for the additional two vehicles per day which the applicant estimates would be generated by the development.

Planning History

3. **S/0592/04/F** - planning permission for the erection of a larger building (128sq.m) for the same purpose on this site was refused by Members at the meeting of the D&CCC on 2nd June 2004. The reasons for refusal referred to inappropriate development outside the village framework and in the Cambridge Green Belt. An appeal against refusal has been lodged, to be considered at a Hearing on 9th November 2005.
4. Since 1993 planning permissions have been granted to convert the former farm buildings to Class B1/B2/B8 (office/light industrial & research; general industrial; storage), although they are predominately used for B1 office/research uses. One building is retained for private stabling.

Planning Policy

5. **Policy GB2** (Green Belt) of the South Cambridgeshire Local Plan 2004 - planning permission will not be granted for inappropriate development in the Green Belt

unless very special circumstances can be demonstrated. The policy contains definitions of appropriate development, and requires it being located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.

6. **Policy EM7** (Expansion of Existing Firms at Villages) of the Local Plan - expansion of existing firms within village frameworks or on suitable brownfield sites next to or very close to the village framework will be permitted subject to the provisions of **Policy EM3** and **EM6**. As the application site includes a significant area of land that has not previously been developed this policy does not apply to the application in my opinion.
7. **P1/2** (Environmental Restrictions on Development) of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") - development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
8. **Policy P2/6** (Rural Economy) of the County Structure Plan - sensitive small-scale development in rural areas will be facilitated where it contributes, *inter alia*, to supporting new and existing businesses; to farm or rural diversification where appropriate to the rural area; to the re-use of existing buildings; towards helping to maintain or renew the vitality of rural areas.
9. **P9/2a** (Green Belt) of the County Structure Plan - 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.
10. **Planning Policy Statement 7** (Sustainable Development in Rural Areas)(August 2004) - new building in the open countryside away from existing settlements should be strictly controlled (para 1).
11. **Planning Policy Guidance 2** (Green Belts)(1995) - the construction of new buildings in the Green Belt is inappropriate unless it is for the purposes of agriculture/forestry, or essential for outdoor sport/recreation (para 3.4). The visual amenity of the Green Belt should not be injured by proposals for development within the GB by reason of their siting, materials or design (para 3.15).

Consultations

12. **Comberton Parish Council** - recommends approval of the application.
13. **Toft Parish Council** - Comments awaited.
14. **Environment Agency** - the site is within an area of limited drainage capacity and environmental concern. The EA recommends that a condition be attached to require the submission and approval of details of surface water drainage before development commences.

Representations

15. The applicant's agent has submitted comments in support of the application which are reproduced at **Appendix 1**.

Planning Comments - Key Issues

16. The main issues are whether the development is inappropriate in the Green Belt, whether there would be harm to the character and appearance of the countryside, and whether there are very special circumstances to outweigh the policy of restraint in the Green Belt and countryside.

Inappropriate development

17. The erection of a new office building inside the Green Belt is inappropriate development as defined in PPG2, paragraph 3.4. This is supported in development plan policies. Such development is by definition harmful to the Green Belt. The use is not one that is essential in the rural location and so fails to comply with **Policy P1/2**.

Character and appearance of the countryside

18. The new building would be visible when approaching the site on the private driveway. It will encroach onto an area of grazing land and would represent an enlargement of the group of buildings adjacent to it. The openness of the countryside in this part of the site would be lost.

Very special circumstances

19. In the letter at Appendix 1, the agent has explained that the office is required to provide additional accommodation for an existing tenant. He draws attention to the reduction in size of the proposal since the previous refusal, and the siting on part of an existing car park that can be considered as brownfield land. In my opinion none of these amounts to a very special reason to outweigh the policy of restraint over new building in the Green Belt and countryside, and the harm that would be caused to the visual amenity of the area.

Conclusion

20. In my opinion, the revised proposal remains unacceptable for similar reasons as the previous refusal S/0592/04/F.

Recommendation

Refuse

1. The site is located within the Cambridge Green Belt. The proposal to erect a 100 square metre office building is “inappropriate development” and no “very special circumstances” have been advanced to overcome the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to **Policy P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003 and **Policy GB2** of the South Cambridgeshire Local Plan 2004 which seek to maintain the setting of Cambridge and to preserve the rural character and openness of the Green Belt.
2. The site is within the countryside, outside the village frameworks of Comberton and Toft as defined in the South Cambridgeshire Local Plan 2004, and the proposal would be contrary to **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 which restricts development in the countryside to that which is essential to a rural location.

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/2062/04/F, S/0592/04/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/1840/04/F - Haslingfield
Demolition of Existing Dwelling and Erection of One New Dwelling with Garage for
David Reed Homes Ltd**

**Recommendation: Approval
Date for Determination: 27th October 2004**

Site and Proposal

1. The existing dwelling is set back approximately 10m from the road and it is a 19th century gault brick detached villa, extended to become a shop.
2. To the north is a detached bungalow with fruit trees in its southern garden. One of two lounge windows, a door and a kitchen window are on its southern elevation (facing the site).
3. To the south is No. 44, a Grade II Listed Building. There are no first floor windows in the northern elevation of this property (facing the site). There are windows at ground floor level in this elevation, one of which serves the lounge.
4. There are a number of small outbuildings to the rear of the existing dwelling. One of these is a wash/boiler house of traditional design. It has doors in both sides allowing access to the building from both the gardens to Nos. 44 and 48.
5. To the south of the site (immediately to the north of No. 44) is the former access way to an orchard. This is now part of the garden to No. 44.
6. The full planning application, received on 1st September 2004, proposes the erection of a five bedroom dwelling approximately 7.7m in height set back from the road by approximately 20m to replace the existing and a double garage set back from the road approximately 12m.
7. The application was amended on 9th December 2004 to show the retention of the wash/boiler house (which was shown to be demolished in the submitted scheme) and the removal of a window in the first floor east elevation of the garage.

Planning History

8. In July 2002 planning permission was refused for a replacement dwelling with a two storey forward projection and a double garage on the boundary with No. 44. In February 2003 this proposal was allowed on appeal (the appeal dwelling).
9. In March 2003 planning permission was granted for a replacement dwelling which involved the rebuilding of the existing dwelling in an extended form with the two storey extensions being to the rear. A single garage was to be built on the boundary with No. 44.

10. In June 2004 a planning application for a replacement dwelling similar in scale and position to that now applied for was withdrawn following officer advice that the proposal would be refused on design grounds.

Planning Policy

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

11. 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

12. 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

13. 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**.

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

14. 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 EN28 - Development within the Curtilage or Setting of a Listed Building.

15. 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

16. **Haslingfield Parish Council**

Recommends refusal. It states:

“The design of the house is the same as previously submitted but the frontage is significantly improved by being less dominating. Parking provision is adequate. However the garage is much too high considering its proximity to No. 44 and seriously impacts upon the light to the house there. The upper floor windows appear to overlook the house at No 44 impacting upon their privacy. The scale of this should be lower.

We urge the retention of the wash-house as being an interesting and important part of village history. There is no need for this building to be demolished.”

17. **Chief Environmental Health Officer**

No objection subject to safeguarding conditions to control noise and disturbance during the period of demolition and construction.

18. **Conservation Manager**

1. ”The revised design is more modest than the previous scheme and appears to accord with earlier pre-application discussions.
2. It will be important to ensure that the mass of the building is tempered by the use of appropriate local materials, including a pale gault brick (as per existing). It will also be important to ensure that the materials generally are of a high quality, with the windows having an appropriate depth of reveal to ensure some texture and movement to the otherwise flat elevation. Windows should be timber, vertical sliding sash. I would suggest that detailed plans of the elevations are conditioned as well as material samples.
3. Setting the building deeper into the site (effectively to the rear of the adjacent listed cottage) will mean that it will become more intrusive to the adjacent dwelling. While there is currently substantial screening the proposed loss of the outbuilding will open up the boundary. The loss of the outbuilding should, therefore, be resisted for this reason in addition to the following.

4. The former washhouse in the rear garden is an attractive building of its sort which contributes to the setting of the listed building. It appears to have a functional and historic relationship with the adjacent listed building and is in reasonable/good condition. It should, therefore, be retained as part of the development. I note that the previously approved scheme (planning appeal) retained this structure. The retention of this outbuilding is important to the group of buildings in my opinion.
5. Given the impact of the development on the wider character of the village, the landscaping and boundary treatment will be fundamental to the integration of the building into the site. This should be carefully detailed to retain the informality of the street frontage.

Conclusion

I am of the opinion that this proposal is a significant improvement on the previously withdrawn scheme but its success will rely on the quality of materials utilised and the detailing of the features. I am also of the view that it is essential (and I can see no reason why it can not) that the outbuilding is retained as a contributor to the setting adjacent listed cottage.”

Representations

19. Three letters of objection have been received, from the occupiers of 97 Barton Road, Comberton (the daughter of the occupier of No. 52 Church Street - on behalf of her father); ‘Cottisford’, 115 New Road; and ‘The Moorings’, 44 Church Street.
- 97 Barton Road, Comberton (on behalf of No. 52 Church Street)**
20. “...the two storey front section of the house is to the south of my father’s bungalow, it would have a significant effect both on the view from his sitting room window and on the light coming through it”.
21. “Haslingfield is...a ‘Group Village’...the proposed development contradicts **Policy SE4[b]**, being insensitive to the character of the village and the amenities of my father...”
22. “Church Street marks the western boundary of Haslingfield’s Village Framework. I do not believe that this proposal complies with **Policy SE9**, as the imposing nature of the proposed house’s design cannot minimise the impact of the development on the countryside. In addition, the land immediately to the west of Church Street is in the Green Belt and the East Anglian Chalk Landscape Character Area. Views to Haslingfield from this land cannot but be adversely affected by this proposed development.”
- ‘Cottisford’, 115 New Road**
23. “...we are sorry that the proposed development involves demolition of the clunch house containing the washroom and boiler. We have a particular interest as this building was adjacent to our previous cottage at 44 Church Street. We used it as an out-building for over 30 years and consequently are interested in the history it enfolds. It is of course much older than us and is a historic village feature that we and other villagers would be sorry to lose.”
- ‘The Moorings’, 44 Church Street**
24. The Wash/Boiler house has some historical value being traditionally built with the original fireplace/chimney intact. “Our family has enjoyed shared use of the building

for over 30 years and it conveniently has a door into each garden (i.e. 44 and 48)...It is structurally sound, aesthetically pleasing and is very close (about 5 metres) to our 'listed' cottage."

25. "The proposed garage roofline will dwarf our cottage, which is in close proximity...it is directly adjacent to our sitting room window and will block light, not to mention the view!"
26. The garage has a first floor which may be used beyond that of a storeroom in the future. A window in the rear will overlook our property.
27. Loss of the stable block at the bottom of the plot - this is not even shown on the plans.

Planning Comments - Key Issues

28. The key issues in this application are the impact of the new dwelling on the amenities of occupiers of adjacent dwellings, the impact on the setting of the adjacent listed building, No. 44 and the impact on the street scene.

Amenity of occupiers of adjacent properties

Impact on No. 52

29. This bungalow lies to the north of the site. The side elevation (south facing) of this bungalow contains a lounge window, a door and a kitchen window. There is another lounge window in the front elevation. The proposed dwelling will be approximately 13.5m away from the bungalow and 1.5-2m further away than the appeal dwelling. The two storey depth of the proposed dwelling is approximately 1m less than the appeal dwelling but the two storey bulk is positioned further back into the site which will have a greater impact on the garden of the bungalow. However as this rear projecting bulk is approximately 16m from the side of the bungalow and between 6m and 8m from the garden boundary I do not consider that the proposal will have an unacceptably greater impact on the amenities of the occupiers of this property either when viewed from within the property or from its garden than the appeal dwelling.
30. There is a bedroom window at first floor that could potentially look directly into the garden and south elevation of the bungalow. It is shown to be high level on the plans but there is no section to confirm this. A condition requiring the sill of this window to be no less than 1.7m above finished floor level will overcome any potential loss of privacy but will present problems with building regulations as this is the only window to this bedroom. In order to gain building regulations consent it may be necessary to provide an additional internal door between bedroom No. 4 and No. 5 and/or for the stairway to be 'protected'. This matter can be resolved through an application for building regulations consent and does not prevent the issuing of planning permission.

Impact on No. 44 (amenity)

31. The two storey bulk of the proposed dwelling is between 10m and 15m from the garden boundary of this property and is a similar distance to the appeal dwelling. I consider that this distance is sufficient so that the dwelling will not appear any more overbearing or dominant to the occupiers of No. 44 either when viewed from within the dwelling or from its garden than the appeal dwelling.
32. There are no windows at first floor level in the side elevation facing No. 44 so there is no loss of privacy.

33. The garage is to be situated approximately 4-5m away from the side of No. 44. A lounge window will be affected. The garage is 0.6m taller than the garage approved at appeal but is set approximately 0.8m further off the boundary. In my opinion the increase in height is compensated for by the re-siting so that the bulk of the new garage will have no materially greater impact on the amenities of the occupiers of No. 44 than the appeal dwelling.
34. As submitted the garage had a window facing to the rear. This window overlooked the side garden of No. 44 which is an area of garden well used by the family. This window has been excluded in the amended scheme.

Impact on Street Scene

35. The new dwelling is approximately 7.7m tall which is not excessive and is set well back into the site. The hipped roof design will lessen the bulk and with appropriate landscaping it will not in my view adversely impact on the street scene.
36. The garage, although bulkier in construction is better designed and does not have the dormer windows that were in the north elevation of the appeal scheme.

Setting of adjacent Listed Building, No. 44

37. The scale and the bulk of the dwelling is not in my opinion in keeping with the setting of the smaller listed building and the proposed dwelling is approximately 0.6m taller but the bulk is similar to the appeal dwelling and it is set further back into the site. I am mindful of the comments of the Conservation Manager and consider that the proposed dwelling will not have a materially greater impact on the setting of the listed building than the appeal dwelling.

The Wash/Boiler House

38. This small building is important to the setting of the listed building and is now shown to be retained. From the comments of the Conservation Manager it is clear that this building has a historical relationship to the listed building and is in my view protected by means of it being historically curtilage listed. However it has not been possible to establish this beyond any doubt and I feel that a condition requiring its retention is therefore justified.

Car Parking

39. There is sufficient space within the site for parking and turning.

Recommendation

40. Approval as amended by letters dated 29th October 2004 and 25th October 2004 and plans reference 04005-03 and 04005-04 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 protect the visual quality of the area);
 7. 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.)

8. The development shall not be occupied until space has been laid out within the site (in accordance with plan no. 04005-04 attached hereto) for 2 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear, and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.
(Reason - To ensure adequate space is provided and thereafter maintained on site for the parking of vehicles.)
9. 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.)
10. No windows, doors or openings of any kind shall be inserted in the first floor north or south elevations of the dwelling nor in the first floor east elevation of the garage, 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.)
11. The first floor window in the north elevation of the dwelling, hereby permitted, shall have a sill height of not less than 1.7m above finished floor level and shall be maintained at this height.
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
12. The building known as the wash/boiler house and annotated on the approved plans (reference 04005-04) to be retained shall not be demolished.
(Reason - To protect the setting of the adjacent listed building.)

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) and
EN28 (Development within the Curtilage or Setting of a Listed Building)
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 overlooking issues
- Visual impact on the locality
- Impact upon setting of adjacent Listed Building

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

- Planning Files reference S/1840/04/F, S/1081/02/F, S/1919/02/F and S/0997/04/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 5th January 2005
AUTHOR/S: Director of Development Services

S/1607/04/F - Linton
Change of Use of Factory to Warehouse and Retail Use at 29 Cambridge Road for
Mrs S Revell

Date for Determination: 29th September 2004
Recommendation: Refusal

Site and Proposal

1. The application site is located on the south side of the A1307 adjacent to its junction with Station Road. It is occupied by a single storey render building that, until approximately 2 years ago, was used by a printing company. The building lies adjacent to and under the same ownership as No.29 Cambridge Road, a Grade II Listed thatched dwelling. The site is separated off from No.29 and its garden area by a mixture of fencing and hedges. A row of mature lime trees forms the western boundary of the site with Station Road. The vehicular access to the site and to the dwelling is at the corner of the A1307 with Station Road.
2. The full application, submitted on 3rd August 2004 and amended on 5th November 2004, seeks to use the building for warehouse and retailing purposes. A covering letter submitted with the application states that the building would be occupied by a pet supplies company. There would be a total of two members of staff (including the applicant who would reside in the adjoining dwelling) and one lorry per week bringing in deliveries. The unit would be used predominantly as a warehouse with the applicant doing home deliveries. However, there would also be the facility for customers to purchase animal feed from the premises and the opening hours would be Monday-Saturday, 9am-6pm.

Planning History

3. **S/1389/85/F** – Planning permission granted to use the building as a printing business.

Planning Policy

4. **Policy P7/6** of the Structure Plan requires development to protect and enhance the quality and distinctiveness of the historic built environment.
5. **Policy EN28** of the Local Plan states that the Council will 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; and
 - Would damage archaeological remains of importance.

6. **Policy EM6** of the Local Plan states that within village frameworks (the site is within the village framework) and on suitable brownfield sites next to or very close to the village frameworks of RGS and LRGS, 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 local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is dependent on the use of locally-based skills and expertise.
7. **Policy EN5** of the Local Plan requires trees to be retained wherever possible in proposals for new development.

Consultation

8. **Linton Parish Council** recommends approval of the application stating:
- “Councillors have no objections in principle to this change of use. However, they would have concerns with any significant increase in traffic movements onto this section of the A1307. Councillors were pleased to note that this application represented the retention of a small business in the area.”
9. With respect to the amendment to relocate the access to Station Road, further support is given to the provision of a safer access/egress point for this small business.
10. **The Conservation Manager** raises no objections, stating that the proposed use will not have a significant impact on the setting of the listed building.
11. **The Chief Environmental Health Officer** expresses concern about potential noise disturbance to adjoining residents. A condition requiring details of the location and type of any power driven plant or equipment should be attached to any planning consent.
12. **The Local Highways Authority** objected to the original proposal, which sought to use the existing point of access, stating that the proposed change of use would have the potential to generate a considerable amount of traffic including large HGV deliveries. The existing point of access is not suitable to cater for the traffic likely to be generated by the development and all ingress and egress must be via a new access to Station Road sited a minimum of 25 metres from the channel line of the Station Road/Cambridge Road junction.
13. A revised plan showing the closure of the existing access and the provision of a new access onto Station Road was submitted. This satisfied the Local Highway’s Authority’s concerns subject to the access onto Station Road being a minimum of 6 metres wide to accommodate delivery vehicles etc.
14. **The Trees and Landscape Officer** objects to the proposed access onto Station Road as it would result in the loss of two mature lime trees. All eight of the lime trees adjoining the site are of good quality and of sufficient importance in a visual context to justify serving a Tree Preservation Order.

Representations

15. None

Planning Comments – Key Issues

16. The key issues to consider in the determination of this application relate to:
- The impact of the proposal upon the setting of the listed building and upon the character of the area;
 - Impact on trees; and
 - Highway safety
17. The building that is the subject of this application was previously used by a printing company. The business had just two employees and was not a use that attracted visitors. When the application for the printing business was submitted, the applicant owned both the building itself and the dwelling at No.29 Cambridge Road although there was no condition on the planning consent linking the printing business to the occupation of the dwelling. The current application seeks to use the building for warehousing and retail purposes. Although there would only be a total of two employees on the site, the retail element has the potential to generate a significantly greater number of traffic movements than has previously been associated with the site.
18. The Local Highways Authority has advised that such an intensification in the use of the existing access (which is of narrow width and dangerously sited on the corner of the A1307 and Station Road) would be completely unacceptable.
19. Support could only be given by the Local Highways Authority for the proposed use if a new access could be provided onto Station Road. The applicant has explored the provision of an alternative access. However, in light of the LHA's requirement that the new access be a minimum of 6 metres wide, the proposal would result in the loss of two mature lime trees. This would be detrimental to the character of the street scene and to the setting of the adjacent listed building. The comments of the Conservation Manager (see para 10 above) were made before the impact on trees was known.
20. The proposal does not involve any changes to the external appearance of the building. In this respect, therefore, the development would not harm the setting of the listed dwelling.

Recommendation

21. Refusal, as amended by drawing date stamped 5th November 2004:
1. The existing access to the site is inadequate and below the standard required by reason of its location within the Station Road/Cambridge Road junction. Furthermore, the manoeuvring of vehicles likely to be generated by the proposed development would have an adverse effect on the safety and free flow of traffic on the adjoining public highway.
 2. The alternative means of access onto Station Road shown within drawings date stamped 5th November 2004 would need to be a minimum of 6 metres wide in order to meet the requirements of the Local Highways Authority. This would necessitate the removal of two mature lime trees to the detriment of the character of the street scene and the setting of the adjacent listed building.

3. Consequently, the proposal would contravene: Cambridgeshire and Peterborough Structure Plan 2003 Policy P7/6 which requires development to protect and enhance the quality and distinctiveness of the historic built environment and South Cambridgeshire Local Plan 2004 Policies EN28 which resists development that damages the setting of Listed Buildings and harms the visual relationship between Listed Buildings and their formal surroundings, EM6 which resists employment related development that would result in harm to village character and highway safety and EN5 which requires trees to be retained wherever possible in proposals for new development.

Background Papers: the following background papers were used in the preparation of this report: Local Plan, Structure Plan, File Ref: S/1607/04/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/2181/04/F - Melbourn
Erection of Bedroom Annexe for Hotel
(Renewal of Time-Limited Permission S/0071/99/F)
Sheene Mill, Station Road**

**Recommendation: Approval
Date for Determination: 20th December 2004**

Site and Proposal

1. This full application registered on 25th October 2004 seeks renewal of consent for the erection of a bedroom annexe in the grounds of Sheene Mill, Station Road, Melbourn, a Grade II Listed Building.
2. The proposed building is detached from, and to the south east of the main building, to the rear of the existing car parking area. The proposed building, which comprises four 1-bedroom suites, is 25 metres in length and varies in depth between 6 and 9 metres. The building is mainly single storey with a ridge height 6 metres however there is a higher central section, with a ridge height of 7 metres, that provides a first floor sitting room for one of the suites. The building would replace an existing range of small outbuildings on the site.
3. To the south east the site adjoins the rear gardens of properties in Dolphin Lane.

Planning History

4. Planning consent was originally granted for the bedroom annexe in October 1999 (Ref S/0071/99/F).
5. In November of this year planning and listed consent was refused for an extension to the main building to provide eight guest bedrooms (Ref S/1888/04/LB & S/1889/04/F) on the grounds that the scale, form massing and appearance of the building was considered to detract from the character and appearance of the Listed Building, and that the extension could not be justified as being necessary to secure the continued viable use of the historic building.

Planning Policy

6. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") requires Local Authorities to protect and enhance the quality and distinctiveness of the historic built environment.
7. **Policy RT12** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that the District Council will support proposals for the construction, extension or conversion to hotels, motels and guesthouses within village frameworks having regard to other policies in the Plan.

8. **Policy EN28** of the Local Plan states that the District Council will resist and refuse applications which would dominate a 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.

Consultations

9. **Melbourn Parish Council** recommends refusal. "Refusal recommended in view of SDCDC refusal of Listed Building Consent letter of 4th Nov 04. (S/1888/04/LB)."
10. The **Conservation Manager** has no objection and considers that there has been no change in the legislation or guidance.
11. The comments of **Meldreth Parish Council** will be reported verbally.

Representations

12. 4 letters have been received from the occupiers of Nos. 39, 41, 45 and 47 Dolphin Lane, objecting on the following grounds:
13. Inappropriate development for this site of a listed building. It is understood that whilst planning permission was granted a few years ago for the building it is alleged that no application was granted for demolition of the existing buildings.
14. The building would have a large impact on neighbouring properties. The building is sited too close to the boundary fence with properties on Dolphin Lane bearing in mind that the Dolphin Lane properties are bungalows and the proposal is for a two-storey building. In addition there would be overlooking leading to loss of privacy.
15. The proposed increase to the hotel would add to existing problems experienced with traffic and car parking. There is already a shortage of car parking spaces at the site and customers are using Station Road. The proposed extension would encroach on some of the parking area. The Highways Authority should consider this matter.
16. Overcrowding in a Conservation Area.

Planning Comments - Key Issues

17. The key issues to be considered with this application are the effect on the setting of the Listed Building, highway safety, the amenity of local residents, and whether there has been any material change in circumstances since the earlier consent. The site is not in the Conservation Area.
18. The proposed building is sited a minimum 9 metres from the boundary of properties on Dolphin Lane and is 6 metres high at this point. There are two windows in the south east elevation of the proposed building at ground floor level. Issues concerning the impact of the building on adjacent properties were considered in 1999 and deemed acceptable, that position has not changed.
19. The Conservation Manager has raised no objection in respect of the impact of the proposal on the setting of the Listed Building stating that there has been no change in legislation or guidance since the earlier consent. The scheme recently refused

planning and listed building consent related to a larger scale building which was to be physically attached to the Listed Building. Listed Building Consent was granted in 1999 for the demolition of existing outbuildings. That consent has been part implemented.

20. Although there is concern about car parking provision that issue was considered in 1999, when it was deemed that adequate parking was provided within the site. Since that time the Council's car parking standards have not changed in terms of number of spaces required although that figure is now a maximum rather than a minimum provision.

Recommendation

21. That consent be granted subject to the following conditions:
1. Standard Condition A - Time limited permission (Reason A);
 2. Sc5a - Details of materials for external walls and roofs (Rc5aii);
 3. Sc51 - Landscaping (Rc51);
 4. Sc52 - Implementation of landscaping (Rc52);
 5. Sc60 - Details of boundary treatment - south west and south east - (Rc60);
 6. Notwithstanding the details shown on Drawing 9909:02A the precise details of the fenestration including finishes of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out and maintained in accordance with the approved details. (Reason - To ensure appropriate details of the building within the curtilage of a listed building);
 7. The building hereby permitted shall not be occupied other than by staff or guests of Sheene Mill (Reason - To prevent the building being used as separate units of accommodation);
 8. No first floor windows shall be inserted into the south east elevation of the building hereby permitted without the prior written consent of the Local Planning Authority. (Reason - To protect the amenities of adjacent residential properties).

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: RT12** (Holiday accommodation within frameworks) and **EN28** (Development within the Curtilage 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 noise disturbance and overlooking issues
 - Highway safety
 - Impact upon setting of a Listed Building

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/2181/04/F: S/1888/04/LB; S/1889/04/F: S/0071/99/F & S/0070/99/LB

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2004
AUTHOR/S: Director of Development Services

S/2250/04/F - Meldreth
House (Amended Design) (Retrospective Application) Land Adjacent 20 Howard Road

Date for Determination - 29/12/04
Recommendation: Approval

Site and Proposal

1. The house is located in the centre of Meldreth, and attached to No. 20 Howard Road, creating an end of terrace house. It has a frontage of approximately 7 metres and a depth of 30 metres. Originally the area was the side garden to No. 20 Howard Road. The house has a public footpath along the southeast boundary that leads to a small recreation ground located to the rear of the property. There is adequate off road parking for two cars on site
2. The retrospective application received 3rd November 2004 is for an amended design to a house that was approved in 2003, file reference S/1984/03/F. There is an additional 0.5 metres on the width of the house; this has affected the side passageway along the southeast elevation that was initially approved. The boundary fence is now very close to the southeast elevation and a new external pathway has been created using the garden space to the rear and additional gateways. There is an additional bedroom in the loft space which is lit by two rooflights in the rear elevation. Permitted development rights were not withdrawn at the previous application stage, and the room would be allowed under these rights as stated in the Town and Country Planning (General Permitted Development) Order 1995. There is no change to the height of the house.

Planning History

3. **S/1984/03/F** - The house approved in 2003 was very similar to that of the amended design, a three-bedroom end of terrace property with off road parking and a small rear garden. The layout internally is very similar to that of the adjoining property, No. 20 Howard Road.

Planning Policy

4. Structure Plan 2003 **Policy P1/3** requires all new development to be of a high standard of design which responds to the local character of the built environment.
5. Meldreth is a Group Village and Local Plan 2004 **Policy SE4** states that residential development up to a maximum of 8 dwellings (and exceptionally 15 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 amenities of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with another policy of the Plan.

6. Local Plan 2004 **Policy HG10** seeks to ensure that the design of schemes is informed by the wider character and context of the local townscape and high quality design and distinctiveness is achieved.

7. **Consultation**

Meldreth Parish Council has recommended refusal; its comments are as follows:

1. Noted but do not approve that the house is 6.5 metres wide, contrary to the original approved application of 6 metres in width.
2. Noted that there appears to be an additional bedroom placed under the roof with rear lights.

Representations

8. None received

Planning Comments - Key Issues

9. The key issues in relation to this application are the effect of the proposal on the character of the area and the amenity of the neighbours.
10. The house is 0.5 metres wider than that of the approved dwelling. The affect this change has is mostly on the occupiers of the new house. It has restricted access to the rear of the property from the front and has altered the view from the street scene marginally. The internal arrangements are exactly the same as that of the approved, except the new room in the roof. In my opinion the affect on the character of the area is insignificant and the new dwelling house looks almost identical to that of No. 20.
11. The extra 0.5 metres has not compromised neighbour amenity and there are no further openings in the southeast elevation that would overlook. The new arrangement for the rear garden means a new opening in the boundary fencing and an additional gate for the access to the garden to No. 20. This does not adversely affect the neighbouring properties but does create a new access onto the public footpath.
12. I am of the view that the additional pedestrian openings and the 0.5 metres extra width do not adversely affect the street scene or the amenity of the neighbouring properties and recommend this application for approval.

Recommendation

13. Approve.

Conditions of Consent

1. Sc60 - Details of boundary treatment (Rc60);
2. Sc22 - No windows at first floor level in the southeast elevation of the development (Rc22);
3. The first floor window in the south east elevation of the building, hereby permitted, shall be fitted and permanently maintained with obscured glass (Reason - to safeguard the privacy of the occupiers of the adjoining property and in accordance with the requirements of Polices within the South Cambridgeshire Local Plan 2004);

4. The development shall not be occupied until the area shown hatched on the plan attached hereto has been drained and surfaced (or other steps as may be specified), and that area shall not thereafter be used for any purpose other than the parking of vehicles;
(Reason - To ensure adequate space is provided and thereafter maintained on the site for parking of vehicles and in accordance with the Policies within the South Cambridgeshire Local Plan 2004).

Informative

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:**
SE4 (Residential development in Group Villages)
 - **HG10** (Housing Mix and Design)
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 and overlooking issues
 - Street Scene

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/1984/03/F and S/2250/04/F

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

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/1964/04/RM - Sawston
Erection of Medical Centre and Ambulance Station together with Car Park and
Associated Works at Allotment Site, London Road for
Primary Asset Management**

**Recommendation: Approval
Date of Determination: 17th November 2004**

Site and Proposal

1. The site is a 0.6 hectare (1.5 acre) area comprising the southern section of allotment gardens on London Road. To the east of the site, beyond an established hawthorn hedge, is a large area of public open space beyond which lies a residential estate. A footpath leading to the recreation area runs along the southern boundary and separates the site from the closest residential property that fronts London Road. There are some significant trees along the west side of the site, close to the southern end, that are protected by TPO and an approximately 1.8 metre high hawthorn hedge that forms the entire western boundary of the site. The northern boundary is unscreened.
2. This reserved matter application, submitted on 22nd September 2004 and amended on 3rd November, 1st December and 7th December 2004, seeks to erect a two storey medical centre on the site to replace the existing medical practice in Link Road.
3. A design statement submitted with the application states that the new building will house the basic GP requirements for the local practice along with extensive PCT accommodation and primary care clinics. The scope and scale of the services generate an extensive schedule of accommodation and the size of the building created is therefore far larger than the existing health centre. The site sits approximately 1 metre below the level of the road. This, together with the minimal ceiling heights, creates a structure that sits low in the site. The building will predominantly be constructed of buff brickwork with a slate roof.
4. The medical centre would have a total floorspace of 2757m² and would employ 93 people (26 full time and 67 part time). It would be open between the hours of 8am and 6.30pm, Monday to Friday.

Planning History

5. **S/2392/02/O** – Outline planning permission was granted for the medical centre with all matters being reserved for further consideration. This consent was subject to a number of conditions including the widening of the footway at the front of the site.

Planning Policy

6. The site lies within the village framework and also within a Protected Village Amenity Area.
7. **Policy SE10** of the Local Plan states that development of such areas will not be permitted if it would be harmful to the distinctive qualities and functioning lying behind their inclusion in the Protected Village Amenity Area.
8. **Policy Sawston 2** of the Local Plan resists the change of use of recreational land unless the land is no longer required for public recreational use or an alternative area of land, equally suited to the purpose of public recreation, will be provided as a replacement.
9. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

Consultations

10. **Sawston Parish Council** recommends refusal of the application stating:

“The Parish Council still wish to have traffic calming measures in place to control the traffic flow in London Road. Suggestions:

 - A roundabout;
 - Traffic calming measures;
 - Pedestrian crossing with central refuge

This application does not address any of these issues.”
11. **The Local Highways Authority** states that there are off-site works required in relation to this proposal, namely the footway along the entire frontage of the site needs to be increased in width to a minimum of 1.8 metres. Similarly the existing footway to the northeast between the site and Johns Acre needs to be widened to a minimum of 1.8 metres. The access should be a standard access crossing of the footway/verge with no upstand radius kerbing to be used. The passage of pedestrians on the footway adjacent to London Road should not be interrupted by the access. There is a difference in level between the site and the public highway and cross sections should be submitted indicating how the continuation of the footway is to be achieved.
12. Cross sections have been submitted and I am awaiting further comments from the Local Highways Authority.
13. **The Environment Agency** comments that this Authority will be required to respond in respect of surface water drainage related issues. (Relevant conditions were imposed on the outline planning permission.)
14. **The Cambridgeshire Fire and Rescue Service** raises no objections, stating that additional water supplies for firefighting will not be required.
15. **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. (This condition was imposed on the outline planning permission.)

16. **The Trees and Landscape Officer** is satisfied that the scheme, as amended, affords the oak trees along the frontage of the site sufficient clearance. A condition requiring protective fencing and submission of a landscaping scheme should be attached to any planning consent. Some concern is expressed about the car park encroaching into the hedging at the front of the site and its practical long term retention and about the footpath around the building encroaching into a proposed area of planting to the rear. Furthermore, the proximity of the building and its windows would increase pressure to avoid planting to some sections. (Landscaping is an outstanding reserved matter and a scheme is still required to be submitted.)

Representations

17. Letters of objection have been received from Nos. 14, 22, 39 and 72 London Road as well as from the Orchard Park Residents Association. The main points raised are:
- The health centre should be located in the centre of the village;
 - London Road is not suitable for such a public building;
 - The car park must be controlled. Shoppers take up spaces at the present health centre forcing patients to park elsewhere;
 - The windows on the first and second floors of the southern elevation should be fitted with obscure glass to prevent overlooking of No.39 London Road;
 - The two parking spaces nearest to no.39 should be removed;
 - The entrance gates should be locked at all times when the medical centre is not in use;
 - The trees to be planted adjacent to the southern boundary should be of an evergreen variety;
 - The large amount of parking will ruin the rural aspect from the main London Road;
 - A safety audit should be submitted as part of the application;
 - The building is 10.8 metres high and not of domestic scale;
 - No off road access for buses has been made and no crossing has been provided. This will result in highway safety problems;
 - There is no safe walkway to the centre of the village;
 - The number of employees will increase the traffic flow and accident rate;
 - The galvanised vertical bar fence will ruin the rural appearance of the area;
 - Drainage issues need to be resolved;
 - Concerns expressed with regards to the financing of the project.

Planning Comments – Key Issues

18. The key issues to consider in the determination of this application relate to:
- The principle of the development;
 - The design/visual appearance of the building and its impact upon its surroundings;
 - Residential amenity;
 - Highway safety.

The principle of the development

19. The site lies within a Protected Village Amenity Area where development is contrary to the aims of the Local Plan which seeks to protect open spaces for recreational uses. The principle of erecting a medical centre on this site has, however, previously

been considered and established. The outline application was considered by Members at Committee in March 2003 where it was agreed that the benefit of providing such a facility outweighed the harm caused by the loss of part of the allotment site.

20. The proposed medical centre has a total floorspace of around 2700m², a figure well in excess of the 1800m² suggested in the illustrative layout accompanying the outline application. I would like to stress that all matters were reserved for further consideration under the outline consent and the overall size of the building has not therefore previously been agreed.

Visual impact of the development

21. The proposed building is a 2 storey structure standing approximately 10.6 metres high and comprising buff walls and a slate roof. It would be set around 0.5 metres lower than the road level. Although the structure would undoubtedly be a dominant feature in the streetscape, I am satisfied that the design is of sufficient quality to ensure that the development would not result in material harm to the character of the area.
22. The initial application sought to erect a 2 metre high steel fence around the entire site and this was considered by Officers to be unduly intrusive. The plans have therefore been amended to set the fence at least 2 metres in from all boundaries of the site thereby enabling some room for planting along the currently open northern boundary of the site as well as providing sufficient space to access the existing hedges along the eastern and western boundaries. The amended plans are still indicating that the boundary fence would be of vertical steel bar design and, although it would be screened to a large extent by existing and new planting, I have strong reservations about the visual impact of the style of fence proposed. I have discussed the matter with the applicant's agents who have indicated verbally that they would be happy to consider alternative fence designs and I would suggest that a condition requiring boundary treatment details be attached to any planning consent.
23. The Trees and Landscape Officer has expressed some concerns about the proximity of some of the paved areas to the hedge. These parking areas adjacent to the western boundary and footpath next to the eastern boundary, however, do not encroach into the existing hedge but rather into an area of additional planting shown between the existing hedge and new fence. Furthermore, there are additional pockets of land within the site between the building and northern, eastern and southern boundaries that have been set aside for further landscaping.

Residential amenity

24. The occupiers of No.39 London Road, located to the south of the site, have requested that all south facing first floor windows be obscure glazed. The south elevation of the proposed medical centre is sited approximately 30 metres away from the north side elevation of No.39. This distance, together with the fact that it is intended to plant trees along the southern boundary of the site, leads me to conclude that such a requirement would be unduly onerous. I am also satisfied that the parking spaces nearest to no.39 are sufficiently distant to prevent any undue loss of amenity to the occupiers of this neighbouring dwelling.
25. Concerns have been expressed about the ambulance garage adjacent to the frontage of the site and its implications for highway safety as well as the amenities of nearby residents if sirens are started on site. The applicants agent has clarified that

there would be no ambulances accommodated on the development and that the garage is intended for paramedic cars only.

Highway safety

26. Concerns have been raised by the Parish Council and local residents about the highway safety implications of the development. The Local Highways Authority has been consulted on the application and has not raised any objections to the scale of the building/use and its implications for highway safety, subject to the widening of the footpath from the site to John's Acre to the north. The requested footpath widening is a condition of the outline consent and therefore does not need to be reapplied to any reserved matter permission. Cross sections through the vehicular access (to ensure a smooth transition of the footpath across the access) have been requested and I am awaiting the Highways Authority's response to the submitted drawings.
27. The Parish Council's request for traffic calming together with the provision of a pedestrian crossing was also made in response to the outline application and was reported to Members at the March 2003 Committee meeting. Members resolved to approve the application subject to discussions between the Highways Authority, applicants and planners to establish the extent of highway/footway improvements required to improve pedestrian access between the medical centre and the centres of Sawston and Pampisford. A meeting was subsequently held on site where it was agreed that the footway should be widened to 1.8 metres for the length of the site and as far north as John's Acre. No further improvements/measures were considered to be necessary.
28. The provision of a pedestrian crossing and traffic calming measures cannot now be introduced or conditioned as part of any reserved matter consent. The feasibility of providing traffic calming/a pedestrian crossing would need to be explored separately between the applicants, the Highways Authority, Parish Council and local residents and can only be implemented if the local residents are fully supportive of the measures.
29. This Authority's car parking standards require the provision of 2 spaces per consulting room together with 1 space per 2 members of staff whilst the cycle parking standards require 2 spaces per consulting room. There are a total of 31 consulting rooms and 93 members of staff resulting in a requirement for 109 car parking spaces and 62 cycle spaces. The scheme as amended provides a total of 90 and 30 spaces respectively. Whilst these figures fall short of the requirements of the Local Plan, I must stress that the car parking standards are maximum rather than minimum standards. Bearing in mind the number of part time staff intended to be employed at the medical centre together with the fact that the medical centre lies on a bus route and is within cycling/walking distance of the centres of both Sawston and Pampisford, I am satisfied that the shortfall in provision is not likely to result in undue highway safety problems.

Recommendation

30. Subject to no objections being received from the Local Highways Authority in respect of the cross sections, approve the reserved matters of siting, design, external appearance and means of access in accordance with the outline planning permission, ref. S/2392/02/O dated 2nd June 2004, as amended by plans date stamped 3rd November, 1st December and 7th December 2004, subject to the following additional conditions:

1. Sc5a – Details of materials for external walls and roofs (Rc5aaii);
2. Sc5 – Details of the solar thermal collectors (Rc5aaii)
3. Sc56 – Protection of trees during construction (Rc56);
4. Sc57 – Landscaping (protection of existing trees) (Rc57);
5. Sc58 – Retention of hedges along the eastern and western boundaries of the site (Rc58);
6. Sc60 – Details of boundary treatment, including details of the type of boundary fencing to be erected (Rc60);
7. Para B10 (Rc10)

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: SE10** (Protected Village Amenity Areas) and Policy Sawston 2
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

General

1. 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.
2. During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the 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 file Refs: S/1964/04/RM and S/2392/02/O

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/2080/04/F - Sawston
7 Houses and Garages - Land r/o 16-20 Cambridge Road for Park Hill Homes Ltd

Recommendation: Approval
Date of Determination: 7th December 2004

Site and Proposal

1. The application site is a 0.17 hectare plot of land located to the rear/east, and situated within the garden areas of, three detached two-storey dwellings, Nos. 16, 18 and 20 Cambridge Road. To the east are detached bungalows whilst to the south is the police station site. This is currently being redeveloped and comprises a police station and 8 dwellings. The dwellings directly adjoining the application site are 2¹/₂ storey brick and tile properties.
2. The full application, submitted on 12th October 2004, and amended on 26th November 2004, seeks to erect seven dwellings on the site. These would be two storey brick and tile dwellings designed to match the general design of the properties on the adjoining site to the south. Access to the site would be via Cambridge Road and the existing point of access serving the adjoining police station and eight dwellings. The density of the development equates to 40 dwellings per hectare.

Planning History

3. **S/0014/03/F** – Planning consent granted for the police station and 8 dwellings on adjoining land to the south.

Planning Policy

4. Sawston is designated within the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement where **Policy SE2** states residential development will be permitted providing, amongst other matters, the development would be sensitive to the character of the village and the amenities of neighbours. There should be an appropriate mix, and a minimum density of 30 dph should be achieved unless there are strong design grounds for not doing so.
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; or
 - Be out of character with the pattern of development in the vicinity.

6. Policy HG10 of the Local Plan requires a mix of types, sizes and affordability and a high quality design and distinctiveness.
7. **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

8. **Sawston Parish Council** objects to the application for the following reasons:
 - It is a back garden development;
 - It is overdevelopment of the site;
 - There will be traffic problems associated with this development.
6. **The Chief Environmental Health Officer** raises no objections in principle although does express concern about noise disturbance to nearby residents during the construction period. As such, a condition restricting the hours of use of power operated machinery during the construction period needs to be attached to any planning consent.
7. **The County Archaeologist** states that the site lies in an area of high archaeological potential. As such, the site should be subject to a programme of archaeological investigation and this can be secured by a condition of any planning consent.
8. **The Environment Agency** advises that the application falls to this Authority to respond in respect of flood risk and surface water drainage issues. Informatives are therefore appropriate in this instance, where the site is not in a high or medium flood risk zone.
9. **The Local Highways Authority** raises no objections to the application as amended. However, the developer has not proceeded with an Agreement to facilitate the adoption of the section of access road given permission under S/0014/03/F. Is the Council happy with a further seven dwellings served off a private access road and who will be responsible for the future maintenance of the road that also serves the police station?
10. **The Trees and Landscape Officer** raises no objections although comments that a large, mature apple tree in the rear garden of No.18 will be lost. However, this contributes only in a visual sense to adjoining gardens and does not therefore merit a TPO. A coppiced walnut in the far corner of Plot 15 could be retained although the semi-mature ash and sycamore trees, all of mediocre quality, will be compromised by Plot 15.
11. **The Building Inspector** advises that the road layout is acceptable and of sufficient width for emergency vehicles.

Representations

12. Letters of objection have been received from 5 local residents, 14 and 22 Cambridge Road, 7a Babraham Road, 166 Woodland Road and 4 Eccles Close. The main points raised are:
 - Loss of privacy to bungalows to rear;
 - Loss of view from bungalows to rear;

- If approved, the walnut tree should be maintained;
- There is a restrictive covenant on No.16 Cambridge Road making it impossible for any building to go ahead;
- The access road cannot support the amount of cars that would use the road if the new houses were to be built and cannot support refuse collectors and emergency services;
- Extra houses will increase drainage problems associated with the adjacent site;
- Development will increase traffic problems at the Cambridge Road/Hillside/Babraham Road/New Road junction;
- First floor window in the side elevation of the dwelling adjoining No.22 Cambridge Road should be fitted with obscure glass and a close boarded fence erected along the boundary.

Planning Comments – Key Issues

13. The key issues to consider in the determination of this application are:
- Impact upon character and appearance of the area;
 - Residential amenity;
 - Highway safety;

Impact upon character and appearance of area

14. The proposal seeks to erect seven dwellings on the site comprising one 4-bedroom detached property, a terrace of four 3-bedroom houses and a pair of semi-detached 3-bedroom dwellings. The terrace and semi-detached dwellings are approximately 7.7 metres high whilst the detached house has a total ridge height of 9 metres. The properties would be constructed using a combination of brick and render for the walls and natural slate for the roofs. The design of the dwellings reflects those of the properties being constructed on the adjoining site to the south (which were approved under planning ref: S/0014/03/F).
15. Concerns have been expressed regarding the principle of allowing backland development on the site. Given that housing of a similar design has been permitted on the site to the south, I consider the development would not be out of keeping with the character and pattern of housing in the vicinity. In addition, the site is set well back (approximately 60 metres) from Cambridge Road and the dwellings would not therefore be dominant in views of the site afforded through the gaps between the detached dwellings sited along Cambridge Road.

Residential amenity

16. Objections were received from No.166 Woodland Road, a bungalow sited to the rear/east on the grounds of overlooking from first floor windows in the rear elevation of the northernmost plot. I have viewed the site from this neighbouring property and, whilst there is a reasonable amount of screening along the common boundary, it is predominantly deciduous in nature. The plans have therefore been amended to site the northernmost dwellings 30 metres away from the rear elevation of the adjoining bungalow. This distance, together with the fact that there is sufficient space to ensure the retention of the walnut tree in the north-eastern corner of the site and to provide additional planting if necessary, leads me to conclude that the impact of the development on No.166 Woodland Road is now acceptable.

17. The distances from the front of the dwellings to the rear of Nos. 16, 18 and 20 Cambridge Road is sufficient to avoid any undue harm to the amenities of the occupiers of the existing and new properties. I do, however, concur with the concerns expressed by No.22 Cambridge Road and would advise that the first floor window in the north elevation of the northernmost plot be obscure glazed given the proximity of this dwelling to the common boundary.
18. The occupiers of No.14 Cambridge Road have commented that there is a covenant attached to No.16 Cambridge Road preventing the development of this site. The applicant has signed the relevant certificate and served notice on No.16. In addition, this Authority has notified No.16 and has not received any direct comments or objections relating to this matter. I have sought further clarification from the applicant's agent. However, the granting of planning permission does not convey an automatic right to develop land and the provisions of any covenant would need to be resolved separately by the developers.
19. With respect to the walnut tree in the north-eastern corner of the site, whilst the Trees and Landscape Officer has advised that it is not of sufficient quality to require its retention, it does provide visual protection of the development to the occupiers of the bungalows to the east. As such, I would recommend that any consent be subject to a landscaping condition with a view to incorporating the retention of the tree into a landscaping scheme for the site.

Highway safety

20. The measurements of the access to the site comply with the Highways Authority's requirements although the road has not been adopted. No specific objections have been raised by the Highways Authority to the use of the access by a further seven dwellings. I have asked the applicant's agent to clarify responsibilities for maintenance of the road and this will be reported verbally to Members at the Committee meeting.

Recommendation

21. Approval, as amended by drawings date stamped 26th November 2004, 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 (Rc5a);
 3. No development shall take place until a 1.8 metre high close boarded fence has been erected on the northern site boundary. (Reason – To protect the privacy of adjoining residents);
 4. Sc23 – First floor window in north elevation of Plot 15 to be obscure glazed (Rc23);
 5. Sc5b – Details of surface water drainage (Rc5b);
 6. Rc5c – Details of foul water drainage (Rc5c);
 7. Sc51 – Landscaping (Rc51);
 8. Sc52 – Implementation of landscaping (Rc52);
 9. Sc60 – Boundary treatment details (Rc60);
 10. Sc66 – Archaeological investigation (Rc66);
 11. 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 (Rc26);

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:** P1/3 (Sustainable design in built development);
 - **South Cambridgeshire Local Plan 2004:** SE2 (Development in Rural Growth Settlements), HG10 (Housing Mix and Design) 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;
 - Visual impact on the locality
 - Highway safety/parking issues.
 - Impact on trees.

General

1. Should driven pile foundations be proposed, 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.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the 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: Local Plan, Structure Plan, File Refs: S/2080/04/F and S/0014/03/F.

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

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/2410/04/F - Fen Ditton
Construction of Temporary Vehicle Parking Area at Land Adjacent to The East Access Road, North Works, Newmarket Road, Cambridge for Marshall Motor Group

Recommendation: Approval
Date for Determination: 21st January 2005

Departure Application**Site and Proposal**

1. The site is an area of land totalling approximately 0.198 hectares that lies adjacent to car parks serving the Marshall Motor Company on Newmarket Road. An existing lorry park lies to the north of a row of poplar trees, which provide screening from the main road. The land is within the Green Belt and is currently used for arable farming.
2. The application, received on 26th November 2004, proposes the change of use from agriculture to vehicle parking area for a temporary period of up to 5 years. The proposal is to enclose an area of land to the east of the Marshall Motor Group site and north of a smaller lorry park that is located north of the poplar trees. It will be accessed via the existing lorry park, from off the eastern access road. Surfacing materials will be permeable to allow free drainage.

Planning History

3. **S/1096/96/F** permitted an extension to form commercial vehicle bays together with lorry parking and access road. This relates to the existing lorry parking area.
4. **S/1656/04/F** sought a temporary extension of the existing lorry park in front of the line of poplar trees. This was refused on grounds that it is not development that is essential to the rural location and the expansion of development into the countryside would be detrimental to the semi-rural character of the location, contrary to Policies EM6 and EM7 of the Local Plan 2004.

Planning Policy

5. **Policy GB2 'General Principles'** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") outlines the circumstances under which planning permission may be granted for development within the Green Belt. By definition all development is considered to be 'inappropriate' unless it comprises one of specifically defined categories set out in policy GB2.
6. **Policies EM6 'New Employment at Rural Growth and Limited Growth Settlements'** and **EM7 'Expansion of Existing Firms at Villages'** of the Local Plan set out circumstances under which employment development and expansion will be

considered. These policies seek to limit such developments to land within village frameworks or on suitable brownfield sites next to or very close to village frameworks. Development should not have an adverse impact upon residential amenities, traffic conditions, village character or other environmental factors.

7. **Policy P1/2 'Environmental Restrictions on Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") requires development to be restricted in countryside unless the proposals can be demonstrated to be essential in a particular rural location.
8. **Policy P9/2a 'Green Belt'** of the County Structure Plan identifies the purpose of the Green Belt and the limitations upon development within it.

Consultations

9. **Fen Ditton Parish Council** made no recommendation.
10. **Local Plan Policy Officer** comments that it would be preferable to have a temporary car park in the Green Belt as an exception, rather than put it south of the tree belt. Whilst the land to the south is white land rather than Green Belt, the visual impact on this frontage would be considerably greater. There is concern that a 5-year permission would extend to January 2010. It is envisaged that the Area Action Plan will be adopted late 2006/early 2007 with the first phase of development north of Newmarket Road taking place soon after. The Council should not be doing anything that could prejudice the early development of Cambridge East. On this basis, they are of the view that a 3-year permission would be more appropriate i.e. to January 2008. If any extension were sought, this could be considered in the context applying at that time.

Representations

11. No representations have been received to date. The application has been advertised in the local press as a departure to local plan policy. The consultation period expires on 4th January 2005 and should any comments be received these will be reported verbally at the Committee for its consideration.

Planning Comments – Key Issues

12. The key issues in relation to this application are whether the proposals will be harmful to the Green Belt, residential amenities, traffic conditions, village character or other environmental factors. If no harm will result then consideration must be given to whether it is acceptable to approve for a temporary period as a departure from the adopted development plan policies.

Green Belt

13. There is a presumption against all inappropriate development within the Green Belt. The proposal is inappropriate development. However, the proposed car park will be relatively discreet, sited to the rear of an existing car park and is screened from the road by mature poplar trees. When viewed from public cycle and footpaths to the north and east it will be seen against the backdrop of the existing car parks and buildings at the Marshall Motors site. In light of the future development proposals for the extension of Cambridge to the East, as detailed in the Structure Plan and the evolving Local Development Framework, it seems reasonable to agree a 3 year temporary period, subject to reinstatement of the land at the end of that period.

Traffic Conditions, Village Character and Other Environmental Factors

14. The proposed car park is to accommodate vehicles that otherwise are parked within the site or access road. This should improve access within the site and will not lead to a significant increase in traffic on the public highway. The proposals will not adversely affect the village character. In terms of other adverse impacts, it is important to ensure that a permeable surface material is used in order to ensure no surface water drainage issues result. This can be conditioned.
15. In view of the temporary nature of the proposal and the absence of objections from consultees, I do not consider it necessary to refer the application to the Secretary of State. Its scale would not, in my opinion, significantly prejudice the implementation of the Development Plan's Policies.

Recommendation

16. Subject to no other matters having been received through local representations the application be approved, subject to the following conditions:
 1. Sc4 – Temporary permission for use of land until 5th January 2008 (RC3a)
 3. Sc5f – Details of hardstanding materials (Rc5b);
 4. Sc60 – Details of boundary treatment (Rc60);
 5. Condition requiring removal of surface material. (RC To protect the openness of the Green Belt.)

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' and P9/2a 'Green Belt'.
 - **South Cambridgeshire Local Plan 2004:** GB2 'General Principles', EM6 'New Employment at Rural Growth, Limited Growth Settlements' and EM7 'Expansion of Existing Firms at Villages'.
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Cambridge East Expansion proposals.

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/2410/04/F and S/1656/04/F

Contact Officer: Melissa Reynolds – Senior Planning Assistant
Telephone: (01954) 713237

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/2128/04/F - Landbeach
**Redevelopment of Mobile Home Park to Provide 16 Retirement Mobile Units and
Excavation of Amenity Lake, Bluebell Wood Caravan Site, and Land Adjoining, Ely
Road, for David Charles Ltd**

Recommendation: Refusal
Date for Determination: 14th December 2004

Site and Proposal

1. An irregular shaped site of 1.85 hectares on the western side of Ely Road, approximately 400m north of the Landbeach Road/A10 ("Slap Up" P.H.) junction. Between the site and the A10 is a loose ribbon of pre-war housing whilst to the rear is a collection of lakes used for fishing.
2. The site is in two sections. A 7.0m wide driveway adjacent the northernmost house, "Hayburnwyke", gives access to a "loop-road" around which are 5 mobile homes; there is a large gravelled parking area. The second part of the site lies to the south-west of the mobile homes and is mainly willow/willow scrub and other trees, the land having been excavated for gravel in the past.
3. The full application, received on 19th October 2004 proposes the redevelopment of the current 5 mobile homes site to provide a total of 16 mobile homes.
4. The treed area would be partly excavated to provide an amenity lake, with the excavated spoil being re-modelled on site to bring the site levels up close to neighbouring land.

History

5. The applicants purchased the site in the early 1990's with the benefit of two earlier consents, one for two caravans, another for three. The site was laid out and brought up to a modern-day standard. Consent was granted in 1996 for a small site office. In 1997 consent for a bungalow was refused, and again in 1998. The subsequent appeal was dismissed.

Policy**Cambridgeshire and Peterborough Structure Plan 2003:**

- i) **Policy P1/2** – Environmental Restrictions on Development. This policy restricts new development in the countryside and also seeks to protect the loss of areas of biodiversity value.
- ii) **Policy P1/3** - Sustainable Design in Built Development. This policy seeks to minimise the need to travel and reduce car dependency.

- iii) **Policy P7/2** – Biodiversity. Development will seek to conserve and enhance the biodiversity value of the area. Features will be retained, managed and enhanced.
- iv) **P9/2a)** – Green Belt. Aims to preserve the setting of the city of Cambridge and retain the openness of the Green Belt. New development will be severely limited.

South Cambridgeshire Local Plan, 2004:

- i) **SE8** – Village Frameworks, restricts housing development to within village frameworks.
- ii) **HG19** – Sub-division of mobile homes. Any approval for a mobile will be conditioned “no sub-division”.
- iii) **GB1** – The setting and special character of Cambridge will be protected by a Green Belt.
- iv) **GB2** – Inappropriate development will not be permitted unless very special circumstances can be demonstrated.
- v) **EN8** – Natural Areas. Consent will not be granted for development which would have an adverse effect on nature conservation and ecology of an area.
- vi) **EN12** – Nature Conservation – Unidentified Areas. Retention of features and habitat types of nature conservation value.
- vii) **TP1** – Aims, amongst other matters, to reduce the need to travel, especially by car.

Consultations

Landbeach Parish Council supports the scheme, stating:

- 6. “The Council has no objections to the proposals put forward in the planning application providing, as stated, that same number of persons will be living on the complex, it would concern us if numbers were greatly increased due to the access onto the busy A10 road. Mr Birch has always maintained this site to a high standard and we would like to think will do so in the future.
- 7. We understand there is a need for the type of properties proposed for retirement couples who down size from their existing houses. We would like to see the section 106 agreement imposed as a planning condition as it will ensure that the correct age group 55 years and above will reside in these premises.
- 8. Bluebell Woods is an area of natural historical (sic. historic) interest and we would therefore like any work undertaken on the site to be sympathetic.”
- 9. **Waterbeach Parish Council** also supports the application, stating that conditions should be imposed restricting single occupancy per unit, and no commercial use of lake which would increase the amount of traffic. The Highway Authority should be consulted.
- 10. The comments of **The Local Highway Authority** will be reported verbally.

11. **The Environment Agency** has no objections but requests conditions on any approval requiring details of both foul and surface water drainage to be submitted and agreed.
12. **The Old West Internal Drainage Board** is concerned for the control of water levels within the lake and possible effects on adjacent properties. Further information is required in this respect, plus details of surface water disposal. The applicant's agent has replied to the Internal Drainage Board stating that water levels are controlled by gravity as the whole site lies within a gravel strata. Surface water from all "hard" areas drains through the hardcore sub-base. Foul drainage is pumped to the main sewer.
13. **The Chief Environmental Health Officer** has no objections.
14. **Cambridgeshire Fire and Rescue Service** has not asked for additional hydrants.
15. The comments of the **Trees and Landscape Officer** will be reported verbally.
16. **The Ecology Officer** lodges a holding objection, stating;
17. "The current site for the proposed lake has clearly developed a biodiversity value as an area of wet woodland with reed and sedge beds. **Policy EN12** should be applied.

I would wish to have further discussions with the applicant and likely require a site assessment. Where would all the spoil generated from the excavation go?

How could the disturbance to nesting birds be avoided?"
18. Further details of plant species required now. Not sure if manure really needed for lake."

Representations – Applicant

19. In a covering letter, agents for the applicants state:
 - The site consists of one single unit and four multiple units of four dwellings, ie 17 units. The proposal will be a reduction to 16.
 - The layout takes into account the conditions of the site licence.
 - The developed site is not being enlarged. The overall site area of 0.6 ha. could allow 26 units, the proposal is therefore half the maximum permitted.
 - The site access has been widened and, with a verge width of 7.6m, visibility is good. There will be no increase in the amount of traffic generated by the site and, in view of the age restriction, movements will not be at peak times.
 - The age limit will allow local property owners to downsize, realize capital for retirement and release housing stock for families.
 - Outside the development site, the overgrown land will be developed to recreational activity space.
 - The site can be drained via the existing pumped system to the main sewer.

- Our client is willing to enter into a Section 106 Agreement restricting the age of occupants to be above 55 commensurate with a retirement house project.
- Since 1992 our client has been unsuccessfully attempting to provide redevelopment of the site with the Area Planning Officer. This scheme should now be given full and worthwhile consideration.

Representations – Neighbours

20. Councillor Mrs Williamson comments:

“It seems to me that turning it into mobile home site for over 55’s has distinct problems. Whilst I don’t consider 55 particularly old I do not feel that such an isolated spot would be good for many of those who might be in their 70’s or 80’s. There is the problem of lack of amenities accessible easily on foot, the A10 is not easy to cross even for the very fleet of foot then there is quite a walk to the village.

I am also concerned about elderly drivers turning out onto the A10 whilst they may drive perfectly safely in the village where speeds are much less I would be concerned about their reactions when coping with the speed of traffic on the A10.”

21. Two neighbours have commented; one has no objection to the proposal but is concerned at the speed of traffic on the A10. They have, over a number of years, witnessed a number of accidents on the road and point out that elderly people wishing to walk into Waterbeach can either do so via a footpath, directly opposite the site’s entrance, which leads into the village but entails crossing the road on a bend, or facing a half mile detour to the “Slap-Up” P.H. junction.
22. Speeds will have to be reduced here if the Denny End Road junction is to be improved.
23. The other neighbour, who lives directly adjacent to the access to the site, has the following concerns:
- i) The existing driveway is surfaced with gravel and cars driving past can clearly be heard inside the house. With the increase in traffic, from residents and their visitors, can we ask that the access roadway be tarmacked.
 - ii) Effect on services; can the drains cope with the extra flow?
 - iii) If the excavated material is to be taken off-site, what provision will be made to stop mud being deposited on the A10?
 - iv) If there is an age limit (minimum) of 55, this does not automatically mean that residents will be retired. As such there will still be peak-hour traffic and, being on a bend, visibility is restricted. With limited ‘right-turn’ facilities into the site, there have been a number of accidents and near misses. Trying to cross the road is a hazard.
 - v) The site is in the Green Belt.
 - vi) At present the site is well maintained but a development such as proposed will scare away the wildlife which would be unlikely to return.

- vii) With the planned increase in the number of houses in Waterbeach, there will be more traffic on the A10 and the Denny End junction. Could the stretch of road from the 'Slap-Up' junction to Denny End Road be lit and have a 40mph limit imposed?

Planning Comments

24. The main issues for consideration are Green Belt, access onto A10, and whether or not site is suitable for housing being outside both Landbeach and Waterbeach.
25. A fourth issue is that of ecology.

i) **Green Belt**

26. Policies of the Structure Plan and Local Plan, reinforced by Planning Policy Guidance Note 2 "Green Belts", all seek to protect a Green Belt from inappropriate development and to maintain its openness. By definition, a housing development, whether mobile homes or permanent housing of "bricks and mortar", is inappropriate. The two earlier consents for caravans on this site were granted prior to the allocation of this land as Green Belt. Consent for such would not be forthcoming today.
27. If a development is deemed to be inappropriate, the question has to be asked as to whether or not there are any mitigating circumstances whereby consent be granted. Here the applicant is stating that the site is occupied at present as one mobile, plus four mobiles each divided into four small units. (NB. As a result of recent legal rulings it has been established that, unless appropriately conditioned, planning permission is not required to sub-divide a mobile home.) This has resulted in the site being occupied with one family mobile home and sixteen one-bed units ie 17 units. To redevelop the site with 16 will reduce the density.
28. The other argument put forward is that, with a Section 106 Agreement stating that residents will be 55 +, all residents will be retired, and therefore will not drive into, or out of the site, at peak hours.
29. These arguments do not justify consent being granted. Four of the mobiles proposed will measure 6.0m x 16.0m (96m²/1033 sq ft), with the other twelve measuring 6.0m x 18.0m (108m²/1162 sq ft). It seems to me unlikely that units of these sizes will only be occupied by single people. Likewise, even if people are retiring earlier, there can be no guarantee that all of the occupiers, even if aged over 55, will not be working.
30. When an appeal was dismissed in 1998 (see HISTORY above) to replace one mobile with a small bungalow, the Inspector was very firm in his view that this was inappropriate development in the Green Belt and the replacement did not amount to a very special circumstance.

ii) **Access**

31. Although the access to the site has been widened, albeit without planning consent, it is onto a fast and very busy section of the A10, subject to the 60 mph limit. Whilst visibility to the south is reasonable, the section of road is heavily treed both sides and is rather gloomy. To the north there is an adverse bend.

iii) **Suitability for Housing**

32. The site lies in the Green Belt, well outside the village frameworks for both Landbeach and Waterbeach. Policies do not permit such developments as proposed in a countryside location.
33. In addition the location of the site is not sustainable, especially as intended, for persons of retirement age. For such an age group, close proximity to shops, a Post Office, and other facilities is essential. As pointed out by one neighbour, there is a footpath, immediately opposite the entrance to the site, which leads through to the village green. The footpath's length is 745m. However it would be extremely dangerous for an elderly person to try and cross the A10 at this point.

iv) **Ecology**

34. That part of the site to be excavated as an amenity area was dug for gravel between 1930 and 1940, - but only down to the summer low water level. This has resulted in the ground level being reduced by 1.0m approximately. Nature has taken over since digging ceased and, with the water table being higher in winter, the site has become an interesting area for ecology. The applicant cleared much of the site in the early 1990's, but there has been much regeneration of tree growth since then.
35. Members will note the comments, and holding objection, of the Council's Ecology Officer.

Recommendation

Refusal

36. Although there is a ribbon of development to the south, and some development opposite, Bluebell Woods lies in the countryside well outside the villages of both Landbeach and Waterbeach – the centres of both being approximately 1.6km distant. The site also lies in the Green Belt.
 1. As such the proposed intensification of use would be contrary to Policies P1/2 and P1/3 of the Cambridgeshire and Peterborough Structure Plan (2003) and SE8 of the South Cambridgeshire Local Plan (2004) which seek to restrict new housing developments to within village frameworks and existing settlements.
 2. The proposal is, by definition, inappropriate development in the Green Belt and therefore contrary to Policies P9/2a) of the Structure Plan, GB1 and GB2 of the Local Plan, and the aims of PPG2 "Green Belts", all of which seek to protect the character and openness of the Green Belt, together with the setting and special character of Cambridge.
 3. Positioned midway between the villages of Landbeach and Waterbeach, all journeys to and from the site will be by car. Such a dependence on the motor car is not sustainable and therefore contrary to Policy P1/3 - of the Structure Plan and Policy TP1 of the Local Plan.
 4. The excavation and creation of the amenity lake will destroy the present area of regenerated wet woodland. Without a greater degree of detail and a site assessment such loss would be contrary to policies P1/2 and P7/2 of the Structure Plan and EN8 and EN12 of the Local Plan.

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/2128/04/F

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

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/2135/04/F - Babraham
House (Revised Design) - Village Hall Site, High Street for M Winter**

**Date for Determination - 14/12/2004
Recommendation: Approval**

Conservation Area**Site and Proposal**

1. The application site is a 0.155 hectare (0.38 acre) L-shaped plot of land that, until recently, was occupied by a detached rendered building used as a village hall. To the north-east of the site is a pair of semi-detached red brick and tile dwellings whilst to the south-west are two detached brown brick and tile properties. The site extends beyond the rear garden areas of the latter properties with the vehicular access being situated adjacent to the south-western boundary of these dwellings. There is a flint and brick wall along the frontage of the site.
2. The full application, submitted on 19th October 2004 and amended on 26th November 2004, seeks to erect a house on the site. The proposed dwelling would be a 5-bedroom hipped roof brick and slate property with a ridge height of 8.4 metres (5.4 metres high to eaves). It would be sited a total of 8.7 metres back from the frontage of the site.

Planning History

3. **S/1253/04/F** – Members may recall that consent was granted at Committee in August for the erection of a dwelling on the site following the demolition of the village hall. This consent was subject to a number of conditions including the requirement for an application to be made for any additional windows at first floor level in both side elevations. The approved dwelling is virtually identical to that proposed under the present application.
4. **S/1585/03/F** – Planning permission granted for erection of dwelling following demolition of the village hall on a smaller site. The approved scheme shows an 8.4 metre high, detached house, of comparable design to the two dwellings to the south-west, with on-street parking and the retention of the existing front boundary wall.
5. **S/0430/93/F** – Planning permission granted for erection of dwelling following demolition of the existing village hall. This consent expired in 1998 and was resurrected by the above permission.
6. **S/0848/93/CAC** and **S/1584/03/CAC** – Conservation Area Consent granted for the demolition of the existing village hall.
7. **S/0446/86/F** – Consent granted for village hall car park on site to rear.

Planning Policy

8. Babraham is identified within **Policy SE5** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) as an Infill-Only Village. In such locations, Policy SE5 states that residential development will be restricted to no more than two dwellings comprising (amongst others) the redevelopment of an existing residential curtilage providing the site does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.
9. **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.
10. The site lies within the village Conservation Area. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) requires development to protect and enhance the quality and distinctiveness of the historic built environment, whilst **Policy EN30** of the South Cambridgeshire Local Plan 2004 requires new development in a Conservation Area to either preserve or enhance the character of the area.

Consultation

11. **Babraham Parish Council** recommends refusal stating:
 - The Parish Council feels that the addition of many windows is totally unacceptable;
 - It is also a Parish Council concern regarding the memorial plaque which was to be salvaged and resited on the replacement building
12. **The Conservation Manager** raises no objections to the dwelling, in principle, stating that the proposal will have a very similar impact on the Conservation Area to the existing approved development. However, there is a very poor relationship between the ground and first floor windows on the south side elevation which would be significantly improved if the window to bedroom 4 was aligned with the breakfast area below. The drawings were amended to show this change and the Conservation Manager has raised no further objections.
13. **The Chief Environmental Health Officer** comments that the proposed kitchen extract is 4.25 metres away from Amber House and is unlikely to prove a nuisance from domestic use. It is considered that the provision of filtering equipment should not be a requirement of a planning condition for a domestic kitchen.

Representations

14. Letters of objections have been received from 2 local residents, Ember House and No.1 Home Farm Cottages. The main points raised are:
 - The size of the chimneys is twice what was originally proposed and disproportionately large;
 - The venting from the kitchen directly faces Ember House. In order to minimise smoke and odour outside, a proper cooker hood with an efficient filtering system should be installed inside and preferably outside as well;

- Changing the number of windows in the east face of the house from the original 2, both of modest size, to 6, all of significantly greater size, would compromise the privacy of neighbours.

Representation from the Local Member, Councillor Orme

15. Councillor Orme objects to the application stating that new windows to habitable rooms have appeared on the north side of the building. These could give views into the neighbouring property to the north.

Planning Comments – Key Issues

16. The key issues in relation to this application are:
- Neighbour impact;
 - Impact upon Conservation Area/visual impact in the locality;
17. Under planning reference S/2135/04/F, consent was granted for a dwelling of virtually identical design to that proposed in the current application. The key differences between the previously approved and current applications are that additional windows are now proposed in both side elevations, the chimneys are now slightly larger and the design of the rear conservatory has been revised.
18. The approved property had first floor bathroom windows in both side elevations and the permission was subject to conditions requiring the fitting of these openings with obscure glazing and preventing the insertion of further first floor windows in both side elevations in order to prevent overlooking of adjoining dwellings. The present application differs from that previously approved in that it seeks to add first floor and ground floor windows to both side elevations. The additional first floor windows (2 on each side) are secondary windows to bedrooms. The Parish Council and immediate neighbours have expressed concerns about overlooking from these extra windows. However, the submitted plans indicate that they would be obscure glazed. I would suggest that, in order to prevent overlooking of the neighbouring properties, these windows should be both obscure glazed and fixed and this could be secured by a condition of any planning consent.
19. I am satisfied that the ground floor windows would not result in undue overlooking of either neighbour given that there are fences on both side elevations.
20. With respect to the design of the dwelling, the Conservation Manager requested that a first floor window in the south side elevation be moved to align with a window below it and the plans have been amended accordingly. The chimneys now proposed are approximately 100mm wider and 700mm higher than those previously approved but no specific concerns have been raised by the Conservation Manager in respect of these alterations nor in respect of the revised conservatory design.
21. The occupiers of the adjoining property to the south-west, Ember House, have expressed concerns about the venting from the kitchen. The Environmental Health Officer has been asked to comment on this matter and has raised no objections.
22. The Parish Council has commented that the memorial plaque previously sited on the village hall was to be salvaged and resited on the replacement building. This is required by a condition of the Conservation Area Consent for the demolition of the hall but is not a condition of the previous planning consent. This condition has yet to be satisfied but I have asked the applicants agents to clarify where it is intended to

resite the plaque and this will be reported verbally to Members at the Committee meeting.

Recommendation

23. Approval, as amended by drawing number W/1064/PL-01/A, date stamped 26th November 2004 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 dwelling and garage (Rc5aⁱⁱ and to ensure that the development would not detract from the character and appearance of the Conservation Area);
 3. Sc5 – Details of the design of the front door and canopy over (Reason – To ensure that the development would not detract from the character and appearance of the Conservation Area);
 4. Sc51 – Landscaping (Rc51);
 5. Sc52 – Implementation of landscaping (Rc52);
 6. Sc60 – Details of boundary treatment (Rc60);
 7. 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 (Rc26);
 8. Save for the windows shown within the approved drawings, no further windows, doors or openings of any kind shall be inserted at first floor level in the north-east and south-west side elevations of the dwelling, 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 dwellings to the north-east and south-west);
 9. Sc23 – First floor windows in the north-east and south-west elevations to be fitted and permanently maintained with obscure glass and to be permanently fixed (Rc23);
 10. During the period of demolition and construction, the front boundary wall shall be protected in accordance with a scheme which shall previously have been submitted to and agreed in writing with the Local Planning Authority (Reason – To ensure the retention of the front boundary wall which contributes to the character and appearance of the 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:** P1/3 (Sustainable design in built development) and P7/6 (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004:** SE5 (Development in Infill-Only Villages) and EN30 (Development in/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:

- Residential amenity
- Visual impact on the locality
- Impact upon the character and appearance of the Conservation Area

General

1. 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.
2. During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the 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, Plan File Ref: S/2135/04/F, S/1253/04/F, S/1585/03/F, S/0430/93/F, S/1584/03/CAC and S/0446/86/F.

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

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/2241/04/F - Great Abington
Change of Use of Barn from Storage to Seed Laboratory and Administrative Area and
Siting of Portable Building for Mess/Meeting Room, Storage and Locker Room at 49
North Road for S W Seed Ltd

Recommendation: Refusal
Date of determination: 29th December 2004

Site and Proposal

1. The application site lies on the southern side of North Road and is occupied by a brick and tile office building, a painted brick, blockwork and corrugated sheeting roof building and a gravelled parking area. There are public rights of way adjacent to the site to the north (North Road) and west. A dwelling owned by the applicants lies to the east.
2. This full application, registered on the 3rd November 2004 proposes the use of a 28m x 9.5m building as a seed laboratory and administrative area and the siting of a 9.7m x 4m x 3m high portacabin to be used as a mess/meeting room, locker room and for storage. No new openings in the barn are proposed.

Planning History

3. Planning permission was granted in 1985 for the office building (**S/1016/85/F**). Condition 1 of the permission stated that the building shall be used for office and storage purposes in association with the use of adjacent buildings and land, for the purposes of agriculture, edged blue on the approved plan.

Planning Policy

4. The site is within the countryside as defined in the Local Plan 2004 and within the Abington former Land Settlement Estate.
5. 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.
6. Local Plan 2004 **Policy EM10** normally supports the principle of a change of use of rural buildings to employment use. However, on the former Land Settlement Association Estate, "as much of the area is residential and the roads are of poor standard (within the estate they are single carriageway with passing bays and are privately owned and maintained)", **Policy Abington 1** states that planning permission will not be granted for commercial development unless it is directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area.

Consultation

7. **Great Abington Parish Council** recommends approval.
8. **Chief Environmental Health Officer** recommends conditions requiring details of any power driven plant and equipment to be agreed and times when power operated machinery shall not be operated to be attached to any approval.
9. **Environment Agency** recommends that a condition requiring a scheme of pollution control to be approved and implemented is attached to any approval. It also makes advisory comments.
10. **Ramblers Association** is concerned that building operations should not impede the use of the footpaths by the storing of materials, parking of vehicles or the dumping of debris and that footpath signage should not be affected either during building or on completion.
11. **County Council's Countryside Services Team** was consulted but had not commented at the time this report was compiled.

Representations

12. None received.

Planning Comments – Key Issues

13. The key issues in relation to this application are whether the proposal complies with Policy Abington 1 of the Local Plan and, if not, whether there are any considerations that indicate that it should be approved as a departure from the Development Plan; and the visual impact of the proposed portable building.
14. Although a seed laboratory is related to agriculture, the proposed use is not considered to be directly related to local agriculture. The proposal is a result of the closure of the applicant's Abbots Ripton breeding and fields trial centre near Huntingdon. It is a Research & Development Use (Use Class B1(b)) and, rather than being directly related to land on the former Land Settlement Association Estate, would provide support to the breeding programme and trialling activity to be located at Fulbourn. The proposed change of use and portacabin are therefore considered to be contrary to the aims of Local Plan Policy Abington 1. Whilst the application forms indicate that only 3 additional people would be employed at the site, approval of this application would make it more difficult to resist other applications for commercial development on the former Land Settlement Association Estates to the progressive detriment of the agricultural character of the area and the amenity of residents, which the Policy seeks to protect. The applicant has stated that there are no such facilities at Fulbourn. I do not consider that this or any other matters constitute an overriding consideration to indicate that the proposal should be approved as a departure from the Development Plan.
15. Even if the principle of the change of use of the building were considered acceptable on this site, the proposed portable building, which would be visible from North Road, would detract from the agricultural character of the former Land Settlement Association Estate and the visual amenities of the area.

Recommendation

16. Refusal for the following reason:

The proposal is primarily a Research and Development use which would support the breeding programme and trialling activity to be located at Fulbourn. It is not directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area and it has not been demonstrated that the use and portable building are essential in this particular rural location. The proposed portable building would also detract from the agricultural character of the former Land Settlement Association Estate and the visual amenities of the area. The proposal is therefore contrary to the aims of South Cambridgeshire Local Plan 2004 Policy Abington 1 which states that planning permission will not be granted for commercial development on the former Land Settlement Association Estate unless it is directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area; and Cambridgeshire & Peterborough Structure Plan 2003 Policy P1/2 which states that development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location.

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/2241/04/F and S/1016/85/F

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

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/2177/04/F - Balsham
Dwelling on Land adjacent 1 Bartons Close for Mr & Mrs Walker

Recommendation: Approval
Date for Determination: 17th December 2004

Adjacent to Conservation Area**Site and Proposal**

1. The application site, which has a frontage of 14m, an average depth of 16m and an area of 0.02 hectares, is currently the side garden to No.1 Bartons Close, a two-storey brick and plaintile semi-detached dwelling with parking to the side and its main entrance and two small windows in its side elevation facing the site. A bungalow fronting West Wickham Road with a shallow rear garden (No.12 West Wickham Road) lies to the north. The garage and parking/manoeuvring area serving a two-storey dwelling (No.27 Horseshoe Close) lies to the east. No.1 Bartons Close is to the south with Bartons Close and bungalows on the opposite side of the road to the west.
2. This full application, registered on the 22nd October 2004, proposes the erection of a part single storey, part two-storey 2-bedroom dwelling. The two-storey element has a ridge height of 6m and an eaves height of 4.3m. The single storey element has a ridge height of 4.5m and an eaves height of 2.5m. Materials are to be agreed. One off-road parking space is proposed. A pine tree towards the rear of the site is likely to be compromised by the development. The density equates to approximately 45 dwellings to the hectare.

Planning History

3. A full application for a dwelling on the site was withdrawn (**S/0208/04/F**).
4. Outline permission for a dwelling on the site was refused in 1988 on the grounds that "The erection of a dwelling on this site of restricted area and in close proximity to dwellings at 1 Barton Close and 12 West Wickham Road would represent a cramped form of development which would dominate the outlook at the rear of the bungalow at 12 West Wickham Road and would overshadow that property to an unacceptable degree" (**S/2458/87/O**).

Planning Policy

5. Structure Plan 2003 **Policy P1/3** requires all new development to be of a high standard of design which responds to the local character of the built environment.
6. Balsham is a Group Village and Local Plan 2004 **Policy SE4** states that residential development up to a maximum of 8 dwellings (and exceptionally 15 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 amenities of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with another policy of the Plan. Local Plan 2004 **Policy HG10** seeks to ensure that the design of schemes is informed by the wider character and context of the local townscape and high quality design and distinctiveness is achieved.

7. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect the quality and distinctiveness of the historic built environment. Local Plan 2004 **Policy EN30** relates to development within and affecting the setting of conservation areas and states that the District Council will refuse permission for schemes which do not fit comfortably into their context.

Consultation

8. **Balsham Parish Council** recommends refusal for the following reasons:

“1) The site is too small and totally unsuitable for a two-storey building.
2) The proposed dwelling is out of character with the area.”

9. **Conservation Manager** states that the site is surrounded by modern development and the proposal would have no significant impact on the character and appearance of the Conservation Area.

Representations

10. Objections have been received from the occupiers of 12 West Wickham Road, 27 Horseshoe Close and “Daymar”, Bartons Close on the following grounds:
- The dwelling is too obtrusive and too large for the site;
 - No.12 West Wickham Road’s bedroom and breakfast room windows would be overlooked from the proposed dwelling;
 - Overlooking of and loss of light to No.27 Horseshoe Close and “Daymar”, Bartons Close;
 - Loss of views;
 - The site is unsuitable;
 - No mention is made within the application of the pine tree within the site close to the boundary between the site and No.27 Horseshoe Close;
 - Cars use this section of Bartons Close for parking and the creation of an access would create further parking problems and increase the volume of traffic on the narrowest part of Bartons Close; and
 - If it was felt that development of this land was appropriate, a single storey dwelling would be more in keeping with the current surroundings.

Planning Comments – Key Issues

11. The key issues in relation to this application are the affect of the proposal on:
- The character of the area; and
 - The amenity of neighbours.
12. The proposed dwelling would sit between the bungalow at 12 West Wickham Road and the two-storey house at 1 Bartons Close. Whilst dwellings in Bartons Close are

generally of a simpler design than the proposed dwelling, there is a mix of dwelling designs in the locality, particularly in West Wickham Road. I consider that the proposal is acceptable in terms of street scene impact and the character of the area.

13. The nearest part of the proposed dwelling is set off No.12 West Wickham Road's rear boundary by approximately 5m, the ridge of the single storey element is approximately 7.5 from the boundary and the ridge of the 6m high element is approximately 11.5m from the boundary. On balance, whilst the development would have an impact on the outlook from No.12 West Wickham Road, I do not consider that this impact would warrant refusal. A condition should be attached to any approval removing permitted development rights for extensions to the proposed dwelling so that the Local Planning Authority could ensure that any subsequent extensions did not seriously affect the amenity of neighbours and the occupiers of No.12 West Wickham Road in particular. In terms of other impacts on neighbours, I do not consider that the development would have a serious impact on the amenity of neighbours through overlooking or undue overshadowing or by being unduly overbearing.
14. A previous outline application for a dwelling on the site was refused in 1988. For the reasons identified above, and in order to make the best use of land, I consider that the present scheme is acceptable.
15. The proposed dwelling would have adequate amenity space. One off-road parking space is to be provided for this two-bedroom dwelling. I consider that the proposal is acceptable in terms of parking and highway matters.
16. The likely removal of a pine tree towards the rear of the site is not reason to refuse the application.

Recommendation

17. Approval
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a and f – Details of materials for external walls, roofs and hard surfaced areas (Rc To ensure the satisfactory appearance of the development);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60 and to protect the amenity of neighbours);
 7. Sc21 (Part 1, Classes A, B & C) – Removal of permitted development rights (Rc21c harm to the amenity of neighbours)
 8. Visibility splays shall be provided on both sides of the access and on the northern side of No.1 Barton Close's access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the back of the footway (Rc In the interests of pedestrian/highway safety)

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** (Residential Development in Group Villages), **HG10** (Housing Design) and **EN30** (Development Affecting the Setting of 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;
- Character and visual impact of the locality;
- Pine tree;
- Parking and traffic problems.

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 files Refs: S/2177/04/F, S/0208/04/F & S/2458/87/O

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

S/6277/04/RM - Cambourne
32 Sheltered Retirement Apartments and Relocation of Community Centre Public Car Park. Areas W8/W9 and Part of Community Centre Site, High Street/Jeavons Lane, Great Cambourne

Recommendation: Delegated Approval
Date for Determination: 5th January 2005

Site and Proposal

1. The site comprises the southern corner plot at the east end of the High Street, fronting Jeavons Lane. It lies adjacent to the Community Centre, the construction of which is nearing completion. To the north, on the opposite side of High Street, is occupied affordable rented housing. To the east, on the opposite side of Jeavons Lane, is the land for the church and the portacabins (The Ark) presently used for that purpose. To the south is the first of the private houses in Jeavons Lane, which are 3 storeys high.
2. The application, received on 11th November 2004, proposes a block of 32 sheltered retirement apartments. This would be a private development by the same company as across the road on the north side of High Street, but in this case would be simply sheltered accommodation rather than “very sheltered” which has a greater personal care input. Also proposed is additional land onto which part of the community centre car park can be relocated, allowing some of the present community centre car park site to be used as part of the parking for this sheltered development.

Planning History

3. None on this [W8/9] site. Detailed permission for the community centre was granted in July 2003: its car park has been provided and the building is nearing completion. (In Cambourne overall, outline planning permission for 3,300 dwelling was granted in 1994, along with associated infrastructure and facilities. Building work as a result of detailed reserved matter and full planning permissions have resulted in a total of 1,520 dwellings being occupied to date.)

Planning Policy

4. **Policies Cambourne 1 and 2 and SE7** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) require development to be in accordance with Cambourne Masterplan and Design Guide.
Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) requires sustainable design in built development

Consultations

5. **Cambourne Parish Council** recommends refusal; “not enough car parking spaces for residential homes, no visitor parking.”

6. **The Police Architectural Liaison Officer** is unclear as to what degree of natural surveillance from nearby buildings will be provided to the re-sited community centre car park. Possible problems with unauthorised use of the car park by youths outside the hours of use as a car park are highlighted. Lighting should be provided to enhance security and facilitate supervision. He recommends that railings are raised from 1.5m to 1.8m to improve security.
7. **The Environment Agency** has no objection in principle.
8. **The Fire and Rescue Service** states that it is unknown at this time if additional water supplies for fire fighting are required at this location.
9. **The County Archaeologist** states that no further investigation is required.
10. **The Council's Landscape Design Officer** raises queries about continuing the hedge line along the proposed railings, and suggests a significant feature tree on the High Street/Jeavons Lane corner.
11. **The Council's Ecology Officer** expects the communal area to incorporate suitable bird boxes and feeding areas.
12. **The Council's General Works Manager** raises queries about refuse storage capacity and design.

Representations

13. From 16 Chaffinch Walk: The total length of my boundary fence will run adjacent to the proposed new car park layout. No provision appears to have been made in respect of screening or security measures: it worries me that this area could become a potential site for anti-social behaviour at the rear of a public car park. I hope that the applicant could include the provision of thorny hedging all around the perimeter fences and good lighting throughout the site in an effort to prevent any vandalism.

Planning Comments – Key Issues

14. The proposal is in accordance with the aims and themes of the Cambourne Design Guide and Masterplan. The design has been carefully executed to sit comfortably between the community centre and adjacent housing, whilst providing a robust corner feature when seen from the entrance to the High Street from Upper Cambourne to the East. It is set back in line with the Community Centre to enable a view of the church (when built) along the High Street from the west.
15. Because of the requirement for a size of building that can accommodate a sufficient number of flats to make the scheme viable, the land for the proposal, including parking, needs to incorporate some of the car park associated with the community centre, presently under construction. Therefore, the application includes additional land to enable that car park to be resited slightly. It will still be well-related to the community centre, and no objection is raised to this alteration. The works to re-arrange the car park will not hold up the handover of the community centre, as this will be done in two phases: the building followed by the exterior. Nevertheless, it will be necessary to add a condition to the effect that the new community centre car park is completed first, to ensure this is provided as soon as possible.

16. The main issue raised by the Parish Council is that of parking for the retirement apartments. It is commonly accepted that older people do not have the same level of car ownership as the average population, and this was reflected in the development of site CR02 on the opposite side of the High Street. That site was for very sheltered accommodation, where 50% parking (i.e. one space per 2 flats) was considered acceptable, catering for those occupiers who do own a car, plus staff. On this site, the use will be sheltered, but not “very sheltered” with a slightly younger minimum age limit. Therefore 75% parking is proposed. The Council’s standards require flexibility depending on circumstances, and in this case, any occasion where there is an additional requirement for visitors can be accommodated in the range of nearby public car parks, not only the community centre public car park but the Morrisons car park just across the road. A condition limiting the minimum age range will be applied to planning permission.
17. Other matters raised by consultees and representation, regarding landscaping and boundary treatment, lighting, ecology and refuse storage can be dealt with by minor amendments to the plans, and conditions.

Recommendation

18. Delegated powers of approval are sought, once the matters relating to refuse storage have been resolved, subject to conditions regarding landscaping and boundary treatment, lighting, ecology, materials, minimum age limit, and that the new community centre car park be provided first.

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: Cambourne 1 and 2, and SE7** (Development in accordance with Cambourne Masterplan and Design Guide),
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
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:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/6277/04/RM

Contact Officer: Kate Wood – New Village/Special Projects Officer (Cambourne)
Telephone: (01954) 713264

This page is intentionally left blank

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Deputy Development Services Director

Major Applications: Target for Determination

Purpose

- This item is to advise Members of a consultation letter that was received from the O.D.P.M. setting SCDC a new target for the percentage of major applications dealt within 13 weeks, and the actions that will be required to achieve the target.

Effect on Corporate Objectives

2. Quality, Accessible Services	The Government equates speed of determination with quality of service.
Village Life	Major developments can provide a range of benefits to village life including new affordable housing, community facilities and employment
Sustainability	Major Developments frequently contribute to sustainability by, for example, funding cycle ways and travel to work plans
Partnership	Major developments frequently require agreements involving Parish Councils and other bodies in providing community facilities.

Background

- The Council has always balanced quality and speed of service in relation to major applications. In doing so, Members recognised that the significant majority of applications determined fell within the "others" class (see the table below). Accordingly the agreed local 2003/04 target was set at 40%, notwithstanding that the Government had introduced a specific target two years ago of 60% within 13 weeks. The actual SCDC figure for this period was 30%. Interestingly, those of our network group (the Premier Division) that met the major's target, have struggled to meet the "others" target.
- The ODPM is now proposing to set further planning Best Value performance targets in 2005/06 under section 4 of the Local Government Act for the 77 Authorities that determined less than 40% in the year ending 2004. The SCDC 2005/06 target has been set at 57%.

Considerations

- The Council's performance has improved over the year (as we have been able finally to achieve something like fully staffed teams.) This has been shown in relation to the last Planning delivery Grant year September 2004 - October 2004 as follows:

	Major	Minor	Other
Gov target % in weeks	60% in 13 weeks	65% in 8 weeks	80% in 8 weeks
% Achieved	34%	55%	81%
Numbers of applications	62	594	1659

6. The upward trend has carried on through the year such that the current cumulative percentage figure is 39%, and I am confident that, so long as we can maintain staffing levels that we would be able to reach our current target that we have set for majors of 40%. However, our experience over the years informs us that there is no way that we can increase the percentage to the 57% target without there being a significant change in our approach.

Options

7. The Council was given the opportunity to comment on this target, and a response was sent by the deadline of 17th December 2004. There are a number of special factors that make our target less easy to achieve than it is for other Authorities and they include the following:
- External audit confirmed that some SCDC major applications are just too large to go through the entire process within the 13 weeks. Indeed, Government acknowledges this, since those applications that require an environmental impact statement (EIS) have a different statutory time period of 16 weeks from the date of the EIS's submission rather than the normal 8 or 13 weeks. As a growth area and the heart of nationally important research based industries, SCDC has a disproportionate percentage of "major" majors and those that require an EIS. e.g.'s new settlements, major urban expansions, Camborne enhanced, science parks
 - The nature of these applications is such that we also have a disproportionately high number of applications that are called in for determination by the Secretary of State e.g.'s Welcome Trust, 307 Huntingdon Road
 - It is the nature of the area that we attract applications that are out of the norm e.g.'s the rowing course, national cricket centre, wind farm, travellers applications, reception centre
 - SCDC has a particularly erudite population that takes a full and active part in the planning process.
8. However, while it has been said that all responses will be considered before laying the relevant Order before Parliament, it is not expected that our response will change our 2005/06 target of 57 %. If we do not meet this target it is inevitable that we will lose out financially (addressed further below).
9. For some time been in discussion with our network group, the Premier Division, and many of them have reported that they have been able to meet the set target.
10. Accordingly an action plan has been developed using the best practise gleaned from our colleagues to help us meet this 57 % target. The main points of this are as follows:
- Front loading the registration process to ensure that all the essential information is required when the application is submitted
 - Clear guidance to developers as to what they are expected to provide
 - A clear statement that all major applications submitted that are valid and not acceptable will be refused
 - Continue with our practise of offering pre-negotiations to iron out problems

- A requirement of the applicant to involve the public prior to the application's submission
 - More use of standard agreements and completion of agreements prior to an application's submission
 - Rigorous time deadlines for the completion of agreements that follow on from an application's submission, and refusal of those that don't
 - Major Applications that are currently on the table will have to be withdrawn or determined before the accounting period commences. This will, in itself, require a significant staff input.
11. In addition to these actions we will be preparing a revised scheme of delegation for members to help achieve our target for major and minor applications.

Financial Implications

12. While the Government provides Planning Delivery Grant, there will be a significant loss of revenue to the Council. Last year, for example, the Council received £216,00 and had we met the majors target we could have received an additional sum in the region of £50,000. However, there have been clear indications from Government that they will increasingly weight the grant away from the other targets towards majors. Also, in the longer term, Government has said that they are committed towards revising the fees for planning applications and implied that those that don't meet the target will not be able to set realistic fees that cover the costs of determining major applications.

Legal Implications

13. In addition to the income point, Government could take other sanctions against those Authorities that don't meet the targets set for them, and this will not be clear till the Order is made

Staffing Implications

14. The Authority relies on the Planning Delivery Grant to fully fund its staffing costs and to progress our IT plan. Any significant reduction will reduce our ability to meet our other targets and to meet out IT requirements for e-government by 2005

Risk Management Implications

15. If we do not meet the 2005/06 target of 57% we will loose resource and make it difficult to meet all our targets. Increasing pressure on all our staff could lead to a leakage of experienced staff when it is increasingly difficult to recruit suitable professionals with relevant skills and experience. Further, in concentrating on majors we run the risk of performance slipping for the majority of our applications and hence not meeting our population's reasonable needs and expectations.
16. Members may be faced by pressure from applicants to delay determination while they make good faults in their proposals to avoid a refusal. While this has been accepted in the past, it is no longer a viable option.

Consultations

17. The Chairman of the DCCC committee and the Planning Portfolio have been fully briefed, and they are supportive of the need for a different approach towards major applications while maintaining our performance for the majority of our applications.

Conclusions/Summary

18. The Council's target of 40% within 13 weeks for major applications is no longer viable.
19. The Council will lose out financially if the target is not met. Staff and IT resource will be lost and this would lead to an overall decline in performance

Recommendation

20. That in the New Year, we advise agents as to the new approach (paragraph 10 refers) that we will be adopting towards major applications.

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

Proposed Planning Best Value Performance Standards for 2005/06 Consultation

Contact Officer: G.H.Jones - Deputy Development Services Director
Telephone: (01954) 713151

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/2624/03/F	Country Homes and Gardens Royston Garden Centre, Dunsbridge Turnpike Shepreth Variation of conditions 1, 2, 10, & 11 of S/1333/02 in respect of revised landscaping details (Non-Determination)	Part Allowed 22/11/2004
S/1559/03/F	Taylor Woodrow Developments Off Chivers Way (Access off Kay Hitch Way) Histon 57 Dwellings (Officer Recommendation to Refuse)	Dismissed 23/11/2004
S/0891/04/A	Greene King Pub Company The Blue Lion Public House, Horningsea Road Fen Ditton Signs (Officer Recommendation to Approve)	Allowed 23/11/2004
S/2377/03/CAC	R & H Wale Ltd Rectory Farm Site, Rectory Farm Road Little Wilbraham Total demolition of clunch barns and outbuildings (Delegated Refusal)	Dismissed 24/11/2004
S/1215/03/F	R & H Wale Ltd Rectory Farm Site, Rectory Farm Road Little Wilbraham Erection of 7 houses (including 2 affordable dwellings) (Officer Recommendation to Approve)	Dismissed 24/11/2004
S/2344/03/F	R Kennedy & K Meaby The Bungalow, Cambridge Road Girton Extension (Officer Recommendation to Approve)	Dismissed 26/11/2004

S/0682/95/O	Mr P. Stroude Home Farm Longstanton Variation of Condition 16 of Outline Planning Consent S/0682/95/O (to allow the construction of more than 500 Dwellings)	Dismissed 29/11/2004
S/0207/04/F	Mr R Wright 22 Newton Road Whittlesford Extension (Delegated Refusal)	Dismissed 29/11/2004
S/0284/04/F	Mr Ives Brookside Farm, Barrington Road Shepreth Extension and garage (Delegated Refusal)	Dismissed 30/11/2004

2. Summaries of recent decisions of interest

Taylor Woodrow Developments – Erection of 57 dwellings and associated works – Land off Chivers Way, Histon – Appeal dismissed. Appellant’s application for costs dismissed

1. This appeal proposed the development of vacant industrial land as an extension of housing in Kay Hitch Way. The majority of these properties form a sheltered complex for elderly and disabled persons. There is also a shared social hall, a group home for severely disabled people and a warden living on site.
2. The application was refused because of the impact the additional traffic would have on existing residents and the existing traffic and parking situation in Station Road. The inspector also considered the effects on drainage, flooding and the provision of public open space following objections by the Parish Council. The County Council had raised some highways concerns but did not object. The Council sought the advice from Atkins (highways consultants) who recommended that the application be refused. At the resultant hearing, Atkins assisted the Council in its case. Cllr Mike Mason, the Parish Council, the local surgery practice manager, the site warden and three local residents all spoke against the proposal.
3. No objection was raised to the principle of developing the site for housing. The proposal also brought forward 17 affordable units. The inspector noted the large number of representations on the grounds that the large proportion of elderly or disabled residents of Kay Hitch Way could not cope with the additional traffic on the road. This was both in terms of their physical safety, as well as the fear of harm from what is currently a peaceful and secure environment. Various difficulties in using the road and the junction with Station Road were highlighted. The main parties agreed that the development would generate around 400 vehicle movements a day.
4. The County Council’s safety audit expressed some reservations. It also required improvements to the junction with Station Road. The inspector accepted that Kay Hitch Way has been designed for the most part in accordance with established criteria, but that there are unusual circumstances here because of the nature of occupancy. The existing development comprises a purpose designed and valuable housing resource that will always be coping with vulnerable people. The increased traffic flows would

clearly make a material difference and make it more difficult for people to cross the road. It was a matter of judgement, rather than measurement and the inspector concluded that the effect would be harmful.

5. Both the Council and the Parish Council were concerned that the building out of the junction to improve visibility would narrow part of Station Road. While the width is already restricted in part by parking bays, the extra width is available for larger vehicles. There was also the possibility of a future cycle track or turning lane. The inspector felt that the loss of these aspects also counted against the proposal. She specifically gave weight to the well-considered objections from the Parish Council. Further concerns were the turning movements in and out of the doctor's surgery, the loss of three on street parking spaces and the physical capacity of Kay Hitch Way.
6. The proposal was therefore deemed not to be people-friendly, nor sensitive to the amenities of neighbours.
7. The issues relating to drainage, flooding and public open space were all such that approval could be granted subject to appropriate conditions.
8. In conclusion, the inspector found that the harm created by the proposal outweighed the benefits of making best use of brownfield land and the provision of affordable housing. At the same time, the inspector also suggested that access could be taken from Chivers Way This is a small, high quality business park and would not be an unsuitable approach for residential development. Direct pedestrian links with Kay Hitch Way would allow the development to be socially integrated. Thus the appeal site need not remain sterilised.
9. The appellant applied for costs. This was on the basis that the Council's highways arguments were not substantial. The appellant argued that it was conceded that Kay Hitch Way is only of substandard width for a short distance and any safety risk is mere speculation; the impact of the loss of on-street parking spaces was not supported by evidence; there was no evidence of any peak time traffic conflicts; and reliance on a possible cycle scheme was inappropriate.
10. The Council responded that it was misguided for the appellant to rely solely upon the advice of the highway authority. In any event, the County Council did have some concerns and these had not been addressed. The reasons for refusal met the statutory tests and were supported by development plan policies. Evidence had been provided by a highway consultant, which was substantiated in the hearing statement and at the hearing. Critically, the fears and perceptions of residents were relevant and these views had substance.
11. In refusing the application, the inspector considered that the Council could not have provided any more concrete evidence than it had done. Matters to do with human behaviour will inevitably be speculative. It was not unreasonable for the Council to give weight to qualitative matters. The Council's qualified consultant gave written and oral evidence to support the Council's case. The Council had acted reasonably in refusing planning permission. No award of costs was made.
12. *Comment: This appeal is a good example of all the relevant parties working together – both before and during the hearing - to produce a satisfactory conclusion for the benefit of local residents.*

Country Homes and Gardens – Appeal against conditions seeking non-compliance with landscaping scheme and timing of implementation works – Royston Garden Centre, Dunsbridge Turnpike, Shepreth - Appeal allowed in part

1. This appeal arose following proposals to amend the treatment of an existing grassed, 2 metre high bund along the frontage of the car park with the A10. In addition, it was proposed to alter dates by which bund stabilisation and landscaping works would be undertaken. The appeal was heard by way of a hearing. This was attended by the Parish Council and County Councillor Professor Milton.
2. The main issue was whether the changes to the bund would harm the character and appearance of the area.
3. The bund was originally approved in 1995 and trees and shrubs that were planted on it have since been removed. Under a recently approved landscaping scheme, it is proposed to replant the bund. The appeal proposal was to reduce its overall height by 0.5 metres, to recreate a more undulating landform, and to taper down both ends and a section in the middle. This would allow vistas into the site from the A10, thus allowing glimpses of the garden centre.
4. The inspector found that the existing bund is a stark and artificial feature. The proposals would create a more flowing landform. Against this, the approved landscaping would mitigate the visual impact of the bund and when mature, would provide effective screening for the garden centre. The site was judged to be tidy and well laid out.
5. The alterations to the bund would reveal the presence of a significant developed area in a countryside setting. The benefits of a bund of less engineered appearance would be outweighed by the harm that would be caused to the visual amenities of the area by views of a large building and car park that are out of keeping with the rural landscape character. This part of the appeal was therefore dismissed.
6. The second, much less significant part of the appeal related to timescales for the relevant works to be undertaken. The Council argued that the bund works should be completed within one month from the date of planning permission and landscaping completed by 31st January 2005. The inspector found that the works should be done as soon as possible, but that these timescales were too onerous. The respective dates were therefore set as three months and 31st March 2005 respectively. These timescales are not considered so unreasonable such as to make this a disappointing decision.

Mr & Mrs Stevenson – Internal and external alterations to listed building – The Limes, 333 High Street, Cottenham – Appeal allowed. Costs applications by the appellants and the Council were both dismissed.

1. The property is grade II listed and within the conservation area. The main issue was whether the proposals would damage the special interest of the building. This includes a cheese-loft.
2. Access to the loft is via a trap door and the space is currently restricted by a roof truss. The appellants wish to make more efficient use of the larder and to bring the cheese-loft into full use. Thus the roof of the larder would be raised and the roof truss removed. Access to the cheese-loft would be via a new staircase and gallery. Other alterations were proposed.
3. The Council was concerned that the works would result in the loss of historic fabric and the simple form of the loft. This is a feature that is becoming increasingly rare. The

inspector noted that the appellants are carefully restoring the house and, in principle, should be given every encouragement to complete the restoration works. The distressed state of the cheese-loft was evident and it ought to be put to some beneficial use. Use as a study would seem appropriate. While this might involve a degree of alteration to its simple character, this was considered something that could be accepted without materially detracting from the special interest of the building. Subject to conditions re internal wall treatment and retention of a ventilation shutter, the alterations could be accepted. The other alterations would not materially harm the building's character or appearance or that of the wider conservation area.

4. Listed Building consent was granted subject to conditions regarding detailed submission of detailed drawings, specification of the ceiling and wall covering of the cheese-loft, and details how the floor is to be raised and installed.

Peter Stroude – Appeal against condition limiting number of dwellings to 500 – Land west of Longstanton – Appeal dismissed

1. This appeal concerned an allocated site at Longstanton. Planning permission exists for residential development. This is subject to a condition, which states that no more than 500 dwellings shall be constructed unless otherwise agreed by the local planning authority. The appellant submitted a letter asking for the permitted number of houses to be increased. No specific number above 500 was requested. The Council did not treat this as an application and did not therefore carry out any form of consultation exercise. It refused to deal with the request as an application and the appellant duly appealed. The appeal was considered by way of a public inquiry.
2. The inspector identified three issues: whether the application could be properly decided; if it could what were the implications for the approved development and the locality; and whether an increase is appropriate having regard to national, regional and local policies and guidance.
3. On the first issue, the 500 dwellings limitation was imposed to ensure an appropriate balance between the scale of the development and the provision of essential services, infrastructure and the proposed Longstanton by-pass. The Council argued that anything beyond 510 was outside the scope of the permission. The inspector did not agree. He saw this as an unduly narrow interpretation of the margin of tolerance arising from such a condition. On the other hand reference at the inquiry to much larger numbers could reasonably be expected to have some impact. Either way, the application was one that could be approved as a matter of principle. The submitted "application" was procedurally correct and not an abuse of process.
4. The history behind the allocation and the need for a by-pass was examined. The Local Plan allocates 21 hectares of land for some 500 houses. This was in line with previous structure plan requirements to build at a density of 20-25 dph. While the trigger points for the by-pass are clear, that it not the case with other areas of infrastructure.
5. In this respect, the inspector questioned the capacity of the local road network and the views of the local highway authority were unknown. The situation was "even more worrying" in respect of drainage. Neither the EA nor the Drainage Board had sanctioned any increase in density. They would find it difficult to provide any meaningful response without an indication of the scale of any such increase. In an area where flooding is already prevalent, the consequences were particularly serious.
6. The appellant proposed to set the number of dwellings at reserved matters submissions. However, the existing outline permission does not facilitate this and does not allow any reassessment at reserved matters stage. An open-ended increase as

sought by the appellant was therefore potential harmful. Community facilities and the provision of affordable housing could also not be addressed. The appellant accepted that affordable housing would not come forward and the inspector agreed with the Council that the needs of those who are unable to compete in the housing market should be addressed.

7. The appellant argued that an increase in numbers was essential if national and local density requirements were to be met. Densities of less than 30 dph should be avoided. The Council had approved phase 1 of the development at just over 30 dph. A similar density was being considered for phase 2. If phase 3 was built at a similar density, at least 630 dwellings should be constructed. The Council did not oppose this stance, but argued that this cannot be agreed without a proper consideration of the issues. The inspector agreed. Issues of sustainability of Longstanton with its relatively restricted range of services and poor public transport provision were important factors. PPG3 also requires mixed communities. The need for affordable housing if numbers exceed 500 is relevant.
8. The up-to-date local plan allows for some 500 dwellings. While more than 510 may be appropriate, this falls well short of the minimum 630 suggested by the appellant. Any application must be subject to adequate publicity and consultation. Quite simply the inspector did not have the information to properly assess the impact of an increase of such scale.
9. Thus while the application had been properly made, the impacts arising from an increase in housing numbers could not be evaluated. The proposal was too open-ended and one which could not lead to a meaningful conclusion.
10. The appellant applied for costs because of the Council's reluctance to deal with the application as submitted. The Council's approach was misguided. It had the opportunity to consider the potential impact, but chose not to do so. It was wrong to suggest that the condition was properly imposed as officers had added it at a later stage in the decision-making process, without there being any knowledge of why this was done. The Council's position clearly conflicts with PPG3 and it had therefore behaved unreasonably. In its response, the Council claimed that the planning application was an abuse of process and its response could not be regarded as so unreasonable as to justify costs against it. The Council had set out at the inquiry the potential for harm, which was clear if the appeal was permitted. The Council had never pretended that the condition had been imposed by Committee at the time it considered the application. The Council's resistance to the application was borne out by its evidence at the inquiry.
11. The inspector agreed that the proposal for a larger development should require publicity and consultation to be carried out. Was it unreasonable for the Council not to have consulted in this case? Given the open-ended nature of the application, it was difficult to see how any such exercise could have generated a meaningful response. The Council had belatedly sought information from the appellant about the scale of the development in the run up to the inquiry. The appellant had declined to respond. There were various strands of PPG3 that pull in different directions. It was clear that permission was sought on the basis of 500 dwellings and the appellant could have appealed against the reason for the condition, but chose not to do so. In essence, there had been a measure of unreasonableness about the behaviour of both parties. The Council's behaviour was not such that the appellant had been put to unnecessary costs.
12. The Council's application for costs was made only on the basis that it was not open to the Council to allow more than 500 dwellings and the appellant should have made a section 73 application instead. If this view was accepted as correct, then it was unreasonable for the appellant to proceed. He had known for some time before the

application, that officers would not accept an increase above 500 without further information. The appellant replied that the Council could easily have granted permission for an alternative number. He could not exercise control over the ultimate level of development, as he no longer has overall control of the site. The Council had been very brave to assert that it was disentitled to deal with the application as submitted.

13. As the inspector had already made it clear that the application had been validly made, the Council's argument was wrong. The appellant had therefore not been unreasonable in making his appeal.

3. Appeals received

Ref. No.	Details	Date
S/1302/04/F	Merton College Land south of Station Road Gamlingay Variation of condition 1 of planning permission S1737/01/O to allow a further period of 3 years for the submission of reserved matters for industrial development (class B1 & B2) (Officer recommendation to Approve)	17/11/2004
S/1628/04/F	Mr & Mrs Evans 8 Bunyan Close Gamlingay Dormer Windows (Delegated Refusal)	19/11/2004
S/1392/04/F	Amanda Philips Scotts Gardens Whittlesford Dwelling (Delegated Refusal)	19/11/2004
E483D	Mr & Mrs Ryan 15 Angle End Great Wilbraham Enforcement against the erection of a single storey, flat roofed extension to form a lobby at the rear of the building.	25/11/2004
E483C	Mr & Mrs Ryan 15 Angle End Great Wilbraham Enforcement against the erection of a single storey, flat roofed, rear extension to the dwelling to form a lobby	25/11/2004
S/1495/04/A	Miss J Garfitt Junction of A10 & Church Road Hauxton Sign (retrospective) (Delegated Refusal)	30/11/2004

S/1909/04/O Mr & Mrs Cole 06/12/2004
 66 Cambridge Road
Great Shelford
 3 houses and garages
 (Delegated Refusal)

S/1614/04/O Mr & Mrs Baker 03/12/2004
 36 Station Road
Over
 Erection of 5 dwellings following demolition of existing dwelling
 and outbuildings
 (Delegated Refusal)

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 2nd February 2005

Ref. No.	Details	Date/Time/Venue
-----------------	----------------	------------------------

S/2194/03/F	Mr C Taylor 45 Spring Lane Bassingbourn Construction of raised decked area, path and sunken patio/lawn (part retrospective) (Informal Hearing)	11/01/2005 Monkfield Room 10.00am
-------------	--	---

E473A	Optima (Cambridge) Ltd The Bury, Newmarket Road Stow-cum-Quy Enforcement against erection of flat roofed extension to existing office building (Informal Hearing)	18/01/2005 Monkfield Room 10.00am
-------	--	---

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 (Informal Hearing)	18/01/2005 Monkfield Room 10.11am
-------------	--	---

5. None

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

Ref. No.	Details	Date
-----------------	----------------	-------------

S/0019/04/F	Mr P Mansfield 29 Worcester Avenue Hardwick Change of use of land to garden land & extension to dwelling (Informal Hearing)	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 (Informal Hearing)	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 (Local Inquiry)	10/05/2005 Confirmed
S/6248/04/RM	MCA Developments Ltd. Plot GC13, Jeavons Lane Cambourne 54 Dwellings (Local Inquiry)	02/08/2005 Confirmed
S/0629/04/F	Mr and Mrs Noyes 22 North Brook End Steeple Morden Extension (Informal Hearing)	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 (Informal Hearing)	04/10/2005 Confirmed
S/1109/04/F	Beaugrove Ltd. Crail, High Street Croydon Erection of two houses following demolition of existing house (Informal Hearing)	11/10/2005 Confirmed
S/0592/04/F	R W S Arnold Bennell Farm, West Street (Comberton) Toft Erection of B1 offices (Informal Hearing)	09/11/2005 Confirmed

This page is intentionally left blank

INDEX OF CURRENT ENFORCEMENT CASES
5th January 2005

Ref.No	Location	See Page No for full update	Remarks
18/98	Setchell Drove COTTENHAM	1-3	Prosecution for plot 7 discontinued as ownership has changed. Prosecution for plot 10 adjourned to 6 th January 2005.
26/98	Riverside Stables LITTLE ABINGTON	3-7	No further development on site. Remove from active list.
34/98	Camside Farm Chesterton Fen Road MILTON	7-11	Enforcement is linked to resolution of outstanding conditions for S/2285/03/F which was approved on 16 th August 2004. Negotiations continue.
4/01	1 Meeting Lane MELBOURN	12-14	Unable to locate owner.
12/02	The Stables Chesterton Fen Road MILTON	14-15	Appealed against non determination of S/1934/03/F. Appeal dismissed 21 st October 2004. Legal Office requested to proceed with prosecution for breach of enforcement notice.
17/02	Land at Sandy Park Chesterton Fen Road MILTON	15-16	Appeal dismissed on 1 st July 2004 Awaiting outcome of a Judicial Review.
18/02	Rose and Crown Road SWAVESEY	16-17	Owners prosecuted on 20 th October and appeared before Cambridge Magistrates Court. All were given conditional discharges with £40 costs.
21/02	Land at Chesterton Fen Road, (Ponyfield) MILTON	18-19	Enforcement Notice complied with. Remove from active list.
6/03	The Oaks Meadow Road WILLINGHAM	19	Enforcement Notice complied with. Remove from active list.

Ref.No	Location	See Page No for full update	Remarks
7/03	Land adjacent to Setchell Drove COTTENHAM (A Land)	20-21	Appeal allowed on 14 th October 2003. Subject to conditions which are currently being considered. Update by Planning Officer.
8/03	Land adjacent to Setchell Drove COTTENHAM (B Land)	21-22	Awaiting outcome of appeal.
9/03	Land adjacent to Setchell Drove COTTENHAM (G Land)	22-23	Awaiting outcome of appeal
10/03	Land at Plot 2 and R/O Plot 3 Setchell Drove COTTENHAM	23-24	Awaiting outcome of appeal to the High Court.
15/03	Victoria View Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM	24-25	Subject of a Judicial Review. Update by Legal Officer.
16/03	Shelford Lodge Cambridge Road GREAT SHELFORD	25	Appeal withdrawn. Enforcement Notice takes effect on 20 th April 2005.
17/03	65 Wimpole Road BARTON	26	Legal Office requested to proceed with further prosecution for unauthorised work on Listed Building.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	26-27	Enforcement Notices and refusal of planning permission appealed. Public Inquiry fixed for 14 th December 2004.
1/04	Woodview Potton End ELTISLEY	27	Prosecution file submitted to Legal Office.
2/04	The Bury Newmarket Road STOW-CUM-QUY	28	Enforcement Notice appealed. Hearing listed for 18 th January 2005.
4/04	65 Eland Way TEVERSHAM	28	Enforcement Notice appealed. Awaiting appeal decision..

Ref.No	Location	See Page No for full update	Remarks
6/04	Land adjacent to Kneesworth Road MELDRETH	28-29	No breach of injunction. Remove from active list.
7/04	Hinxton Grange HINXTON	29	Awaiting appeal decision.
8/04	Berry House 33 High Street WATERBEACH	29	Awaiting appeal decision.
9/04	Land adjacent to Fen Road SWAVESEY	29-30	Awaiting appeal decision.
10/04	23 Church Street WILLINGHAM	30	File submitted to Legal Office for issue of an Enforcement Notice.
11/04	43A High Street LANDBEACH	30	Enforcement Notice E484 Appealed.
12/04	15 Angle End GT WILBRAHAM	31	Enforcement Notice E483 issued for unauthorised development. Appealed.
13/04	Scholes Road WILLINGHAM	31	Enforcement Notice E489A and Stop Notice E489B issued for unauthorised development.
14/04	25 South Road GREAT ABINGTON	31	Enforcement Notice E491 issued for unauthorised container.
15/04	Land adjacent 12 The Common WEST WRATTING	31	Negotiations continuing with Planning Officer regarding unauthorised development.
16/04	2 Manor Farm Barns and land adjoining LITLINGTON	32	Negotiations continuing with Planning Officer regarding unauthorised development.
17/04	6 Honey Hill GAMLINGAY	32	File submitted to Legal Office for issue of an Enforcement Notice.

This page is intentionally left blank

ENFORCEMENT ACTIONPROGRESS REPORT – 5th January 2005

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
18/98 B/1/45/20 Mobile Home Site Setchell Drove COTTENHAM	<p>A. Stationing of caravans without planning permission.</p> <p>B. Unauthorised building works.</p> <p>C. Unauthorised Engineering works.</p>	<p>Planning Committee 1st July 1998 - Item 26.</p> <p>Members gave delegated authority to take Enforcement Action in respect of those breaches of planning control which could not be regularised by the submission of a planning application or resolved by negotiation.</p>	<p>3.4.2002 The requirements of the Enforcement Notices in respect of over size buildings on the front part of Plots Fourwinds, 7A, 7 and 10 have not been met. Arrangements are in hand for those concerned to take part in a formal interview, and once they have taken place (or declined) prosecution files will be compiled and forwarded to the Legal Office for processing.</p> <p>3.7.2002 The owners of the oversized structures on the front land of Plot 7, 7A and 10 have been formally interviewed as to why they have not been reduced in size, and discussions are taking place to agree a way forward to ensure maximum success in any ensuing Court proceedings.</p> <p>2.10.2002 Further discussions with local Members being planned to consider a number of issues relating to development in this area.</p> <p>8.1.2003 Prosecution files submitted to Legal Office for Plots 7, 7A and 10</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.4.2003 Planning applications S/0024/03/F and S/0025/03/F received for 7A and 10 Setchell Drive have now been refused. Case listed at Cambridge Magistrates Court 19th March 2003 for breach of Enforcement Notice. Adjourned to 9th April 2003</p> <p>2.7.2003 On 9th April the owners of Plots 7, 7A and 10 appeared before Cambridge Magistrates Court. They were each fined £200 with £45 costs. An appeal was made against the refusal of planning permission for the retention of a day room on Plot 10 S/0024/03 refers but the appeal has now been withdrawn.</p> <p>The owners of Plots 7, 7A and 10 have moved off the site and Plots 7 and 10 are now occupied. Planning Contravention Notices have been issued to establish details of ownership before commencing further proceedings.</p> <p>1.10.2003 The owners of Plots 7 and 10 have been reported for being in breach of Enforcement Notices. Prosecution file being submitted to Legal Office.</p> <p>Owner of Plot 7A not identified. Enquiries continue.</p> <p>7.1.2004 Prosecution file submitted to Legal Office for Plots 7 and 10. Enquiries continue concerning Plot 7A.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.4.2004 Prosecution files submitted for oversize buildings on Plots 7 and 10</p> <p>7.7.2004 Cases listed at Cambridge Magistrates Court for 30th June 2004.</p> <p>6.10.2004 Cases listed for plots 7 and 10 at Cambridge Magistrates Court on 29th September 2004.</p> <p>Resolved to take Direct Action for breach of extant Enforcement Notices to the rear of plots 2 to 8 Setchel Drove.</p> <p>5.1.2005 Prosecution for plot 7 discontinued due to change of ownership. Prosecution for plot 10 adjourned to 6th January 2005. Legal representations being considered concerning direct action.</p>
26/98 B/1/45/61 Riverside Stables Bourn Bridge Road LITTLE ABINGTON	<p>Without the benefit of planning permission</p> <p>A. The stationing of a mobile home for residential purposes.</p> <p>B. Unauthorised engineering works.</p>	<p>Planning Committee 7th October 1998 - Item 18.</p> <p>Members authorised enforcement action in respect of identified breaches of planning control which could not be resolved by means of negotiation.</p> <p>A. To clear land of all items not associated with agriculture and to use the land only for the purposes of agriculture.</p>	<p>Negotiations to address the breaches of planning control were unsuccessful, and Legal department have now been requested to issue the necessary Enforcement Notice.</p> <p>Enforcement Notice issued 14th January 1998, and has been appealed. To await outcome of appeal.</p> <p>Hearing scheduled for 5th October 1999.</p> <p>Hearing re-scheduled to 11th January 2000.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
	<p>C. Change of use - storage of motor vehicle and vehicle parts.</p>	<p>B. A period of three months to comply with the Notice.</p> <p>C. Proceedings in the Magistrates Court be authorised in the event of failure to comply with the Notice and subject to there being no material change in the circumstances</p>	<p>Subject to some minor alterations to the Enforcement Notice, the appeal was dismissed 13th March 2000, there is a compliance period of 3 months - 13th June 2000 and the site will be monitored to ensure full compliance.</p> <p>5.7.2000 Inspection made 19th June 2000 revealed no movement towards complying with the requirements of the Enforcement Notice.</p> <p>The owner(s) to be interviewed with a view to instigating a prosecution for non-compliance with the requirements of the Enforcement Notice.</p> <p>4.10.2000 The appellant appealed to the High Court, with his appeal being dismissed 3rd July 2000. Compliance period ends 3rd October 2000.</p> <p>3.1.2001 The planning application verbally referred to 4th October 2000 has been registered under Council's reference S/1868/00/F and is to be refused. A verbal update will be given to Members.</p> <p>2.5.2001 No recent visits have been made due to the foot and mouth situation, but it thought full compliance with the requirements of the Enforcement Notice have been met. Contact with the owner is being sought in order to formally inform him a date for compliance in accordance with Section 173A (3) Town and</p>

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

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

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
34/98 B/1/45/72 and S/0133/97/O Camside Farm Chesterton Fen Road MILTON	Without planning permission the stationing of two mobile homes for residential use.	<p>Planning Committee 2nd December 1998 - Item 20</p> <p>Members authorised</p> <ol style="list-style-type: none"> 1. To seek an injunction . 2. To issue an Enforcement Notice if the application for an injunction was refused. 3 A Period of three months to comply with any Enforcement Notice issued. 4 That in the event of failure to comply with the Notice and subject to there being no material change in circumstances proceedings be taken in the Magistrates Court. 	<p>7.4.2004 No vehicles on site. Site continues to be monitored.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 No change</p> <p>5.1.2005 No change. Remove from active list.</p>
			<p>The necessary information and documentation to seek an injunction is currently being processed.</p> <p>Letters of intended actions served upon contraveners, who subsequently submitted a planning application to retain the two mobile homes and also an application for a Lawful Development Certificate alleging lawful use of the two mobile homes as bedroom use only. Injunctive action held pending determination of the above applications.</p> <p>On advice from the Legal department an Enforcement Notice was issued under reference E342 8th June 1999 requiring (a) removal of the mobile homes from the site together with ancillary works, (b) cease to use the land as a general dealers yard, (c) restore the land to its condition before the breaches of planning control took place, (d) use the land only for agriculture and paddock with stables as before. The Notice takes effect 15th July</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1999 and has a compliance period of 6 months.</p> <p>The Enforcement Notice has been appealed. The site is also part of the general review of travellers accommodation in the Chesterton Fen Road area.</p> <p>The outcome of the appeal against the Enforcement Notice is awaited.</p> <p>The appeal was dismissed 10th January 2000 with the compliance period being varied to 9 months (10th October 2000).</p> <p>5.7.2000 Compliance period ends 10th October 2000.</p> <p>4.10.2000 Still within the period before compliance which ends 10th October 2000.</p> <p>3.1.2001 Arrangements were made to formally interview two of the appellants 8th December 2000 at these offices, and both attended together with their Counsel and Solicitor. On the advice of their legal advisers both declined a formal interview, with their Counsel agreeing to write to our Head of Legal Services by the end of January 2001 listing those issues his clients wished to be considered in connection with any intended prosecution. Counsel indicated that the Human Rights Act 2000 would feature greatly in his submissions.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.5.2001 Summons returnable to Cambridge Magistrates Court 16th May 2001 were served 18th April 2001.</p> <p>4.7.2001 A plea of not guilty was entered at Cambridge Magistrates Court 8th June 2001 and the case committed to Crown Court for trial, and will be listed in due course.</p> <p>3.10.2001 A pre-trial hearing scheduled for 23rd September 2001.</p> <p>2.1.2002 The case has been adjourned by Judge Howarth, generally, until the outcome of another case dealing with a human rights point which the defendant's Counsel asserts has a bearing on the Webb's liability. Likely to be several months.</p> <p>3.4.2002 The outcome of the case referred to at 2.01.2002 is still awaited.</p> <p>3.7.2002 The trial has now been fixed for November. It is expected that the first day will be to hear legal arguments, followed by a further five days.</p> <p>2.10.2002 Trial still pending.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>8.1.2003 On 8th November 2002 the defendants appeared before Norwich Crown Court. They pleaded guilty and were fined as follows:</p> <p>A Webb (Senior) fined £3,500, costs £1,500, 2 months imprisonment in default of payment of fines.</p> <p>A Webb fined £1,000, £1,500 costs.</p> <p>M Webb fined £1,000, £1,500 costs.</p> <p>A letter has been sent by the Legal Office to the defendants legal representative informing them that a further site visit will be made on 10th February 2003. If the Enforcement Notice has not been complied with consideration will be given to further prosecutions.</p> <p>2.4.2003 A further summons has been issued for breach of the Enforcement Notice. Case listed at Cambridge Magistrates Court 30th April 2003.</p> <p>2.7.2003 Case adjourned to 18th June 2003. A verbal update will be given.</p> <p>1.10.2003 Case adjourned to November.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.1.2004 On 11th November 2003 the defendants appeared before Cambridge Crown Court. They pleaded guilty and were convicted as follows:</p> <p>A Webb (Senior) – Conditional Discharge for 2 years. A Webb – Fined £2,500 M Webb – Fined £2,500 Costs of £3,000 were awarded. A planning application S/2285/03/F has been submitted, which if approved, would allow the defendants to move the mobile homes subject of the Enforcement Notice to the new site.</p> <p>The situation will be monitored and a timescale agreed once the planning application has been determined.</p> <p>7.4.2004 Awaiting determination of planning application S/2285/03/F.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Planning application S/2285/03/F approved on 16th August 2004. Conditions have been imposed which are subject of further consultation.</p> <p>5.1.2005 Negotiations continue.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>4/01 S/0337/97/LB 1 Meeting Lane MELBOURN Cambridge</p>	<p>Unauthorised extension to a listed building – rear porch.</p>	<p>Planning Committee 6th June 2001 – Item 30. Members authorised the serving of a listed building's Enforcement Notice to cure the removal of the porch and the making good of the rear elevation of the listed building and further for the Conservation Manager and the Legal Officer to bring an action against the owner in the Magistrates Court in respect of the unauthorised works which have effected the character of a listed building.</p>	<p>4.7.2001 Conservation Manager and Legal Officer to carry out Members' instructions.</p> <p>3.10.2001 Enforcement Notice issued 7th July 2001 to take effect 15th August 2001 with a one month compliance period – 15th September 2001.</p> <p>No appeal lodged, inspection revealed porch not removed, prosecution file being prepared by Conservation Section.</p> <p>2.1.2002 An appeal against refusal has been lodged, and the prosecution in respect of non-compliance with the Enforcement Notice will be adjourned pending the outcome of the appeal.</p> <p>3.4.2002 Informal hearing for appeal against refusal of planning permission is scheduled for 23rd April 2002. The prosecution resulting from non-compliance with the Enforcement Notice is pending the result of this hearing.</p> <p>3.7.2002 The appeal against the refusal to grant listed building consent was dismissed 9th May 2002. Negotiations by the Conservation Section are under way to try and agree an acceptable timescale to remove the rear porch and make good the rear elevation.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.10.2002 An application S/1656/02/LB has been submitted which should resolve the matter.</p> <p>8.1.2003 Our Legal Department is still engaged in correspondence with the owner, with the possibility that the matter will be put before the court in the near future.</p> <p>2.4.2003 It has not been possible at this time to serve the summons as the owner is abroad.</p> <p>2.7.2003 No change.</p> <p>1.10.2003 No change.</p> <p>7.1.2004 It has been confirmed that the owner is still abroad. He has appointed an agent to manage the site and to try and resolve the outstanding matters. Negotiations continue.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 The owner is no longer represented by an agent and is still believed to be living abroad. At present we are unable to contact the owner.</p> <p>6.10.2004. No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>5.1.2005 Owner still appears to be abroad. No change.</p>
12/02 B/1/45/72 & S/1230/02/F The Stables Chesterton Fen Road MILTON	Unauthorised mobile home for residential use.	<p>Development and Conservation Control Committee 7th August 2002. – Item 7</p> <p>Members authorised:-</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to cease using the land for the stationing of a mobile home and associated hardstanding. 2. A compliance period of 6 months to comply with the Notice. 3. Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to reconsideration of all material factors. 	<p>2.10.2002 File submitted to Legal Department for issue of Enforcement Notice.</p> <p>8.1.2003 Enforcement Notice issued 5th September 2002 to take effect on 20th October 2002. Enforcement Notice appealed Date fixed for 8th April 2003.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 7th May appeal dismissed. Compliance date 7th November 2003.</p> <p>1.10.2003 No change. Compliance date 7th November 2003.</p> <p>7.1.2004 Enforcement Notice not complied with therefore a prosecution file is being prepared. A planning application S/1934/0/F is currently being determined. The application seeks to retain the mobile home in connection with the use of the site as a tropical plant nursery.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
17/02 S/1452/02/F Land at Chesterton Fen Road MILTON	Without planning permission the stationing of mobile homes/caravans for residential use.	<p>At Development and Conservation Control Committee 2nd October. Item 11.</p> <p>Members authorised:</p> <ol style="list-style-type: none"> 1. To issue an Enforcement Notice (should officers consider this necessary) to cease using the land for the stationing of mobile homes and associated hardstanding areas. 2. Should an Enforcement Notice be issued a six month compliance period. 3. Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to there being no material change in circumstances. 	<p>7.4.2004 Prosecution file submitted to Legal Office. An appeal against non-determination of S/1934/03/F has been listed for 7th September 2004.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Awaiting outcome of appeal heard on 7th September.</p> <p>5.1.2005 Appeal dismissed on 21st October 2004. Legal requested to proceed with prosecution for breach of enforcement notice.</p> <p>8.1.2003 Interviews with occupiers of land have commenced.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 Planning application S/0903/03/F to S/0931/03/F submitted for siting of gypsy caravans. Applications currently being considered. Awaiting outcome before proceeding with investigation.</p> <p>1.10.2003 Planning applications S/0903/03/F and S/0931/03/F refused.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Appeal lodged.</p> <p>7.1.2004 Inquiry listed for 9th March 2004.</p> <p>7.4.2004 Awaiting outcome of appeal.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal dismissed on 1st July 2004. Now subject to a Judicial Review. No date fixed.</p> <p>5.1.2005 Awaiting outcome of Judicial Review.</p>
<p>18/02 B/1/45/88 Rose and Crown Road SWAVESEY</p>	<p>Without planning permission using agricultural land for the siting of caravans/mobile homes for residential purposes and carrying out ancillary building works including laying of drains, septic tanks, mains electricity connections, accesses and hardstandings.</p>	<p>At Development and Conservation Control Committee 2nd October 2002 Section 4 Travellers in Swavesey Members were informed that under delegated powers Enforcement Notice E454 which takes effect on 30th October 2002 with a compliance period of one month and Stop Notices E454A and E454B had been issued.</p> <p>Members authorised proceedings in the Magistrates Court against the occupiers of the land.</p>	<p>8.1.2003 The case was adjourned at Cambridge Magistrates Court on 4th December 2002 to 17th February 2003.</p> <p>2.4.2003 Appeal against Enforcement Notices withdrawn.</p> <p>Appeal against refusal of planning permission for S/1966/02/F to S/1973/02/F continues. Appeal date fixed for 30th April 2003. The compliance period for the Enforcement Notices extended to 6 months and take effect on 20th July 2003.</p> <p>Proceedings in the Magistrates Court adjourned to 16th April.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>2.7.2003 Appeal against planning permission dismissed on 19th May 2003. Proceeding in the Magistrates Court for breach of Stop Notice adjourned to 25th June 2003.</p> <p>1.10.2003 Challenge to Inspector's decision being made to the High Court by the owners. Prosecution for breach of Stop Notices adjourned pending outcome.</p> <p>7.1.2004 Appeal allowed by High Court. Case referred back to Planning Inspectorate to reconsider.</p> <p>7.4.2004 No date yet fixed for new appeal.</p> <p>7.7.2004 Public Inquiry on 16th June 2004.</p> <p>6.10.2004 Appeal dismissed on 22nd July 2004. Needs audit to be completed. Subject of a Judicial Review in relation to the issue of Stop and Enforcement Notices.</p> <p>5.1.2005 20th October 2004 owners prosecuted for contravening Stop Notices. All were given a conditional discharge with £40 costs.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>21/02 B/1/45/72 & S/1837/02 Land at Chesterton Fen Road, MILTON (known as 99 Ponyfield)</p>	<p>Unauthorised siting & residential use of mobile home.</p>	<p>Development & Conservation Committee 4th December 2002. Item 2.</p> <ol style="list-style-type: none"> 1. Members authorised enforcement action. 2. A period of 6 months to comply with Notice. 3. That proceedings in the Magistrates Court be authorised in the event of failure to comply with such Notice and subject to reconsideration of all material factors. 	<p>8.1.2003 Draft instructions for Enforcement Notice in respect of breach of planning control sent to the Legal Department.</p> <p>2.4.2003 Enforcement Notice E456 7th February 2003. Takes effect on 31st March 2003 with a 6 month compliance period on 1st October 2003.</p> <p>2.7.2003 Enforcement Notice appealed.</p> <p>1.10.2003 22nd July 2003 appeal dismissed. Compliance date for Enforcement Notice 22nd January 2004.</p> <p>7.1.2004 No change.</p> <p>7.4.2004 Compliance date being extended, subject to negotiations.</p> <p>7.7.2004 Compliance date extended to 1st January 2005.</p> <p>6.10.2004 No change.</p> <p>5.1.2005 Enforcement Notice complied with. Remove from active list.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
6/03 S/2311/02/F Mobile Home The Oaks Meadow Road WILLINGHAM	Material change of use of land	<p>Development and Conservation Control Committee 5th February 2003 – Item 32 Members authorised:</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to cease the use and the removal of the converted portakabin, touring caravan and washroom. 2. A period of 6 months to comply with the Enforcement Notice. 3. That proceedings in the Magistrates Court in the event of failure to comply with such a Notice and subject to all material factors. 	<p>2.4.2003 File submitted to Legal Office 14th February 2003 for issue of Enforcement Notice.</p> <p>2.7.2003 Enforcement Notice E463 issued 25th March 2003 to take effect 7th May 2003. Compliance period 6 months. Enforcement Notice appealed.</p> <p>Hearing fixed for 23rd September 2003</p> <p>1.10.2003 No change.</p> <p>7.1.2004 On 4th November 2003 an appeal was dismissed. Compliance period extended to 12 months. Compliance date 4th November 2004.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 No change.</p> <p>5.1.2005 Enforcement Notice complied with. Remove from active list.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
7/03 B/1/45/20 Land between Setchell Drove and Water Lane Smithy Fen COTTENHAM (A Land)	Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings	Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2 nd April 2003 – Item 9. Stop Notice E460A issued 20 th March to take effect on 25 th March 2003. Enforcement Notice E460 issued 19 th March to take effect 30 th April 2003. Compliance period 3 months – 30 th July 2003.	<p>2.7.2003 Failed to comply with Stop Notice. Case listed at Cambridge Magistrates Court 25th June 2003. Enforcement Notice appealed. Hearing 14th October 2003.</p> <p>1.10.2003 Inquiry moved to 17th September 2003. Proceedings adjourned pending outcome of appeal.</p> <p>7.1.2004 On 14th October 2003 an appeal was allowed. Proceedings withdrawn as a result of appeal. Conditions imposed by appeal decision to be monitored. Remove from active list.</p> <p>7.4.2004 The appeal was allowed subject to conditions which were required within 3 months.</p> <ol style="list-style-type: none"> 1. A scheme for the layout of the site. 2. The provision of foul and surface water drainage. 3. Boundary treatment and landscaping. 4. Within 11 months a Scheme of Works shall have been approved. Details submitted are currently being considered and consulted upon. <p>7.7.2004 An update will be given by the Area Planning Officer.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.10.2004 Site being monitored. Negotiations continue concerning outstanding conditions. An update will be given by the Area Planning Officer.</p> <p>5.1.2005 An update will be given by the Area Planning Officer.</p>
<p>8/03 B/1/45/20 Land between Setchell Drove and Water Lane Smithy Fen COTTENHAM (B Land)</p>	<p>Material change of use of land – forming an earth bund, laying hardcore and hardstanding</p>	<p>Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9. Stop Notice E461A issued 20th March 2003. Enforcement Notice E461 issued 19th March 2003 to take effect on 30th April 2003. Compliance period 3 months – 30th July 2003.</p>	<p>2.7.2003 Enforcement Notice appealed. Planning applications S/0456/03/F, S/0457/03/F, S/0871/03/F, S/0872/03/F and S/0873/03/F refused.</p> <p>1.10.2003 Enforcement appeal hearing on 14th October 2003. Stop Notice E461D and Enforcement Notice E461C issued 29th August 2003 prohibiting the use of the land for the stationing of caravans/mobile homes for residential purposes.</p> <p>Stop Notice took effect 5th September 2003. Enforcement Notice takes affect on 30th September 2003 with a 3 month compliance period.</p> <p>Site visit on 8th September 2003 confirmed that there were caravans on site in breach of the Stop Notice. Investigations commenced.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004. Appeal outstanding on Enforcement Notice E461C.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Listed for hearing on 10th February 2004. There were no caravans on this site on 5th December 2003.</p> <p>7.4.2004 Appeal Inquiry pending. Date not fixed.</p> <p>7.7.2004 Appeal inquiry listed for 20th July 2004.</p> <p>6.10.2004 Appeal inquiry adjourned on 23rd July to 23 November 2004.</p> <p>5.1.2005 Awaiting outcome of appeal.</p>
<p>9/03 B/1/45/20 Land between Setchell Drive and Water Lane COTTENHAM (G Land)</p>	<p>Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings</p>	<p>Delegated authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9.</p> <p>Enforcement Notice E459 issued 19th March to take effect 30th April 2003. Compliance period 3 months – 30th July 2003.</p>	<p>2.7.2003 Enforcement Notice appealed. Hearing on 14th October 2003. Planning application S/0377/02/F refused on 13th March 2003.</p> <p>1.10.2003 Refusal of planning permission and Enforcement Notice appealed. Hearing on 14th October 2003.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004.</p> <p>7.4.2004 Enforcement Notice not complied with. Requires further investigation. An appeal against non-determination of planning application S/2505/03/F has provisionally been arranged for 20th July.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>10/03 B/1/45/20 Land at Plot 2 and R/O Plot 3 Setchell Drove COTTENHAM</p>	<p>Material change of use of land as a residential caravans site ancillary provision of drains and construction of access and hardstandings</p>	<p>Delegate authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9. Stop Notice E353N issued 19th May 2003 took effect 25th May 2003. Enforcement Notice E353N issued 19th May 2003 takes effect 30th June 2003.</p>	<p>7.7.2004 Appeal inquiry listed for 20th July.</p> <p>6.10.2004 Appeal Inquiry adjourned 23rd July to 23rd November 2004.</p> <p>5.1.2005 Awaiting outcome of appeal.</p> <p>2.7.2003 Enforcement Notice appealed. Stop Notice not complied with. Prosecution file being prepared.</p> <p>1.10.2003 Planning application S/1020/03/F refused 26th June 2003. Appeal against refusal of planning permission and Enforcement Notice. Hearing on 4th November 2003.</p> <p>7.1.2004 Hearing moved to 29th January 2004.</p> <p>7.4.2004 Appeal allowed. Legal to update about possible legal grounds to challenge Planning Inspector's decision.</p> <p>7.7.2004 Subject of an appeal by the Council to the High Court against the Planning Inspector's decision.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
15/03 B/1/45/20 Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM	Material change of use of land as a residential caravan site.	Breach of Planning Enforcement Notices E353B, E353C and E353D issued 9 th June 1999.	<p>6.10.2004 Subject to a Judicial Review. No date fixed.</p> <p>5.1.2005 Awaiting outcome of appeal.</p> <p>1.10.2003 File submitted to Legal Office for breach of Enforcement Notices.</p> <p>7.1.2004 No change.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 Site now known as Victoria View. Planning application S/0761/04/F currently being determined.</p> <p>Injunction issued 4th May 2004 which took effect 4th June 2004. Restrained further hardcore being deposited on the site and required the removal of hardcore from plots 2, 5,, 6, 9 and 10. It also restrained further caravans, mobile homes onto the site.</p> <p>A site visit on 4th June confirmed that there was a breach of the injunction committal proceedings listed at Cambridge County Court on 16th July.. Legal Officer will give an update.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
16/03 B/1/45/39 & S/0181/03/LDC Shelford Lodge Cambridge Road GREAT SHELFORD	Unauthorised mobile home	Delegated authority given to issue an Enforcement Notice to remove the mobile home from the site.	<p>6.10.2004 Resolved to ensure compliance by means of direct action and prosecution. Summons issued listed for hearing at Cambridge Magistrates Court on 29th September 2004.</p> <p>5.1.2005 Subject of a Judicial Review. Update to be given by the Legal Officer.</p>
			<p>7.1.2004 File submitted to Legal Office for issue of Enforcement Notice</p> <p>7.4.2004 Enforcement Notice P246A issued 17th December 2003. Subject of an appeal provisionally arranged for 14th July.</p> <p>7.7.2004 Appeal adjourned pending outcome of planning application S/1018/04/F.</p> <p>6.10.2004 Appeal inquiry listed for 16th November 2004.</p> <p>5.1.2005 Appeal withdrawn. Enforcement Notice takes effect on 20th April 2005.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
17/03 B/1/45/8 65 Wimpole Road BARTON	Unauthorised work on listed building	Delegated authority given to prosecute for unauthorised work.	<p>7.1.2004 Case listed at Cambridge Magistrates Court on 10th December 2003. Case adjournment to 17th December 2003. A verbal update will be given.</p> <p>7.4.2004 Prosecution for unauthorised work on listed building. Defendant appeared at Cambridge Magistrates Court on 28th January 2004. Fined £5,000 with £1,260 costs. Site being monitored by Conservation Department.</p> <p>7.7.2004 Listed Building Enforcement Notice E475 issued on 23rd March 2004 for unauthorised work. Compliance period 3 months from 23rd April 2004. Takes effect 23rd July 2004.</p> <p>6.10.2004 Prosecution file submitted to Legal Office for breaching Enforcement Notice.</p> <p>5.1.2005 Update to be given.</p>
19/03 B/1/45/51 & S/2230/03/F Land adjacent to Moor Drive Cottenham Road HISTON	Without planning permission carrying out operational development by the laying of hardcore roadways and septic tanks on the site.	Delegated authority to take Stop and Enforcement action. Stop Notice E502 issued 11 th December 2003 to take effect on 15 th December 2003. Enforcement Notice E502 issued 11 th December 2003 to take effect on 12 th January 2004. Compliance period 3 months. Injunction issued 19 th December 2003	<p>7.1.2004 Stop and Enforcement Notices issued</p> <p>7.4.2004 Enforcement Notices and refusal of planning permission appealed. Public Inquiry arranged for 10th August.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
1/04 B/1/45/26 & S/2256/03/F Woodview Potton End ELTISLEY	Unauthorised structure above garage.	Delegated authority given to issue an Enforcement Notice to remove the unauthorised structure above the garage.	<p>7.7.2004 No change.</p> <p>6.10.2004 Appeal Inquiry adjourned on 10th August to 14th December 2004.</p> <p>5.1.2005 No change.</p>
			<p>7.4.2004 File submitted to Legal Office for issue of Enforcement Notice. Planning application, S/2256/03/F, refused. Appeal pending.</p> <p>7.7.2004 Enforcement Notice E478 issued 16th March 2004. Notice took effect on 20th April 2004 with a compliance period of 3 months. Compliance date 20th July 2004.</p> <p>6.10.2004 Appeal inquiry adjourned on 10th August to 14th December 2004.</p> <p>6.10.2004 Appeal against planning permission dismissed on 19th August 2004. Prosecution file to be submitted for breach of Enforcement Notice.</p> <p>5.1.2005 Prosecution file submitted to Legal Office.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
2/04 B/1/45/87 The Bury Newmarket Road STOW-CUM-QUY	Unauthorised extension	Delegated authority given to issue an Enforcement Notice to remove the unauthorised extension to an office building.	<p>7.4.2004 File submitted to Legal Office for issue of Enforcement Notice.</p> <p>7.7.2004 Enforcement Notice E473 to be re-issued.</p> <p>6.10.2004 Enforcement Notice E473A issued. Appeal provisionally arranged for 18th January 2005.</p> <p>5.1.2005 No change.</p>
4/04 S/0453/04/F 65 Eland Way Teversham	Unauthorised building	Delegated authority given to issue Enforcement Notice to remove unauthorized building. Enforcement Notice E449 issued 16 th July 2004 and took effect on 18 th August 2004. Compliance period 3 months.	<p>7.7.2004 File submitted to Legal Officer for issue of Enforcement Notice.</p> <p>6.10.2004 Enforcement Notice appealed.</p> <p>5.1.2005 Awaiting appeal decision.</p>
6/04 B/1/45/71 S/0177/03/F Land adjacent to Kneesworth Road MELDRETH	Concerns about possible future development site.	Interim Injunction issued on 4 th June 2004 returnable to the High Court on 17 th June 2004. The Injunction restrains caravans, mobile homes and any other form of residential accommodation on the site using or causing or permitting the land for residential or any other non-agricultural purposes. A further application will be made to the High Court on 17 th June 2004 to extend the period.	<p>7.7.2004 There is an appeal against refusal of planning permission due to be heard on 27th July 2004. An update will be given by our Legal Officer.</p> <p>6.10.2004 Planning permission S/0177/03/F allowed on appeal on 13th August 2004 for change of use of land to travelling show peoples quarters. Site being monitored.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
		There is an extant Enforcement Notice E227 which was issued on 24 th November 1995 and took effect on 1 st January 1996. The Enforcement Notice requires the removal of caravans and for the land only to be used for agriculture.	<p>5.1.2005 No breach of injunction. Remove from active list.</p>
7/04	B/1/45/50 Hinxtion Grange Hinxtion	Delegated Authority Listed Building Enforcement Notice E450 issued 4 th June 2004 to the effect on 15 th July 2004. Compliance period one month.	<p>Enforcement Notice appealed.</p> <p>5.1.2005 Awaiting outcome of appeal.</p>
8/04	B/1/45/33 Berry House 33 High Street Waterbeach	Delegated Authority. Enforcement Notice E490 issued 19 th July 2004 to take effect on 25 th August 2004. Compliance period two months.	<p>Enforcement Notice appealed.</p> <p>5.1.2005 Awaiting outcome of appeal.</p>
9/04	B/1/45/88 Land adj Fen Road Swavesey	Delegated Authority. Stop Notice and Enforcement Notice E485B issued 17 th August 2004. Stop Notice for residential use of caravans took effect on 7 th September 2004. Enforcement Notice E485A issued 17 th August 2004. The following to take effect on 17 th September 2004: 1. To cease to bring any further caravans onto the land. 2. Not to replace any caravan removed from the land. 3. To cease to bring any further vehicles not associated with agriculture or items ancillary thereto onto the land.	<p>6.10.2004 Verbal update to be given.</p> <p>5.1.2005 Enforcement Notice appealed.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
		<p>4. Not to replace vehicles associated with agriculture removed from the land.</p> <p>5. Cease the use of the land for the stationing of residential caravans.</p> <p>6. Remove all unauthorized caravans from the land and any associated work.</p> <p>The following to take place on 17th December 2004:</p> <p>7. Cease to use the land for the stationing of vehicles not associated with agriculture and any commercial activity concerning the breeding of dogs.</p> <p>8. Remove from the land any vehicles not connected with agriculture.</p>	
<p>10/04 B/1/45/100 S/1477/04/F 23 Church Street Willingham</p>	<p>Material Change of Use for the supply of hot food. Unauthorised extraction flue.</p>	<p>Delegated authority to take enforcement action. The use for the supply of hot food to cease and for the extraction flue to be removed.</p>	<p>5.1.2005 File submitted to Legal Office for issue of Enforcement Notice.</p>
<p>11/04 B/1/45/ S/0445/04/F 43A High Street Landbeach</p>	<p>Material Change of Use of land for residential garden land. Unauthorised structures.</p>	<p>At development and Conservation Control Committee, 7th July, Item 9, Members authorised:-</p> <p>1. The issue of an Enforcement Notice for the material change of use of the land to cease and for the unauthorised structures to be removed.</p>	<p>5.1.2005 Enforcement Notice E484 issued 28th September 2004. Compliance period 3 months to take effect 3 November 2004. Enforcement Notice appealed.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
12/04 B/1/45/40 S/1091/04/F 15 Angle End Gt Wilbraham	Unauthorised single storey extension.	Delegated authority given to issue an Enforcement Notice to demolish the rear extension and remove the resulting materials from the land.	5.1.2005 Enforcement Notice E483 issued 20 th October 2004. Compliance period 3 months, to take effect 30 th November 2004. Enforcement Notice appealed.
13/04 B/1/45/100 Land at Scholes Road Willingham	A. Without planning permission the stationing of two mobile homes for residential use. B. Unauthorised building works. C. Unauthorised engineering works.	Delegated authority given to issue Enforcement Notice and Stop Notice to:- 1. Remove all caravans/mobile homes and sheds from the land. 2. Cease to use the land as a residential caravan site. 3. Take up all drains and other services, grub up all accesses and hardstandings. 4. Restore the land to its condition before the breach of planning control took place.	5.1.2005 Enforcement Notice E489A and Stop Notice E489B issued on 10 th November 2004. Compliance period for Enforcement Notice, one month, to take effect on 29 th December 2004. The Stop Notice takes effect on 17 th November 2004.
14/04 B/1/45/36 S/1847/04/F 25 South Road Great Abington	Unauthorised siting of a storage container.	At Development and Conservation Control Committee on 3 rd November 2004. Item 26 Members authorised: 1. The issue of an Enforcement Notice to remove the storage container from the land.	5.1.2005 Enforcement Notice E491 issued on 16 th November 2004. Compliance period for Enforcement Notice, two months, to take effect on 23 rd December 2004.
15/04 B/1/45/97 S/1585/04/F Land adjacent to 12 The Common West Wrattling	Unauthorised extension to Hardstanding.	At Development and Conservation Control Committee on 6 th October 2004. Item 32 Members authorised: 1. The issue of an Enforcement Notice to remove the unauthorised Hardstanding.	5.1.2005 Negotiations continuing with the Planning Officer regarding what area of the hardstanding could be considered as permitted development.

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
16/04 B/1/45/60 S/2153/04/F 2 Manor Farm Barns and Land Adjoining Cockhall Lane Litlington	Without planning permission the material change of use of land to garden land and the erection of a garden room.	At Development and Control Committee on 1 st December 2004, Item 8, Members authorised: 1. The issue of an Enforcement Notice to remove the unauthorised garden room.	5.1.2005 Negotiations continuing with the Planning Officer regarding the submission of further site plans, before formal enforcement action is taken.
17/04 1/45/32 S/1533/03/F 6 Honey Hill Gamlingay	Unauthorised erection of a gate and supporting posts.	Delegated authority given to issue an Enforcement Notice to remove the unauthorised gate and supporting posts.	5.1.2005 File submitted to Legal Office for issue of an Enforcement Notice.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development Control and Conservation Committee 5th January 2005
AUTHOR/S: Development Services Director

**CAMBOURNE: LACK OF DEVELOPER APPROVAL
FOR AFFORDABLE HOUSING SCHEMES**

Purpose

1. This report updates Members on progress since it was decided at the last meeting that no further action should be taken.

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 RSL consortium were concerned that developer approval has not been forthcoming for their affordable housing within four housing pods, GC16, GC20, GC21 and GC22. Continued delays would seriously risk the delivery of these and future schemes in terms of funding from central Government.
4. The Council leader and senior Council officers met with the developers on 24th November 2004. The developers gave assurances that they would issue their formal approval after their internal meeting on 3rd December 2004, and we also agreed a better procedure for the future, whereby developers will issue a conditional developer approval if they have concerns that go beyond their powers under the Section 106 Agreement. On the basis of this I changed my recommendation at the December DCCC meeting to no further action at that point in time, but to report further to you if the developers did not live up to their assurances.
5. At the time of writing, 10th December 2004, developer approval has still not been forthcoming. In an email of 9th December to officers, the RSL Consortium's project manager states: "I spoke to David Chare again and tried to impress upon him that if the approvals were not out by the end of this week it would make matters worse," and "that he couldn't guarantee a response by the end of the week".

Considerations

6. It would appear that the developers have given no assurance to the RSL consortium as to their formal approval of the four schemes. It is only a week since the developers' internal meeting from which the approvals were to arise, so I shall update Members at this meeting on any further progress.

Options

7. To be reported verbally if necessary.

Financial Implications

8. To be reported verbally if any.

Legal Implications

9. To be reported verbally if necessary.

Staffing Implications

10. Officer time.

Risk Management Implications

11. None.

Consultations

12. None.

Conclusions/Summary

13. The situation regarding the provision of affordable housing affects a major corporate objective of the Council and the actions of the developers 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 instigate formal arbitration under the Section 106 Agreement, and are therefore powerless to alleviate the situation. It may be necessary for the Council take a strong stance with the developers in order to assist in the delivery of this important sector of housing. I shall update members on the mater verbally at the meeting.

Recommendation

14. To be reported verbally.

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)

Email from Dianne Page, 9-12-04.

Contact Officer: Kate Wood – New Village/Special Projects Officer (Cambourne)
Telephone: (01954) 713264

This page is intentionally left blank