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25 January 2005

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, 2 FEBRUARY 2005** at **10.00 a.m.**

Yours faithfully  
**GJ HARLOCK**  
Finance and Resources Director

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## 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.)*

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<b>2. MINUTES OF PREVIOUS MEETING</b> To authorise the Chairman to sign the Minutes of the meeting held on <a href="#">1<sup>st</sup> December 2004</a> and <a href="#">5<sup>th</sup> January 2005</a> as correct records.	
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**PLEASE NOTE**

Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Planning Director.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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

**Recommendation: Approval**  
**Date for Determination: 24<sup>th</sup> November 2004**

**Update**

1. Members may recall resolving to grant delegated powers of approval at the December Committee Meeting subject to the provision of three car parking spaces for each dwelling and provided the two dwellings were set further back into the site.
2. The December committee item is attached as appendix 1.
3. Amended plans have been received showing the dwellings set an additional 1.5m back into the site with each dwelling now having three car parking spaces.

**Planning History**

4. See Appendix 1.

**Planning Policy**

5. See Appendix 1.

**Consultation**

6. **Haslingfield Parish Council**

No recommendation but comments "It would be helpful if the front garden of No. 2 is a turning space".

**Representations**

7. An e-mail has been received from the occupier of No. 10 Church Street. He objects to overlooking of his garden and swimming pool and in particular the re-positioning of one of the dwellings that will look directly into his swimming pool. He also raises drainage and sewerage concerns.

Further representations will be reported verbally.

**Planning Comments - Key Issues**

8. The key issues in this application are the impact of two dwellings on the amenity of surrounding residents, the impact on the street scene, the impact on the character and appearance of the Haslingfield Conservation Area, the impact on the setting of

nearby Listed Buildings, including the church, the potential impact from additional traffic, parking difficulties and the suitability of the sewerage system to accommodate a further dwelling.

### ***Amended proposal***

9. The amended scheme provides three car parking spaces in tandem for plot 2. This report is written in advance of the expiration of the consultation period. However, it is understood that the Parish Council and neighbours are likely to object to this parking arrangement.
10. It is my view that there is a balance to be struck between providing the three spaces per dwelling, requested by Members at the December meeting, and maintaining a hedge along the frontage of the site to help assimilate the development into its surroundings. An alternative would be to provide two tandem spaces to the side with one adjacent space that would be in front of the dwelling. This would open up the frontage but would result in a more practical parking arrangement.

### ***Parking and amenity of occupiers of surrounding properties.***

11. In my opinion the setting back of the dwellings will have no materially greater impact on the dwelling to the rear, No. 10 Church Street and will improve the relationship of the new dwellings to the property opposite, No. 4 Butler Way and adjacent at No.2. The parking arrangements for plot 1 will not impact adversely on neighbour amenity and neither will those for plot 2 in either of the suggested forms - existing residents of Butler Way reverse into the road and the frequency of vehicle movements associated with one additional dwelling will not significantly increase the number of vehicles manoeuvring in Butler Way. There may be occasions where the 3 tandem arrangement will result in additional movements but this is not, in my opinion, significant.

### ***Impact on the street scene, the impact on the character and appearance of the Haslingfield Conservation Area, the impact on the setting of nearby Listed Buildings***

12. It would be visually better if a hedge could be provided along as much of the frontage of the site as possible. The revised parking arrangements help to achieve this - Plot 1 has one parking space set behind the hedge parallel to the road and plot 2 provides tandem parking resulting in only one car width opening being necessary. I think it would be unfortunate if this opening were doubled to achieve a car parking space perpendicular to the road in front of the dwelling with only tandem parking for two cars to the side but it would still result in a satisfactory visual impact. It may also be possible to consider a similar arrangement for plot 2 as for plot 1 i.e. that a parking space be provided behind the hedge running parallel to the road. However an existing lamppost may have to be repositioned to allow easier access to such a space.

### ***Other issues***

13. Please see Appendix 1.

### ***Conclusion***

14. If Members are minded to approve the amendments, it is my opinion that the following options, in relation to the parking layout, should be considered:
  1. That the submitted layout be accepted;
  2. That a revised layout, showing two tandem spaces and one in front for plot 2, perpendicular to the road, be submitted;

3. That a revised layout showing two tandem spaces with one in front for plot 2, parallel to the road be submitted (it may be necessary for the applicant to undertake the repositioning of the lamppost).
15. In light of the above I consider it appropriate to require the submission of a revised layout plan by condition (in the case of 1 above the submitted plan will be accepted as the required layout)

## **Recommendation**

16. Approval as amended by plan reference BW-04/d and subject to the following conditions:
  1. Standard Condition A - Time limited permission (Reason A);
  2. **Sc5a** - Details of materials for external walls and roofs (Rc5a);
  3. **Sc5e** - Details of finished floor levels (Rc5e);
  4. **Sc51** - Landscaping (Rc51);
  5. **Sc52** - Implementation of landscaping (Rc52);
  6. **Sc60** - Details of boundary treatment (Rc60);
  7. **Sc5f** - Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason - To protect the visual quality of the area);
  8. No development shall commence until details of the design and materials to be used for the external windows and doors have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure that visually the development accords with neighbouring buildings and respects the visual quality of its surroundings)
  9. Notwithstanding the submitted plans, no development shall commence until a plan showing space to be laid out within the site for the parking of 3 cars for each dwelling has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until space has been laid out in accordance with the agreed details 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 site for the parking of vehicles.)
  10. No development shall commence until precise details of both the existing provision for surface water drainage and foul sewage disposal and the proposed method of surface water drainage and foul sewage disposal have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure satisfactory drainage of the site and satisfactory disposal of foul sewage from the site).
  11. No power operated machinery shall be operated on the premises during the period of demolition and construction, before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.  
(Reason - To minimise noise disturbance to adjoining residents)

12. No windows, doors or openings of any kind shall be inserted in the south or west elevations of the house on plot 1 or the south, east or west elevations of the house on plot 2, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of occupiers of the adjoining properties.)
13. The first floor windows in the south elevation of the buildings shown serving bathrooms and en-suite rooms on plan no. BW-04/c, hereby permitted, shall be fitted and permanently maintained with obscured glass. (Reason - To safeguard the privacy of occupiers of the adjoining properties.)
14. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-
  - i) PART 1, (Development within the curtilage of a dwellinghouse, all classes)
  - ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences)(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene).

## Informatives

It may be necessary to consider the repositioning of a lamppost to the front of the site. Permission would have to be sought from Cambridgeshire County Council and the repositioning done in accordance with its requirements at the expense of the developer.

## 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  
**P7/6** (Historic Built Environment)
  - **South Cambridgeshire Local Plan 2004:**  
**SE4** (List of Group Villages)  
**HG10** (Housing Mix and Design)  
**EN30** (Development in Conservation Areas),  
**EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The 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
  - Highway safety
  - Visual impact on the locality

- Impact upon setting of adjacent Conservation Area and nearby Listed Buildings

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

- Planning Files reference S/0029/04/O, S/1176/04/F, S/2002/04/F
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

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

**Recommendation: Approval**

Members will visit the site on 29<sup>th</sup> November 2004.

**Site and Proposal**

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

**Planning History**

6. The existing dwelling on the site was granted approval in 1964.
7. In March 2004 planning permission was granted in Outline for the erection of two dwellings following the demolition of the existing bungalow – matters of siting, design, means of access and landscaping were reserved.
8. In July 2004 a full planning application was withdrawn for two 4 bedroom dwellings approximately 7.5m and 7m in height with a footprint of approximately 106m<sup>2</sup> and 112m<sup>2</sup>.

**Planning Policy**

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

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

**Structure Plan Policy P7/6 – Historic Built Environment**

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

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

10. Haslingfield is listed as a Group Village

Residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages provided that:

- (a) The retention of the site in its present form is not essential to the character of the village;
- (b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
- (c) The village has the necessary infrastructure capacity; and
- (d) Residential development would not conflict with another policy of the Plan, particularly policy EM8. (Loss of employment sites in villages.)

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

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

**Local Plan Policy HG10 – Housing mix and design.**

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

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

**Local Plan Policy EN30 – Development in Conservation Areas**

12. The District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed. This must include drawings or other pictorial material which illustrates the proposed buildings in their context, and in most cases outline applications will not be acceptable. Proposals will be expected to preserve or enhance the special character and appearance of

Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.

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

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

**Consultation**

14. **Haslingfield Parish Council** recommends refusal:  
 “Our previous concerns re overdevelopment appear to have been addressed by reduction of the footprint area of the revised plans. However, our worries about available on-site parking and the narrowness of Butler Way are still there.
- This could be alleviated by increasing the number of parking spaces from 2 to 3, which we understand that the applicant is prepared to provide. We also request that permitted development rights be withheld from any area that is a designated car parking space.
15. **Chief Environmental Health Officer**  
 No objection subject to safeguarding conditions to control noise and disturbance during the period of demolition and construction.
16. **Trees and Landscape Officer**  
 “Refer to my comments on the previous application [A quite densely vegetated site, but nothing of particular quality. A poor quality Norway Spruce and a suppressed Yew will be compromised but no objection]
- Whilst understanding neighbours concerns I must emphasise that the Norway Spruce on the frontage is located only 1.5m from the existing structure, within 2m of an adjacent street light and not a tree of a quality that I would consider for a Tree Preservation Order. The Holly located rear to the site frontage is again not something that I would consider worthy of a TPO. I therefore have no objection to the application. I note that it is intended to retain existing planting around the site perimeter. I would suggest that the better quality planting on these boundaries could be considered along with submitted landscaping plans.”

**17. Conservation Manager**

"No objections"

**Representations**

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

**4 Butler Way**

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

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

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

#### **Planning Comments – Key Issues**

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

#### **Amenity of occupiers of surrounding properties.**

##### ***Impact on No. 2 Butler Way***

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

##### ***Impact on No. 10 Church Street***

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

##### ***Impact on No. 4 Butler Way***

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

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

***Impact on street scene***

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

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

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

***Additional traffic and parking difficulties***

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

***Suitability of the sewerage system***

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

**Recommendation**

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

approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

(Reason - To ensure that visually the development accords with neighbouring buildings and respects the visual quality of its surroundings)

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

## Informatives

**Reasons for Approval**

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

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2244/04/F - Histon  
Two Dwellings at Land Adjacent to 20 Pages Close  
for Mills and Douglas (Builders) Ltd.**

**Recommendation: Approval  
Date for Determination: 29<sup>th</sup> December 2004**

**Site and Proposal**

1. This site of 0.169 hectares is a relatively flat area of garden land to the side of 20 Pages Close. The front and rear boundaries are hedged, with pedestrian access off Pages Close to the front and vehicular access via an unsurfaced track to the rear, which is a private road. The neighbouring dwellings are Victorian houses that front the footpath and both have windows facing the site. In addition, no. 22 has two first floor rear windows that are to the north of the site and face southeast.
2. This full planning application, received on the 3<sup>rd</sup> November 2004 proposes a pair of semi-detached dwellings with a two storey rear projection. They will be sited in line with neighbouring dwellings.

**Planning History**

3. **S/0896/80/F** - permitted the part use of the barn as a dental laboratory, with a condition limiting its use by the current occupier.
4. **S/1868/80/F** - planning permission for the erection of two storey extensions forming sitting room and bedroom to the house was approved.
5. **S/0064/81/O** - outline planning permission for the erection of one dwelling with a garage was first granted for the site.
6. **S/1592/02/O** - outline planning for a dwelling on the site was again approved.
7. **S/1572/04/F** - full planning permission was refused for two dwellings of a similar design and layout to the scheme now submitted, however the pair of semi-detached houses were sited 7m back from the path behind the line of the neighbouring dwellings. This application was refused on grounds of loss of light to no. 22 and the siting being out of character with the existing built form in the area.

**Planning Policy**

8. **Policy SE2** 'Rural Growth Settlements' of the South Cambridgeshire Local Plan 2004 defines Histon as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.

9. **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.
10. **Policy TP1** 'Planning More Sustainable Travel' of the Local Plan seeks to restrict car parking levels to maximum levels set out in Appendix 7/1. For dwellings with 3 or more bedrooms the maximum car parking to be required is two spaces per dwelling. This is on order to reduce over-reliance on the car and to promote more sustainable forms of travel.
11. **Policy P1/3** 'Sustainable Design in Built Development' of the Cambridgeshire and Peterborough Structure Plan 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.

### **Consultation**

12. **Histon Parish Council** recommends refusal commenting that it feels inadequate levels of car parking are proposed, that light will be lost to neighbouring dwellings, particularly no. 22 and that the submitted drawings do not show properly the relationship between the dwellings and the neighbouring house.
13. **The Chief Environmental Health Officer** has no comments to make.

### **Representations**

The occupiers of no. 22 have commented that:

14. '... the building now planned has been moved forward to line up with the other houses in Pages Close. Although this will improve the light entering our kitchen window during early morning, for the rest of the day it would leave us in the dark and we would still need to turn on the light, even in summer time. The effect would not be so bad if the building were a bungalow or smaller house further from ours but two houses will only just fit between us and 20 Pages Close and we are worried that they will overshadow not only the kitchen but other rooms as well'.

### **Planning Comments - Key Issues**

15. The key issues to consider in respects of this application are car parking and loss of light to the neighbouring dwelling.

#### ***Car Parking***

16. The site is within 300 metres of the village centre and is a highly sustainable location in terms of access to local facilities, services and public transport. The proposals include two car parking spaces per dwelling and as such, fully accords with national and local policies in terms of the car parking levels provided.

#### ***Loss of Light***

17. The proposed dwellings will be sited to the south-west of the neighbouring house at no. 22 Pages Close. Following pre-application discussions the siting proposed has been altered. The dwellings will be sited with a 4 metre gap from the sidewall of no. 22 Pages Close and the rear projection will come 3 metres past its rear wall. This siting now ensures that there will not be a significant loss of light to the rear windows of no. 22 Pages Close.

### **Recommendation**

18. Approval as amended by drawings CHD/3751/04, CHD/3750/04, CHD/3752/04/A, franked the 17<sup>th</sup> December 2004 and subject to the conditions listed below.

1. Standard Condition A - Time limited permission (Reason A);
2. Sc5a - Details of materials for external walls and roofs (Rc5a);
3. Sc51 - Landscaping (Rc51);
4. Sc52 - Implementation of landscaping (Rc52);
5. Sc60 - Details of boundary treatment (Rc60).
6. Para C3 b) p. parking. RC – Para RC10 – 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)
  - **South Cambridgeshire Local Plan 2004:**  
SE2 (Development in Rural Growth Settlements)  
HG10 (Housing Mix and Design) and  
TP1 (Planning More Sustainable Travel)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Car Parking
  - Neighbouring amenities - light

**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/2244/04/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2379/01/O - Impington**  
**Outline Application For The Development of a Residentially Led**  
**Mixed-Use Sustainable Urban Extension On Land at Arbury Camp**

**Recommendation: Delegated Refusal**  
**Date for Determination: 11<sup>th</sup> February 2002**

**Background and Update**

1. This outline application was reported to the July and December 2003 meeting of Development and Conservation Committee (Items 1 and 18 respectively), when Members resolved to approve the application subject to, amongst other matters, the prior completion of a Section 106 Agreement including inter alia the provision of 30% Affordable Housing (270 houses). Matters have progressed satisfactorily with the formation of a consortium of Registered Social Landlords (RSL)/Housing Associations and identification of some 13 sites. Officers have worked closely with the Housing Corporation, and despite losing out on an initial round of grants, to date they still wish to provide funding and ensure the provision of a significant proportion (50%) of much needed social rented housing.
2. The Housing Corporation requires that the Section 106 Agreement be signed by 28th January 2005 or shortly after to enable submission of grant confirmation with grant claims made by 11th February 2005. Without compliance with this date there is every likelihood that grant for the initial units will be lost and this may impact upon the remaining grant funding.
3. The form and terms of the Section 106 Agreement, which will deliver a comprehensive package of infrastructure, community benefits and mitigate the effects of this development, have been agreed and concluded between the parties and engrossments are being prepared for signature. Although there are collateral documents to be finalised, it appears that there are no technical reasons why the Section 106 Agreement cannot be signed, within the required timescale.
4. This report is being brought to Members attention because one owner has linked its willingness to sign the agreement with the provision by the Council of a letter of comfort that its further planning application for substituted development on part of the site will receive a recommendation of approval or be granted. For legal and practical reasons, this is not possible. If the completion of the s.106 agreement is held up for this or any other reason there will be consequences on the delivery of affordable housing although it is too early to say what they will be.
5. Although officers will continue to work in a positive manner with all parties to secure a timely completion to this agreement, the Director of Development Services requests that Committee give him delegated powers of refusal should it be clear either that the RSLs will not be able to deliver the requisite number and appropriate tenures of affordable housing in conjunction with the rest of the development or that the s.106 Agreement is not completed.

6. A verbal update will be given at the meeting.

**Recommendation**

7. In the absence of a signed Section 106 Agreement, or in the absence of one which provides an acceptable mechanism for the provision of 30% affordable houses which meets the agreed housing needs, the outline application be refused as contrary to policies CNF1 and HG7 of the South Cambridgeshire Local Plan 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/2379/01

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2504/04/F - Impington**  
**Erection of 11 Houses, 2 Flats and Garages Following Demolition of Existing Dwellings (15-17 Mill Road),**  
**15-17 Mill Road, Land R/O 13-23 Mill Road and R/O 17-23 Highfield Road for Hogger Homes Ltd**

**Recommendation: Delegated Approval**  
**Date for Determination: 11 March 2005**

**Site and Proposal**

1. An irregular shaped site of 0.5ha comprising numbers 15-17 Mill Road, a pair of semi-detached properties with gardens, which widens out to the rear comprising a block of land which were the former rear gardens of numbers 17-23 Highfield Road to the south. The site is surrounded on three sides by existing residential development with the fourth/west boundary being arable land/green belt.
2. The full application, received 10<sup>th</sup> December, proposes the demolition of numbers 15-17 Mill Road and the construction of a cul-de-sac to serve two 1-bedroomed flats and one 2-bedroomed house (affordable housing) on the Mill Road frontage adjacent to number 13 Mill Road. Further into the site it is proposed to build four 3-bedroomed semi-detached houses, two 4-bedroomed detached houses and four 5-bedroomed detached houses.

**Planning History**

3. Two similar applications were appealed in 2003 against a refusal and a non-determination - the reasons for refusal being:-
4. The site forms part of an established residential area characterised by its linear form and generally long and open rear gardens. It lies on the edge of the built-up part of the village of Impington and adjoining open countryside and the Cambridge Green Belt.
5. The proposed development of this site would not be sensitive to the character of the village and local features of landscape importance. It is therefore contrary to **Policy H15** of the Adopted South Cambridgeshire Local Plan 1993 and **Policy SE3** of the Local Plan No. 2 Proposed Modifications October 2002.
6. The development is not of an appropriate layout which offers sufficient opportunities for landscaping on this edge of village site to minimise its impact on the adjoining countryside. It is therefore contrary to **Policy H6** of the Adopted South Cambridgeshire Local Plan 1993 and **Policy SE14** of Local Plan No. 2 Proposed Modifications October 2002.

7. The development fails to reflect the wider character and context of the surrounding townscape and landscape and does not achieve high quality design and local distinctiveness. It is therefore contrary to **Policy 12/10** of the Approved Cambridgeshire Structure Plan 1993 and **Policies HG15** and **HG16A(4)** of Local Plan No. 2 Proposed Modifications October 2002.
8. In detail the proposed layout fails to accord with Policy SP12/10 of the Approved Structure Plan 1995 which seeks to incorporate high standards of design of layout and design. In particular the proposal will have a detrimental impact on:-
  - The amenity currently enjoyed by the occupier of no. 19 Mill Road through the creation of a vehicular access that will run immediately adjacent to the side garden of that property causing noise and disturbance.
  - The amenity currently enjoyed by existing residents that abut the site in that the proposed houses have short gardens of in places only 5 metres causing intense overlooking of the rear gardens.
  - The short rear gardens of some of the proposed properties will put pressure in the future for the removal of the proposed outer landscape buffer. This is contrary to **Policy SE14** of the Local Plan No. 2 Proposed Modifications October 2002.
  - The proposed carriage way does not fully meet requirements of the Local Highway Authority to the potential detriment of highway safety.
9. Both appeals were dismissed, but only on the one issue of the effect of the proposal on the living conditions of nearby residents in terms of noise disturbance and privacy. It follows that the other issues raised by the Council could not now be supported.
10. At the September 2004 Committee (item 11) a similar scheme was deferred in light of local concern regarding blocked sewers. Anglian Water Services Ltd., which had previously raised no objections to an earlier application, was written to raising three specific questions:-
  - a. Is there capacity in the system for these additional properties?
  - b. Is there a problem with the existing system i.e. blockage, and if so, in what location?
  - c. Would connection to Cambridge Road, with or without a pumping main, be a possibility?
11. In anticipation of confirmation of “no objections”, the matter was reported back to the October 2004 Committee (Item 11). Although officers of Anglian Water Services Ltd had advised officers verbally that, whilst there were no objections, problems did arise when surface water, after periods of significant rainfall, found its way into the foul system, written confirmation was not received in time for the October 2004 Committee.
12. The matter was again deferred and reported back to the November 2004 Committee (Item 43). Although recommended for approval, on the basis of Anglian Water Services Ltd having no objections, the matter was refused for the reason:

1. Whilst Anglian Water Services Ltd, has confirmed that it has no objections to this housing scheme as the foul discharge from the proposed development can be accommodated within the public sewers, it is apparent from local knowledge, confirmed by Anglian Water Services Ltd that there are capacity problems after periods of significant rainfall with surface water finding its way into the foul sewer.
2. No evidence has been submitted to show how this problem can be overcome and the Local Planning Authority therefore considered the proposal to be premature in advance of satisfactory mitigation procedures to overcome the drainage problems of this area.

## Planning Policy

### Cambridgeshire and Peterborough Structure Plan (2003)

13. **Policy P1/3** includes a requirement for a high standard of design and sustainability, minimising the need to travel through, among other things, the promotion of higher densities. It also requires proposals to respond to local character and to preserve **important** environmental assets. **SP Policy P5/3** indicates that new housing development should be at the highest possible density compatible with local character. It provides that densities of less than 20 dwellings per hectare (dph) will not be acceptable and 40 should be sought in locations close to a good range of services and facilities. **SP Policy P5/4** includes an indication that local plans should provide for affordable housing and 1 and 2-bedroom homes and **SP Policy P6/1** requires that additional infrastructure and community requirements generated by proposals should be met and secured by condition or planning obligation. **SP Policies P6/3** and **P6/4** seek to ensure that unacceptable flood risks are not incurred or exacerbated.

### South Cambridgeshire Local Plan (2004)

14. **Policy SE2** identifies Histon and Impington as a Rural Growth Settlement where residential development on unallocated land will be permitted if the following provisos are met. The retention of the site in its present form must not be essential to the character of the village. The development must be sensitive to that character, local features of landscape or ecological importance and the amenities of neighbours. The village must have the necessary infrastructure capacity and residential development must not conflict with another policy in the plan. In any case, development should provide an appropriate mix of dwellings in terms of size, type and affordability and a minimum density of 30 dph, unless there are strong grounds for not doing so. **LP Policy SE8** creates a presumption in favour of residential development within village frameworks provided other policies, including SSE2, are satisfied.
15. **Policy SE9** provides that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact on the countryside. **LP Policy HG7** sets out the Council's requirements for affordable housing provision, based on a survey of housing need. Among other things, **LP Policy HG10** also requires a suitable mix of dwelling types, sizes and affordability and indicates that the wider character of the local townscape and landscape should inform design and layout. **LP Policy HG11** indicates that development to the rear of existing properties will not be allowed if it would have certain results. These include: (1) overbearing, overlooking or overshadowing of existing residential properties; (2) noise and disturbance to such properties through the use of its access; (3) highway dangers

through the use of its access; or (4) if it would be out of character with development in the vicinity.

16. **Policy CS1** indicates when the Council will seek to negotiate planning obligations or impose Grampian-style conditions and **LP Policy CS5** concerns flooding and is broadly similar in effect to **SP Policies P6/3** and **P6/4**. **LP Policy CS2** also requires the adequate provision of water supply, sewerage and land drainage systems. Under **LP Policy CS10**, developments of 4 or more dwellings will give rise to a requirement for financial contributions towards the provision of additional accommodation, if they would cause the capacity of schools to be exceeded.
17. Also of relevance are **Planning Policy Guidance (PPG) Note 1** (General Policy and Principles), **PPG 3** (Housing) and **PPG25** (Development and Flood Risk). Together, **PPGs 1 and 3 encourage** the efficient use of land, especially previously developed land and **PPG25** provides advice regarding the assessment of flood risk.

### **Consultation**

18. The **Planning Committee of Impington Parish Council continue** to believe:
  - The flats at the front are completely out of character with Mill Road and they should be moved inside the development. Whole development should be more in style and character with area
  - No footpath is of safety concern. At least required on one side of the development
  - In the light of the proposals for the Local Development Framework, Committee believe this would not get through on the basis of affordable housing ratios. Housing mix not consistent with need
  - Drainage is still a concern. No response from Anglian Water has been seen to show mitigation
19. **The Environmental Agency** has asked that a condition be imposed on any approval asking that a scheme for the provision of surface water drainage works be submitted to and approved by the Local Planning Authority before the commencement of development.

(NB - such scheme would be submitted to the Environmental Agency and the Council's Drainage Manager, Pat Matthews, for agreement before the discharge of the condition).
20. **South Cambridgeshire District Council's Drainage Manager** - endorses such a condition **being** imposed.
21. **Anglian Water Services Ltd** has confirmed that there is capacity in the existing sewerage system to accommodate the foul water from the proposed development. There are, however, occasions after periods of significant rainfall when surface water is finding its way into the foul sewer which can result in localised flooding. If constructed correctly there would be no surface water from this development entering the foul sewer.
22. **Cambridgeshire Fire and Rescue Service** asks that adequate provision be made for fire hydrants.
23. **The Police Architectural Liaison Officer** comments:-

- Entrance to the flat on Plot 2 poorly overlooked
- Parking for Plots 1-3 rather remote and does not have natural surveillance. This increases the vulnerability to parked vehicles
- The “communal landscaped area” for Plots 1-3, without any enclosure, could be used by others. Any subsequent fencing should not impinge on natural surveillance

24. **The Chief Financial Planning Officer** of the County Council has previously asked for a contribution of £20,000.00 to fund two Secondary School places at Impington Village Collage.

### **Representations**

25. As stated above, and on previous Agendas, the appeal was dismissed on one ground only, namely the close proximity of the proposed access road to number 19 Mill Road. That has now been overcome. Nevertheless residents have still repeated all their earlier objections which were submitted and considered by the Inspector at the appeal and also subsequently by Members at previous committees.

Such points include:-

- Drastic change to a relatively rural, quiet and safe neighbourhood.
- The demolition of the 2 houses is vandalism and the development would be destructive to the edge of the village and neighbourhood.
- Out of character with village edge.
- Contrary to Policies of Local Plan and would create a horrendous precedent.
- Histon/Impington has had enough development already and more is planned nearby with Arbury Camp, Northstowe and the NIAB land.
- Increased noise and disturbance to both Mill Road and Highfield Road. Mill Road can barely cope with existing traffic levels nor can the Cambridge Road/B1040.
- Local infrastructure cannot cope.
- Overlooking of gardens in Highfield Road; no details of boundary treatment.
- The widening of the landscaped area to 3.5m in width does not overcome the Inspector’s objection (NB - adjacent the rear garden of no. 19 Mill Road the strip will vary between 5.0m - 7.0m in width).
- Car parking for Plots 1-3 too far away for convenience.
- Inadequate Affordable Housing.
- No footpath on access road.

26. Additional matters pertinent to the re-submission:-

- Surprised the Council is considering an identical application that is unchanged. The drainage issues justify another refusal. The Flood Risk Assessment cannot be deemed objective as the Consultant is employed by the Developer.
- The additional loading will compound the drainage problem.
- The flood map from the Environmental Agency shows that flooding in the Mill Road area will be more likely.
- Gardens in Highfield Road and flooded for up to six months of the year.
- The Council should not be swayed by the “implied threat of financial repercussions” or the “bullying tactics of this financially driven developer”.

### **Planning Comments - Key Issues**

27. With the Inspector overturning all the previous concerns raised by the Council, the Parish Council and neighbours, with the exception of the relationship of the road to no. 19 Mill Road (which has now been overcome), the only issue of relevance now is that of foul drainage - the sole reason of the last refusal.
28. Anglian Water has confirmed that the sewerage system has capacity for these additional houses. Although it has no immediate plans as to how to resolve the problem of surface water getting into the foul sewer, which I understand is a national problem, not just local to Impington, a new drainage scheme for any development would be so designed and constructed so that surface water does not enter the foul sewer. Such a scheme would be inspected either by the Council's Building Control officers or the NHBC inspectors.
29. Along the Western boundary of the site there is an historic water drainage route which, halfway along South Road, turns west to a Public Drain a field away. It would appear that there are local problems of inadequate land drainage/soil water logging because of a dilapidated section of the water drainage route mentioned above. In addition one section appears to have been removed.

The options available would be:-

- a) Re-open the historic water drainage route.
- b) Discharge surface water to shallow "blanket soakaways" that closely replicate the existing discharge from the undeveloped area.
- c) Combined sewers to the public sewer.
- d) Surface water drainage to link to the existing Public Drain to the west.

Of the above a), even if supported by the various Agencies, is likely to be "time-costly". Option b) would require the making up of ground levels by 300mm plus which would be undesirable. Anglian Water Services Ltd has made it clear that it would not support c), i.e. surface water into the foul sewer.

Solution d) is the best and, at the time of writing this Report, I am negotiating with the Agent and others as to the possibility of such a scheme being resolved to everyone's satisfaction. From letters of objection, and photographs of standing water in rear gardens, this area does suffer water logging. If the development proposed results in a satisfactory solution it is likely to have notable drainage betterments to adjoining properties.

30. The site is not within the Environmental Agency's indicative flood plain being 240m from the edge of the Medium Risk and 365m from the High Risk Areas.

### **Recommendation**

31. Delegated powers of approval be granted subject to the prior signing of a Section 106 Agreement and subject to normal safeguarding conditions, including that for the submission and agreement of a scheme for surface water drainage.

### **Informatives**

### **Reasons for Approval**

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

**Cambridgeshire and Peterborough Structure Plan 2003:**

**P1/3** (Sustainable design in built development) and  
**P7/6** (Historic Built Environment)

**South Cambridgeshire Local Plan 2004:**

**SE2** (Development in Rural Growth Settlements)

**HG10** (Housing Mix and Design) 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 including noise disturbance and overlooking issues
  - Highway safety
  - Visual impact on the locality
  - Impact upon setting of adjacent Conservation Area

**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. S1188/04/F**

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee2<sup>nd</sup> February 2005**AUTHOR/S:** Director of Development Services

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**S/2308/04/F - Linton  
Extension at 37 Wheatsheaf Way for Mr Chipps****Recommendation: Approval  
Date for Determination: 10<sup>th</sup> January 2005****Site and Proposal**

1. No. 37 Wheatsheaf Way is a two-storey, detached, brick and pantile house that is situated on a spacious corner plot in a prominent position within a large modern residential estate to the north east of Linton. The property has a double garage with two parking spaces to the front adjacent the garage and parking area to No. 35. A two metre high hedge, fence and wall define the boundaries. The parking and dropping off area to the Linton Heights Junior School is situated immediately to the north of the site. Residential properties lie to the south and east. Part of the dwelling is currently used for a children's day care nursery.
2. The application, received on the 15<sup>th</sup> November 2004, proposes the erection of a first floor extension above part of the existing single storey flat roof side extension and a two-storey link extension between the house and double garage. The extension will provide additional accommodation for the day care nursery in the form of three bedrooms at first floor level and an extended utility area at ground floor level.

**Planning History**

3. Planning permission was granted in June 2000 (**S/0624/00/F**) for change of use of part of the dwelling to a children's day care nursery. Condition 1 of the consent restricted the nursery to the care of not more than 9 children. This was to protect the residential amenities of neighbouring properties and to safeguard the character of the area.
4. Planning permission was granted in July 2003 (**S/1138/03/F**) for the variation of condition 1 of planning permission S/0624/00/F to allow the care of additional children (maximum 12). This increase was not considered to seriously harm the residential amenities of the neighbouring properties through a rise in the level of noise and disturbance or an increase in traffic.

**Planning Policy**

5. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 seeks to ensure that all new developments incorporate high standards of design that create a sense of place that responds to the local character of the built environment.
6. **Policy HG12** of the South Cambridgeshire Local Plan 2004 seeks to resist extensions to dwellings that would harm the residential amenities of neighbouring properties or have an unacceptable visual impact upon the street scene.

7. **Policy CS11** of the South Cambridgeshire Local Plan 2004 states that planning permission will be granted for day nurseries providing that: -
- (i) The noise and general disturbance arising from the use would not be detrimental to residential amenity;
  - (ii) The vehicular traffic and pedestrian activity likely to be generated would not be detrimental to the amenities of nearby residents or be likely to cause congestion or be a hazard to road safety; and,
  - (iii) A satisfactory level of parking can be provided in accordance with Council parking standards without loss of visual amenity.

### **Consultations**

8. **Linton Parish Council** objects to the application and make the following comments: -

“Councillors could not support this application. It was noted that there was no availability of a bathroom in the proposed extension to the upper floor. Concerns were also expressed that, once complete, this extension could allow for two separate dwellings. It was noted that the premises is currently used as a playschool/ nursery and Councillors would be extremely concerned if the intention was for this usage to be expanded on the grounds of severe parking problems already encountered by current usage. Overall, Councillors considered this application to be an overdevelopment of the site and showed only one bathroom for what would be a seven bedroom property.”

### **Representations**

9. **Applicant’s Agent**

“I can confirm that the additional bedrooms will be used for the children in the nursery and not by the household.

I can also confirm that the nursery will not be expanding in numbers, the reason for the extension is so that the applicant’s, one of whom is a shift worker, can get their own bedrooms back for their own use during the day when the nursery is open.”

10. **Neighbours**

None

### **Planning Comments – Key Issues**

11. **Use**

The use of part of the dwelling as a children’s day care nursery has already been established at this site and has been running now for over four years. The extension is to provide sleeping accommodation for the existing children that attend the day nursery. It is not planned to increase the number of children attending the nursery from 12, and in any case, a condition could be attached to the consent to ensure that there is no intensification of the use.

The development would not, therefore, lead to a rise in the level of noise and disturbance or any additional traffic from this expansion in floor area providing the

children continue to use the existing space allocated as a play area and the school car park is used for the dropping off and collection of children.

12. ***Neighbour Amenity***

The proposed extension is not considered to harm the residential amenities of the neighbouring properties through being overbearing in terms of its mass, or resulting in a loss of light or privacy.

No. 26 Dolphin Close to the south has a blank two-storey gable elevation facing the site. The side element of the proposed extension will project 7 metres towards this gable. The extension will be visible from within the garden area but will not project beyond the rear elevation of the property. It would not, therefore, be overbearing to the extent that it will dominate the outlook from the garden. The extension is situated to the north of No. 26 Dolphin Close. The siting of the extension is not considered to adversely affect the amount of daylight and sunlight entering the garden of that property. There are no first floor windows in the extension that would result in a loss of privacy to that property or its garden area.

No. 35 Wheatsheaf Way to the east has a two-storey gable elevation with a bedroom and bathroom window at first floor level facing the site. It also has a two-storey rear extension with a small bedroom window at first floor level and a small sitting room window at ground floor level facing the site. The front element of the proposed extension will project 2.2 metres towards this gable. Whilst the extension will be visible from both the windows in the side elevation of this property and its garden area, there is a gap of 8 metres separating the extension from the windows and a distance of 10 metres between the extension and garden. It is not therefore considered to be overbearing in terms of its mass when viewed from that property. The extension will be situated to the west of No. 35 Wheatsheaf Way. As a result of the spaciousness of the site and the orientation of the extension, it is not judged to seriously harm the amenities of that property through a loss of light. There are no first floor windows in the extension that would result in a loss of privacy to that property or its garden area.

13. ***Street Scene***

The extension is not considered to have an unacceptable visual impact upon the appearance of the street scene. Whilst the extension will be visible when viewed from both Wheatsheaf Way and Dolphin Close, it will not result in a prominent development that is visually incongruous or out of character with the surrounding area.

14. ***Other Matters***

A planning application would be required for any subdivision of the existing dwelling/nursery to two dwellings, and should an application be submitted it would be determined on its own individual merits.

The number of bathrooms in the property is not a planning consideration that could warrant refusal of the application.

**Recommendation**

15. Approval subject to conditions:

1. Standard Condition A - Time limited permission (Reason A).
2. No windows, doors or openings of any kind shall be inserted into the first floor south and east elevations of the development, 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 neighbouring properties.)*
3. The use of the premises in part as a day nursery shall be restricted to the care of not more than 12 children at any one time.  
*(Reason - To protect the amenities of neighbouring properties and the predominantly residential character of the area.)*
4. Outside play associated with the use hereby approved shall not take place other than in Area 2 of the garden, to the west of the house, as indicated on the drawing amended 9<sup>th</sup> May 2000, and comprising part of planning permission reference S/0624/00/F.  
*(Reason - To protect the amenities of neighbouring properties.)*
5. The proposed parking area, comprising the driveway and double garage, shall be permanently maintained for the parking of vehicles.  
*(Reason - To ensure adequate on-site parking for residents and staff in the interests of highway safety.)*

#### **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: Policy P1/3** (Sustainable Design in Built Development).
  - **South Cambridgeshire Local Plan 2004: Policy HG12** (Extensions and Alterations to Dwellings within Village Frameworks); Policy CS11 (Pre-School Facilities).
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity
  - Highway safety

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File references S/1138/03/F and S/0624/00/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1846/04/F - Longstanton  
Resubmission - Balancing Pond and Scheme of Ditch Widening to serve  
Approved Residential and Commercial Development,  
Land West of Longstanton for Persimmon Homes (East Midlands) Ltd.**

**Recommendation: Approval  
Date for Determination: 2<sup>nd</sup> December 2004**

**Introduction**

1. Members considered the report attached at **Appendix 1** at the meeting of 3<sup>rd</sup> November 2004. Members resolved to defer consideration of the item and to refer the proposal to the Land Drainage Advisory Group for comment.

**Subsequent Developments**

2. The Land Drainage Advisory Group met to consider the proposal on 14<sup>th</sup> December 2004. An extract from the Minutes of the meeting are attached at **Appendix 2**. The Land Drainage Advisory Group resolved to recommend to the Development and Conservation Control Committee that the planning application be **APPROVED** subject to:
  - (a) Agreement with the Council on suitable maintenance procedures for the future; and
  - (b) Payment of a commuted sum to the Council to cover the increased maintenance costs along the award drain as a result of the proposed development, to be secured by a section 106 agreement.

The Land Drainage Advisory Group requested that the Development and Conservation Control Committee note the legal reasons preventing the Environment Agency from maintaining the balancing pond.

3. This recommendation accords in principle with my recommendation to Committee in November.

**Recommendation**

4. Subject to payment of a commuted sum to the Council to cover the increased maintenance costs along the award drain as a result of the proposed development, to be secured by a section 106 Agreement. Approve subject to the conditions as set out in my report of 3<sup>rd</sup> November 2004.

**Informatives****Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P6/4** (Drainage)
  - **South Cambridgeshire Local Plan 2004: Policy CS5** (Flood Protection)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Surface Water Disposal
  - Ecological Impact
  - Highway Safety

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Agenda and Minutes of the Land Drainage Advisory Group 14<sup>th</sup> December 2004
- Planning Applications S/0682/95/O and S/1846/04/F

**Contact Officer:** Ray McMurray - Senior Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

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**S/1846/04/F - Longstanton  
Resubmission- Balancing Pond and Scheme of Ditch Widening to serve Approved  
Residential and Commercial Development, Land west of Longstanton for Persimmon  
Homes (East Midlands) Ltd.**

**Recommendation: Approval**

**Site and Proposal**

1. The 2.3 hectare application site lies in the countryside to the north west of Longstanton adjacent to the C191 Gravel Bridge Road. The land is at present in agricultural use. There are no significant trees affected by the proposal.
2. The full application, received 2<sup>nd</sup> September 2004, proposes the construction of a surface water balancing pond to cater for run-off from the commercial and residential development envisaged in the Illustrative Master Plan for the land west of the High Street, and included as allocated land in the Inset No.67 (Longstanton) of the South Cambridgeshire Local Plan. The application site is outside the allocated land and is north of the consented village bypass. The pond is triangular in shape, with sides of approximately 170 metres length. It is intended to have a storage volume of 20,000 cubic metres.
3. This flow-balancing pond will accommodate flows within Longstanton Brook whilst Webb's Hole Sluice is closed during periods of high water levels in the River Great Ouse System. The application includes measures to regrade the existing ditch that extends to Longstanton High Street, in accordance with the consent issued by the Environment Agency.
4. The application conforms to the approach indicated in the previously agreed 'Statement on Principles of Storm Water Drainage, Development at Home Farm, Longstanton for Persimmon Homes East Midlands Ltd'. This statement has been accepted by South Cambridgeshire District Council, the Environment Agency and the Middle Level Commissioners.
5. The application is accompanied by landscaping proposals to the balancing pond, ecology statements including a water vole survey and an archaeological evaluation.
6. I have issued a screening opinion to the effect that the application is not required to be accompanied by a formal environmental impact assessment under the relevant regulations.

**Planning History**

7. A previous application for the balancing pond was withdrawn prior to determination because it infringed upon the protected line of a Cambridge Water Company main –

**S/1379/04/F.** The current application shows the pond resited to take account of this pipeline.

8. Outline planning permission **S/0682/95/O** for the provision of B1050 bypass, 21ha housing, 6.3ha business park, 2.8ha recreation area extension and related provision was granted 16<sup>th</sup> October 2000. The application was accompanied by an Illustrative Master Plan. Condition no.9 of the consent states: *'No development shall commence until a phased scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority and no development shall take place other than in accordance with the approved scheme'*. Condition no.18 states, *'Within each phase none of the dwellings or business premises shall be occupied until the surface water drainage in accordance with details approved in accordance with condition 9 and required to serve that phase, shall have been constructed in accordance with such approved details'*. An informative attached to the permission states, *'Full details of surface water flow attenuation and associated storage areas will be required. Any designs should allow for an equivalent maximum discharge of 3 l/s/developed hectare within 1:100 year long and short duration storms being considered in terms of water volume produced'*.
9. S/1762/03/RM – 91 dwellings and ancillary works (Phase 1) approved 22.12.03
10. An appeal against refusal to vary Condition 16 of S/0682/95/O to allow the construction of more than 500 dwellings is pending. The outcome of the Public Inquiry held in October is awaited.
11. S/0845/04/RM and S/1429/04/RM: duplicate reserved matters applications for 103 dwellings on part of Phase 3 – in progress.
12. S/2069/04/RM – reserved matters application for 153 dwellings (Phase 2) following refusal of S/0696/04/RM for 200 dwellings by Members at the Development and Conservation Control Committee on 6<sup>th</sup> October 2004 – in progress.

### **Planning Policy**

13. Cambridgeshire and Peterborough Structure Plan 2003: **Policy P6/4** (Drainage): new development will be expected to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas or other forms of sustainable drainage systems for the disposal of surface water run-off.
14. South Cambridgeshire Local Plan 2004: **Policy CS5** (Flood Protection) – planning permission will not be granted for development where this is likely to increase flood risk in areas downstream due to additional surface water runoff, unless it is demonstrated that the effects can be overcome by appropriate alleviation and mitigation measures, and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.
15. The proposal is designed to cater for surface water runoff from land allocated for residential and commercial development in the Inset Plan 67 (Longstanton) **Policies 1, 2 and 3**.

### **Consultation**

16. **Longstanton Parish Council**- has made no recommendation on the proposal, but has commented that the scheme is adequate for Phase 1 Home Farm. For

subsequent phases, the Parish Council considers there to be a requirement to divert Longstanton Brook along the western edge of the proposed bypass.

17. **Bar Hill Parish Council** – recommends approval of the application.
18. **Over Parish Council** - makes no recommendation but comments on the prospect of more localised flooding. The Council assumes that research has been carried out that Swavesey drain will be able to cope with this increased flow.
19. **Willingham Parish Council** - makes no comment
20. **Environment Agency** – has confirmed that the works have been granted consent under the Land Drainage Act 1991, and are acceptable as part of the surface water drainage strategy for the full development of the Home Farm site. The Agency recommends that the works be completed prior to development to ensure no detriment to the local drainage regime. The Agency recommends that a suitable condition be imposed to require the provision of a management plan to ensure future maintenance of the facility.
21. **Middle Level Commissioners** – supports the application. Although the site is outside the Board's area, there are possible implications for flooding from the tributaries of Swavesey Drain. Agreement has been reached between the Commissioners, Environment Agency and the developers that the proposal relates to the current proposal for 500 houses at Home Farm, that the pond should be completed to its maximum dimensions and operational before development on Home Farm commences and not a phased construction to match the various development stages. It is essential that the developer should enter into a long-term management contract for maintenance of the balancing pond. The Commissioners state that, in the event of the appeal to increase the maximum permitted number of houses on the site succeeding, further negotiations between all parties concerning the drainage strategy would be required.
22. **Old West Internal Drainage Board** – no comments.
23. **Longstanton Residents for Dry Homes**- accepts that the proposals are sufficient to cater for Phase 1 of Home Farm, and would like approval of this application to be so restricted. With respect to future phases, LRDH wishes to be afforded the opportunity to comment on the drainage proposals of later phases of development, including stream diversion. If this is not possible, then LRDH would wish to object to the current proposal. LRDH considers that the brook should be diverted at the southern end of the B1050 bypass to flow along the western edge of the bypass, rejoining the existing brook at Home Farm. This is recommended as part of Phase 2 Home Farm, which should be a condition of any planning consent for that phase.
24. **Cambridge Water Company** – no objection to the resubmitted application. It is pleased that the pond has been off-set to avoid the line of its 12" cast iron water main.
25. **Ecology Officer** – is satisfied that the working procedures and design of the pond, and proposed planting are acceptable. He recommends a condition that the developer should provide monthly position updates to enable the Local Planning Authority to monitor the mitigation works.
26. **English Nature**- EN is satisfied that the proposed working methods for the balancing pond and ditch widening are appropriate to safeguard the presence of water voles on

this site. EN recommends that a condition be attached to any permission granted to ensure the works are implemented as proposed.

27. **County Archaeological Section** – has indicated that the Section is in discussion with the developers concerning the required extent of archaeological works. The Section recommends that a condition be attached to require the submission of a programme of archaeological investigation.
28. **Highways Agency** and **Local Highway Authority** – no comments.
29. **Council's Landscape Design Officer** has no objections.
30. **The Council's Land Drainage Manager**, commenting on the earlier withdrawn application (see Para 7 above), said:
  1. No fencing, hedging, buildings etc will be allowed within 5 metres of Council's main award drain.
  2. A maintenance contribution will be required from developers to cover enhanced maintenance to award drain for the future."

### **Representations**

31. A resident of Longstanton has written to advise that the root cause of the flooding issue in the village is the sewer network that criss-crosses the High Street. The developer should be required to improve this network, rather than the cheaper option of a pond and ditch network. He predicts more flooding in the village as a result of the Home Farm development. A second resident, who lives adjacent to Longstanton Brook, is concerned at the extra water to be diverted to the brook. The sides are of clay and liable to subsidence after dredging. The brook is not well maintained and is quickly impeded with vegetation and litter. Particularly in the village the brook will need maintenance to keep the water flowing freely. It can quickly fill up and overflow its banks.

### **Planning Comments – Key Issues**

32. The application has been brought to Members' attention in order to consider the views put forward by Longstanton Parish Council and Longstanton Residents for Dry Homes.
33. The main issue raised is whether the proposed works are sufficient to cater for the consented residential and commercial development pursuant to outline planning permission S/0682/95/O. This issue has been examined in detail by the developers, and their conclusions as set out in the 'Statement on Principles of Storm Water Drainage, Development at Home Farm, Longstanton for Persimmon Homes East Midlands Ltd (revision 1)' has received the agreement of this Council as a Drainage Authority, Environment Agency and Middle Level Commissioners.
34. The developers have pointed out that the balancing pond is intended to resolve drainage from the proposed development, which is downstream from issues identified by LRDH and local residents. They do not accept that the two issues should be linked, as none of the phases of the development will contribute to any problems upstream within Longstanton itself.

35. The statement on Principles of Storm Water Drainage makes it clear that the volume of storage available within the attenuation pond is equivalent to the maximum storm water discharge from a 100 year storm event for the whole of the Home Farm Development, arising over a period of three weeks. On that basis the Drainage Authorities have approved the scheme in compliance with condition 9 of the outline planning permission.
36. Moreover, the Environment Agency would wish to enter a Section 30 Agreement under the Anglian Water Authority Act 1977 with the landowner to ensure protection of the balancing system in perpetuity with the development.
37. The scheme does not rely on any diversion of Longstanton Brook. Permission therefore cannot be limited to Phase 1, Home Farm, only.

### **Recommendation**

38. Subject to the prior completion of the necessary agreement with the Council, as Drainage Authority, in respect of a maintenance contribution, Approve subject to:

### **Conditions of Consent**

1. Standard Condition A – Time limited permission (Reason A);
2. Prior to development commencing, details of means to provide long term management and maintenance of the balancing pond shall be submitted to and agreed by the Local Planning Authority in consultation with the Environment Agency and Middle Level Commissioners. (Rc - To ensure that the balancing pond continues to serve its purpose of flood attenuation in perpetuity.)
3. Sc52 – Implementation of landscaping (Rc52);
4. Subsequent to works commencing, monthly position updates shall be provided in writing to the Local Planning Authority concerning the ecological mitigation measures to be achieved in the balancing pond and ditch, in accordance with the submitted schemes of mitigation; (Rc In order to inform the Local Planning Authority of the progress of the ecological mitigation work.)
5. No development shall commence until a scheme for the provision of a programme of archaeological investigation has been submitted to and approved by the Local Planning Authority. The scheme shall be carried out in its approved form. (Rc 66)

### **Informatives**

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P6/4** (Drainage);
  - **South Cambridgeshire Local Plan 2004: Policy CS5** (Flood Protection).

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- surface water disposal
  - ecological impact
  - highway safety

**Background Papers:** the following background papers were used in the preparation of this report: Planning Applications S/0682/95/O and S/1846/04/F; Cambridgeshire and Peterborough Structure Plan 2003; and South Cambridgeshire Local Plan 2004.

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a meeting of the Land Drainage Advisory Group held on  
Tuesday, 14 December 2004

Councillors:	EW Bullman	Mrs SA Hatton
	RMA Manning	MJ Mason
	EJ Pateman	A Riley
	J Shepperson	Mrs HM Smith
	NIC Wright	

and Councillor SGM Kindersley (Environmental Health Portfolio Holder). Also in attendance were Mr Geoff Burrows, Senior Partner, Wormald Burrows Partnership; Mr James Dodson, Swavesey Internal Drainage Board; Dr Ned Grace, Longstanton Parish Council; and Mr Owen Pitt, Development Control Engineer, Environment Agency.

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors SM Edwards and Dr JR Williamson and from Tony Ross of the Environment Agency.

**2. ELECTION OF CHAIRMAN**

On the nomination of Councillor MJ Mason, seconded by Councillor EW Bullman, and there being no further nominations, it was **RESOLVED** that Councillor J Shepperson be elected Chairman of the Land Drainage Advisory Group for the 2004-05 municipal year.

**3. APPOINTMENT OF VICE-CHAIRMAN**

On the nomination of Councillor Mrs SA Hatton, seconded by Councillor A Riley, and there being no further nominations, it was **RESOLVED** that Councillor MJ Mason be appointed Vice-Chairman of the Land Drainage Advisory Group for the 2004-05 municipal year.

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**7. LONGSTANTON HOME FARM DEVELOPMENT: CONSTRUCTION OF A BALANCING POND**

The Development and Conservation Control Committee on 3 November 2004 considered an application for a balancing pond to serve approximately 500 houses and a business park on land at Home Farm, Longstanton, and requested that the Advisory Group give detailed consideration to the surface water and land drainage aspects of the application. The Advisory Group was not being asked to consider maintenance issues for the balancing pond.

The Drainage Manager clarified that the planning application related to the 500 homes and the business park, not a certain percentage of the development. The Environment Agency and the Middle Level Commissioners had both considered the plans and pronounced themselves satisfied with the proposals. The Drainage Manager also supported the proposals providing that the District Council had proper access. He noted that the widening and deepening proposals for the award drain would not represent a huge change to the Council's existing maintenance work.

Councillor A Riley, local member for Longstanton, agreed that he was reassured that the balancing pond would be adequate for Phases 1, 2 and 3 of the development. Mr Burrows

explained that computer modelling had demonstrated that the system could accommodate more than a 1 in 100-year +20% storm event: the amount provided for overall in the balancing pond was far in excess of any likely occurrence.

Mr Burrows also explained that the balancing pond was a reservoir unlike others as it was designed to react to the depth of flow within the watercourse itself, "creaming off" the depth to reduce water levels elsewhere. If it were properly managed, it would bring substantial benefits to the downstream system. It would not generally be operated under normal storm conditions as water would be taken to the Great Ouse as quickly as possible; however, if a second 1 in 100-year storm event occurred while the Great Ouse sluice gate was raised, the reservoir would then accommodate the additional water.

Mr Owen Pitt, Development Control Engineer with the Environment Agency, clarified that:

- His authority had granted consent for the balancing pond under the Land Drainage Act because the reservoir would affect drainage levels elsewhere;
- PPG25 defined flooding as a material planning consideration and the Town and Country Planning Act nationally accepted standard criteria was a 1 in 100-year storm event; and
- It was unlikely that the balancing pond would ever be filled, even taking climate change into account, as watercourse restrictions within Longstanton itself would prevent the levels from going above the 1 in 100-year storm event.

Mr Pitt further explained that the Environment Agency could not maintain the balancing pond as the authority did not have permissive powers to do works on ordinary watercourses, just on main rivers. Only the local authority had power to maintain ordinary watercourses.

The Development Control Quality Manager confirmed that the agricultural land within the bypass area was not part of the outline planning permission for the Home Farm development. He explained that the balancing pond was a separate planning application, although related to Home Farm, so was not constrained by the existing section 106 legal agreement. The Council had the capacity to require negotiations of an additional s106 and appropriate commuted sums should it consider maintenance of the balancing pond.

The Advisory Group noted that the Council had not accepted similar maintenance responsibilities elsewhere, but that if asked to consider the balancing pond, would look at the issue in greater detail at a future meeting before making a recommendation.

The Land Drainage Advisory Group **RECOMMENDED TO THE DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE** that the planning application be approved subject to:

- (a) agreement with the Council on suitable maintenance procedures for the future; and
- (b) payment of a commuted sum to the Council to cover the increase maintenance costs along the award drain as a result of the proposed development, to be secured by a section 106 agreement.

The Land Drainage Advisory Group requests that the Development and Conservation Control Committee note the legal reasons preventing the Environment Agency from maintaining the balancing pond.

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**The Meeting ended at 12.00 p.m.**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

**S/2069/04/RM - Longstanton**  
**Erection of 153 Dwellings and Ancillary Works on Land West of Longstanton**  
**(Phase 2 - Home Farm) for**  
**Cofton Ltd, Peter Stroude, George Wimpey East Anglia and Kings Oak Homes Ltd**

**Recommendation: Approval**  
**Date for Determination: 7<sup>th</sup> January 2005**

**Site and Proposal**

1. This open and largely featureless site extends to 6.4 hectares (15.8 acres) and has, until recently, been in agricultural use. Over Road bounds the site to the west. Agricultural land extends to the north, beyond a watercourse. High Street is situated to the east, beyond an awarded watercourse. Along its Over Road frontage, the site is bounded by an established hedge. A Public Footpath crosses the site from southwest to northeast.
2. This reserved matters application, received on 8<sup>th</sup> October 2004 and amended by plans date stamped 18<sup>th</sup> January 2005, provides details of the siting and design of, the means of access to and landscaping for 153 dwellings on the second of three phases that are intended to provide 500 dwellings (outline planning permission S/0682/95/O). The proposed density is 24 dwellings per hectare.
3. The proposal (as amended) includes five areas of open space within the development which would accommodate Local Areas for Play (LAPs).
4. The development would be comprised of 12 (8%) no. 2-bedroom dwellings, 35 (23%) no. 3-bedroom, 58 (38%) no. 4-bedroom and 48 (31%) no. 5 plus-bedroom houses.
5. Approximately 50% of the dwellings (77) would be 2-storey, 38.5% (59) 2½ storey and 11.5% (17) would be 3 storey. The ridge heights of the proposed dwellings range from 6.8 to 10.5 metres with one pyramid roof on a 3-storey element rising to 11.7m.
6. The access would be off Over Road, and this would serve a number of secondary roads, shared surface access ways and 'Home Zones'.
7. The application is accompanied by a Planning and Design Statement.

**Relevant Recent History**

8. Outline planning permission for comprehensive phased development to provide B1050 Bypass for Longstanton and related road works together with housing (21Ha), a business park (6.3Ha), extension to village recreation ground (2.8Ha), village green including land for local shop and surgery, open space, landscaping and related infrastructure` on land west of Longstanton, including the application site, was granted in October 2000 (**S/0682/95/O**). The Decision Notice was issued following the signing of a legal agreement relating to education contributions and highway

works. Condition 16 restricted development to no more than 500 dwellings unless otherwise agreed by the Local Planning Authority.

9. An application to vary conditions 2 and 3 of **S/0682/95/O**, which relate to the timescales for the submission of details and the commencement of development, was submitted under reference **S/1268/02/F**. This application has been treated as withdrawn.
10. **S/1762/03/RM** - 91 dwellings and ancillary works (Phase 1) - approved 22.12.03.
11. An appeal against a refusal to vary condition 16 of the Outline Planning Consent **S/0682/95/O** to allow the construction of more than 500 dwellings was dismissed by an Inspector's letter dated 29<sup>th</sup> November 2004.
12. **S/0246/04/RM** - Duplicate application for 200 dwellings (Phase 2) - Appeal pending against non-determination.
13. **S/0696/04/RM** - Duplicate application for 200 dwellings (Phase 2) - Refused for the following reasons:
  - “1. The proposed density at 31.25 dwellings per hectare, which exceeds the approved density of Phase 1 (29.3 d/h), would be contrary to the development principles of the Adopted Development Brief for Home Farm, would fail, in the absence of an appropriate master plan, to coherently implement the phased provision of 500 dwellings over the whole Home Farm site as required by the Outline Planning Permission, reference **S/0682/95/O** dated October 2000 and would not reflect the character of the existing built environment; consequently the proposal would be contrary to Policies P1/3 - Sustainable Design in Built Development of the Approved Structure Plan 2003 and HG5, HG10 and Longstanton 1 of the approved South Cambridgeshire Local Plan 2004.
  2. The design and layout of the proposed development fails to achieve a sufficiently high standard of design and a sense of place as required by Policies P1/3 - Sustainable Design in Built Development of the Structure Plan 2003 and HG10 of the Local Plan 2004 and by the adopted Longstanton Development Brief 1998.”
14. **S/0625/04/RM** - Reserved Matters application for the construction of on-site roads and sewers (Phase 2) - In progress.
15. **S/0845/04/RM** and **S/1429/04/RM** - Duplicate Reserved Matters applications for 103 dwellings on part Phase 3 - In progress.
16. **S/1864/04/F** - Application for balancing pond and scheme of ditch widening to serve development approved by virtue of outline planning permission **S/0682/95/O** - subject of another item on this agenda.
17. An application to vary Condition 16 of the Outline Planning Consent **S/0682/95/O** to allow the construction of 630 dwellings is in progress.

### **Planning Policy**

18. The site forms part of the 21 hectare area of land allocated for some 500 dwellings on land north of Over in South Cambridgeshire Local Plan: 2004 **Policy HG5**.

19. The principles of development are encapsulated in **Policy Longstanton 1** of the Local Plan 2004. The supporting text at Paragraph 67.17 states:
- "The District Council has granted outline planning permission for residential, employment and recreation uses, which includes the provision of a development related bypass. The bypass between Hatton Road, Over Road and Station Road would provide access to Over or Willingham and onto Fenland without passing through the village. The District Council considers that the provision of the bypass is crucial for the village and therefore allocated a larger area for a housing estate than would otherwise be appropriate. In this instance there is no requirement for affordable housing as set out in **Policy HG7** because of the need to ensure the provision of the bypass and other community facilities such as a village green, shop and surgery".
20. Longstanton is defined as a Group Village in South Cambridgeshire Local Plan: 2004 (**Policy SE4**).
21. Structure Plan 2003 **Policy P1/3** requires all new developments to incorporate high standards of sustainability and design and to provide a sense of place which:
- "Responds to the local character of the built environment;
  - Is integrated with adjoining landscapes;
  - Creates distinctive skylines, focal points, and landmarks;
  - Includes variety and surprise within a unified design;
  - Includes streets, squares and other public spaces with a defined sense of enclosure;
  - Includes attractive green spaces and corridors for recreation and biodiversity;
  - Conserves important environmental assets of the site;
  - Pays attention to the detail of forms, massing, textures, colours and landscaping."
22. Structure Plan 2003 **Policy P5/3** states that 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".
23. Local Plan 2004 **Policy HG10** states that 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. It also states that the design and layout of the scheme should be informed by the wider character and context of the local townscape and landscape and schemes should achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
24. Local Plan: 2004 **Policy TP1** states that the Council will seek to promote more sustainable transport choices and one of the ways this can be achieved is restricting car parking for residential developments to a maximum of an average of 1 ½ spaces per dwelling with a maximum of 2 spaces for 3+ bedroom dwellings in poorly accessible areas.

25. A development brief for the Home Farm site, covering matters such as development aims, design philosophy, scale of development, built form (advocating a series of townscape zones including greenways, village lanes, village streets and hamlets), architectural form and open space was adopted by the Council as Supplementary Planning Guidance in 1998. Whilst design guidance has evolved since this brief was adopted, many of the principles contained within the brief remain relevant.
26. Government's **Planning Policy Guidance (PPG) 3**, "Housing" (March 2000) aims to avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare). In terms of village expansion, development should be designed sympathetically and laid out in keeping with the character of the village. Design and layout should be informed by the wider context, having regard to the townscape and landscape of the wider locality.

### **Consultation**

27. **Longstanton Parish Council** comments:

"The new application proposes house numbers consistent with achieving a maximum of 500 homes on Home Farm. The Parish Council has no objection to the numbers or to the proposed layout of the homes but recommends refusal on the following grounds:

- **Sewerage:** Anglian Water has stated to SCDCC that any homes beyond Phase 1 would require significant infrastructure improvement. The improvements proposed by both Anglian Water and the Home Farm developers included a new drain to Utton's Drove. The current Phase II plan, however, does not include sewerage infrastructure improvements. Given the village's recurrent problems with sewage flooding and Anglian Water's statement that a new drain is needed, Phase II must only be permitted if these improvements are made before homes are occupied. Improvements to the pumping station only get the village back to an acceptable level of risk *without* the Home Farm development.
- **Surface Drainage:** The Parish Council stated previously that the Home Farm drainage strategy is sufficient for Phase I, but any further development must require a diversion of Longstanton Brook. The Cofton plan includes no such measure. This failsafe flood risk mitigation measure is the only way to ensure Longstanton (including Home Farm) is not put at greater risk due to the development. We especially note that the latest Environment Agency risk assessment has increased the area within the village deemed to be at risk, and includes areas in the Environment Agency's highest risk category."

28. **Swavesey Parish Council** objects to this application, as with previous applications for development at Home Farm on the following grounds:

- Local sewage system - additional pressure from increased development will be put onto the local sewage system, which is currently believed to be at capacity.
- Future flood risk to the surrounding area resulting from the proposed development. In the light of recent flood events around Swavesey, concern over future flood risk is high.
- Further development in this area will lead to an increase in traffic levels along Ramper Road, Swavesey. This road is currently deteriorating rapidly and cannot cope with further increased traffic use and is becoming increasingly dangerous

for use by pedestrians, cyclists and horse riders. Improvements to Ramper Road are urgently required if this housing development is to be approved.”

29. **Willingham Parish Council** recommends refusal for the following reason:

“**Willingham Parish Council** has maintained for some time that major development along the B1050 between Earith and Bar Hill should not take place until Willingham village is by-passed. The existing route of the B1050, through the centre of the village is already heavily congested and further developments can only cause more environmental damage as well as increase the risk of accidents. In maintaining a consistent approach WPC therefore refuses this application.”

30. **Bar Hill Parish Council** recommends refusal “because of traffic implications and that future flooding has not been taken into consideration”.

31. **Over Parish Council recommends** refusal:

“Concerns that by-pass needs to be in place prior to development starting. We reiterate our concerns regarding flooding in this area, and we do not see why such a high level of additional housing is necessary when an additional even larger development is planned at ‘Northstowe’.

Yet more traffic flow onto the A14!

We would like to see if this development does go ahead what measures will be put in place to ensure this does not ‘sprawl’ out onto other villages”

32. **Environment Agency** has no objections from the Land Drainage/Flood Defence point of view. It has stated, in respect of the earlier application for 200 dwellings, that the submitted plans and associated documentation satisfactorily demonstrates to the Agency that the development proposals are in line with the agreed drainage strategy. The agreed strategy involves certain channel modifications to the local watercourses to allow additional capacity within the receiving system and the construction of a balancing pond downstream. Details are the subject of a current application (see Paragraph 16 above). It is recommended that a condition be imposed requiring a scheme of pollution control to be agreed.

33. **Middle Level Commissioners** comment: “The Commissioners, on the Board’s behalf, have recently concluded negotiations with the applicant’s consultant and the Environment Agency to ensure that the Home Farm development does not detrimentally affect the Board’s area. It has been agreed that a flow-balancing pond will be constructed near Gravel Bridge to accommodate flows within Longstanton brook whilst Webb’s Hole Sluice is closed during periods of high water levels in the River Great Ouse System. This pond was the subject of planning application S/1864/04/F.

During the above negotiations, it was agreed that:

- i) The plans submitted with this planning application meet the Board’s approval and are based upon the current proposals for 500 houses at Home Farm.
- ii) The balancing pond must be completed to its maximum dimensions and the necessary flow-regulation structures installed and operational before work on the Home Farm development commences on site, i.e. not a phased construction to match the various development stages.”

34. **Anglian Water** had no objections to raise in principle but requested that a condition requiring the submission of details of foul and surface water drainage be imposed, in respect of the earlier application for 200 dwellings.

Anglian Water also stated that the current infrastructure can accommodate Phase 1 development but capacity will not exist for the remaining properties until improvements in the infrastructure have been completed. Anglian Water is currently working on a scheme.

35. **Local Highways Authority** comments are awaited:
36. **The Cambridgeshire Fire & Rescue Service** asks that adequate provision is made for fire hydrants by way of Section 106 agreement or condition.
37. **Cambridge Water Company** has no objections and is able to make water available to the whole of the proposed development by reinforcing the local mains network. The Developers have been made aware of the likely costs.
38. **County Council's Definitive Map Officer (DMO)** has discussed with the applicants improvements of Public Footpath No. 3 necessitated by the Development specifically in regard to surfacing in the central open space to the north, replacement bridge where the path joins the open space and a link between the open space westwards to the new public bridleway/leisure walk.
39. The DMO is disappointed that the applicant has decided not to create a public link from Phase 2's recreation area alongside the drain to Phase 1 (northeast site boundary). This may be a "lost way". It would make good use of an existing natural feature and would pre-empt the public's acquisition of a right of way through prescription.
40. It is also regretful that a public footpath link from the access to Phase 2 along Over Road to link with Public Footpath No. 2 Longstanton has not been proposed. This would have fulfilled the duties under the Countryside & Rights of Way Act 2000 and the environmental policies of the Structure Plan to improve the rights of way network by providing a safe link between existing rights of way facilitating better access to both community facilities and the countryside.
41. The developers in their revised plans have incorporated Public Footpath No. 3 Longstanton, which is directly affected by the development, largely along its original line. No separate legal order would be required to accommodate the footpath, provided that the sections affected by the access road **fully** incorporate the footpath as public highway through a Section 38 Agreement, and that the line of the current path is not obstructed in any way.
42. A landscaped 'table' has been provided at the T-junction, where the current footpath crosses. In order to ensure the safe passage of pedestrians, not only of those moving within the estate but also those passing through it on the footpath, it is recommended that a demarcated crossing is provided. It would be most logical to locate the crossing on the northern side, so that pedestrians only have to cross the road once in order to continue along the footpath. The demarcation should take the form of coloured, raised bricks and line-marking. This, however, is not to imply that there should be no other crossing round the table should that be considered necessary.
43. **Chief Environmental Health Officer** has no objections.

44. **Police Architectural Liaison Officer** comments as follows:

"Whilst a degree of permeability is seen as necessary for community interaction too many footpaths and through routes in a development make crime easier to commit by providing additional escape routes and the anonymity offenders seek. The path between plots 8 and 9 linking the parking court to the footpath and the public open space beyond should be removed with the additional benefit of providing clearly identifiable defensible space to protect the side elevation of plot 8. The path between plots 10 and 11 should be incorporated within the curtilage of plot 10, while the path to the front of plots 15 and 18 linking the two parking courts could benefit by being brought to an end at a point close to each front door. Given the planting adjacent to Over Road and the little likelihood that the path would be used to any great extent by users other than the occupiers it will benefit from only low levels of natural surveillance through use.

45. There are areas where the nature of the space is not clear so that conflict can arise over whether the space is public. Such is the case between the dwelling/garage block of plot 10 and the path leading to Over Road. The railings effectively fence off the front garden suggesting that the area beyond the front garden is not private. Given the fact that there is to be an additional side window the area should be incorporated within the curtilage of the dwelling. A similar issue arises on the other side of the public open space with plot 73. In relation to plot 11 a screen wall splits the side garden again leading to difficulties over definition of the spaces to either side.

46. While some of the dwellings in the home zone in the area of road 2 benefit from areas of private or semi private space others, most notably in the home zone around Road 4, do not. This can lead to conflict between occupants and those using the space immediately outside their dwellings as public space. It is not clear as to the status of the land next to side elevation of plot 21 between the plot and Over Road. If the space is not private than the exposed elevations are vulnerable to damage such as graffiti. Although the insertion of a window in the side elevation may improve natural surveillance it has the potential to increase the level of disturbance perceived by occupants from people outside. Similar issues are likely to arise in relation to plots 2, 11 and 12.

47. The gates providing access to the rear gardens of plots 16 and 17 should be brought forward as close as possible to the front build line. It is recommended that in order to facilitate this, and in any case that utility meters are positioned on front elevations thereby increasing legitimate street activity and reducing the reasons for people to be using side alleys and paths.

48. It is recommended that there is a clear boundary definition between the front gardens of plots 33 and 44. Fencing at least 1.8m high should be placed between plots 41 and 42 and 55 and 56 to prevent unauthorised access to the rear gardens.

49. Given the size of the parking court to the rear of plot 58 and the potential access to rear gardens bordering on to it, it is suggested that access to the parking court is controlled by means of electronically operated gates."

50. **Council's Lands Drainage Manager** has commented:

"Under Council's Land Drainage Byelaws the following applies:

1. No excavating, hedging, fencing, buildings or other obstructions will be allowed within 5 metres of Council's Award Drain.

2. Maintenance contribution will be required from developer to cover ease of enhanced maintenance work to Award Drain.”

51. **Ramblers Association** comments in respect of Public Footpath 3, which has been largely retained and incorporated into the development:

- (a) Surface should not be unduly disturbed;
- (b) Materials are not stored/dumped on it;
- (c) Vehicles visiting the site should not impede the safe passage of pedestrians; and
- (d) Any footpath signs are not obscured or removed during building works.

52. The Association further comments:

“We would like to recommend that the attractiveness of the housing development would be further enhanced, if an additional footpath were to be provided, following the south bank of the drain along its northern edge. The Planning Layout drawing suggests that there is ample space for such a footpath, outside the railings bounding the housing area, and that it could link into the development by way of the two “footpath links”, and also possibly to the end of the roadway shown as “Road 6”. Eventually we would like to see this footpath extended towards the Over Road, and continued along the back of the drain to cross the road at Gravel Bridge, and provide a link with Footpath No. 12 at Swavesey. Such a link would improve the opportunities for off-road communication to the west of Longstanton, which are at present conspicuously lacking.”

53. **English Nature** reiterates its previous comments:

- “(a) **Bats**  
Section 1.1.4 of the Habitat Assessment Report refers to a bat survey being undertaken on trees along the Longstanton Drain and that these trees should be made safe and retained. If these trees are destined to be lost then the trees should be surveyed for bats in line with the statement in the landscape strategy.
- (b) **Water Voles**  
We support the provision of a pre-construction water vole survey described in Section 1.1.8 of the Habitat Assessment Report.
- (c) **Badgers**  
We support the provision of a pre-construction badger survey described in Section 1.1.9 of the Habitat Assessment Report.
- (d) **Birds**  
Section 6.1.3 states “all hedges in the site .... are potential nesting habitat”. We would wish to learn if any are being lost and if so how will they be removed without impinging on nesting birds. We request that a planning condition is used to prevent scrub and tree removal during the bird nesting season.
- (e) **Landscape Management Strategy**  
We would wish to see the Landscape Management Strategy focus on how the scheme would create biodiversity gains and contribute to the targets in the Cambridgeshire and Peterborough Biodiversity Action Plan.”

54. **The Council's Ecology Officer** comments:

"I do not believe there to be any significant biodiversity interest within the application site itself, thus my comments are limited.

I find it slightly disappointing that the 'sustainability' section of the submitted 'Planning and design Statement' does not make any reference to biodiversity. The conservation of biodiversity is a key test of sustainable development. The following measures could contribute to the sites potential for biodiversity and should be incorporated: erection of specialist bird and bat boxes upon garages and services buildings, fence lifting by 150mm to assist the movement of small animals, increased use of street trees and climbing plants against walls. Greater emphasis could have been placed upon creating green corridor through the site."

55. **The Council's Strategic Development Officer** comments that a Sustainability Appraisal should underpin the planning and design statement. It should consider climate change, energy efficiency, the need to refer to Building Research Establishment's "A Sustainability Checklist for Developments", the importance of renewables in new developments, possibility of car-sharing schemes and car clubs, creation of home zones (incorporated in amended scheme), sustainable urban drainage systems, locally sourced labour, verifiably sustainable materials, the on-site recording and monitoring of waste and local provision and/or access to local shops, services and community facilities.

56. **The Council's Landscape Design Officer** has made a number of specific comments on particular drawings and inconsistencies between particular drawings.

57. **The Council's General Works Manager** has not commented on this application, but made the following comments in respect of the application for 200 dwellings.

Specifically:

(1) "Will all the numbered lanes and roads be constructed:-

- (a) To take 6 x 4 heavy goods vehicles with a minimum gross weight of 26 tonnes;
- (b) Using materials that will withstand tyre scrub; and
- (c) So that the hammerheads will facilitate turning and reversing without the need to encroach on verges or footways bearing in mind not all residents will have off-street parking.

(2) Could you please confirm:-

- (a) Every dwelling will be provided with suitable and approved storage facilities for a minimum of 2 wheeled bins and a 55 litre kerbside box;
- (b) That the construction of the dwellings facilitates waste collection from the front boundary of each property;
- (c) The purpose of the 'refuse collection points' as shown by blue stars; and
- (d) That every property can be driven passed or up to by a 26 tonnes GVW RCV. It would appear that this is not the case, some are served

by a footpath only (from Over Road) and others by a lesser carriageway (between lane 2 and road 2. Also lane 1 from road 1 does not appear to be accessible). Areas that cannot be easily reached by vehicle will require a location for residents to take their containers for emptying without encroaching on other residents' land or amenity."

58. **The Council's Cultural Services Manager** has commented on issues relating to the discharge of conditions on the outline planning permission (Landscape Management Strategy, Neighbourhood equipped area for play (NEAP) on the recreation ground extension and locally equipped area for play (LEAP) on the central open space). These are not for consideration at this meeting.
59. Of relevance to this reserved matters application are her comments on the LAPs, as follows:
- "(a) I am still concerned about LAP 5 at the most southerly tip of the development (The LAPs were numbered last time). It still relates very much to the property next to it and is unlikely to be used as public space.
  - (b) I would like to see a variety of design features for these LAPs to help stimulate children's movement and play. For example a mix of paved and grass areas with possibly playground surface markings and features. Also some boundary feature to ensure the safety of children playing close to roads.
  - (c) The LAPs should include a bench and bin.
  - (d) Other design features and signage detail would be appreciated.
  - (e) I am still concerned about the electric sub station situated at the LAP to the north west of the development. They create noise and I would like to see detail on the design of this LAP."
60. **County Principal Archaeologist** comments:

"The site has been subject to a programme of archaeological investigation, in accordance with an agreed written scheme of investigation. The investigation revealed settlement related activity of medieval date, and has made a significant contribution to our understanding of the development of the medieval village at Longstanton. The fieldwork phase of this project is now complete and the archaeological contractors (Birmingham Archaeology) are currently undertaking the post excavation analysis of the site. No further fieldwork is considered necessary in this area."

61. The comments of consultees upon the amended drawings will be reported orally.

### **Representations**

62. The Occupiers of three properties in Longstanton object to the scheme on the following grounds:
- Existing foul water problems will be exacerbated by this development. Over Treatment Works is already overloaded;

- There should be no bridleway on Few Lane. Its surface is not suitable. Public footpath status should be retained;
- Public footpath 3 should not cross an estate road which is part of the main route through the estate without a pedestrian controlled crossing being provided;
- It is questioned whether adequate safeguards are in place regarding the bypass and the provision of an extension to the recreation ground;
- To develop the site of the former farm buildings would be an asset to the village but the remainder is ill-conceived and fragmented; it will have no positive benefit to the village. The need for the bypass no longer exists. The coming of Northstowe and a completely new road infrastructure will benefit Longstanton and the surrounding villages in a way that Home Farm never could;
- No consideration should be given to any more reserved matter applications until a master plan has been submitted for both the Home Farm and Northstowe proposed development sites.

### **Planning Comments - Key Issues**

63. The principle of erecting 500 dwellings on the Home Farm site has already been established by the grant of the outline permission. The permission allows for the phased development of the site, and includes conditions relating to the phasing of the residential development, business park, open spaces and the timing/thresholds for the provision of the necessary infrastructure and roads.
64. This reserved matters application provides details of the siting, design, means of access and landscaping structure to Phase 2 of the residential element of the development approved in 2000 (S/0682/95/O) only, and these are the matters to be considered.
65. The key issues are:
- (a) Density and numbers;
  - (b) Design and layout; and
  - (c) Drainage.

### ***Density***

66. The density of development on the site is guided by:
- (a) The outline planning permission, condition 16;
  - (b) The adopted South Cambridgeshire Local Plan 2004 **Policies SE4, HG5 and 'Longstanton 1'**;
  - (c) The adopted Development Brief for Home Farm;
  - (d) The approved Structure Plan **Policy P5/3**; and
  - (e) **PPG3**, Housing.
67. Condition 16 of the outline permission states that "Not more than 500 dwellings shall be constructed on the site unless otherwise agreed by the Local Planning Authority". This equates to approximately 24 dwellings to the hectare. The reason for condition 16 is "To ensure an appropriate balance is achieved between scale of development and the provision of essential services, infrastructure and the Longstanton Bypass". In his January 2002 report, the Local Plan Inspector recommended that Longstanton

be downgraded from a Rural Growth Village to a Group Village in view of its relative poor level of sustainability. The District Council incorporated this change in its adopted Local Plan (**Policy SE4**).

68. The proposed density of 24 dwellings to the hectare on Phase 2 would satisfactorily implement condition 16 of the outline planning permission and would comply with Policies SE4 and Longstanton 1 of the Local Plan.
69. Reserved Matters on Phase 1 have been approved at 29.3d/h. Phase 1 and proposed Phase 2 would leave a residue of some 256 (271 if **Policy SE4** is taken into account) dwellings on 11.5 hectares in Phase 3 at a density of 22.3 d/h (23.6 d/h). This, in my opinion, is realistic having regard to the Development Brief which, envisages greater areas of lower density in the form of 'village lanes' and 'hamlets' in Phase 3, whilst still incorporating some higher density areas of 'village streets'.
70. Having regard to the outline planning permission Condition 16 and the adopted Development Brief's illustrative Master Plan, it is, in my view, appropriate for the density of the whole of Phase 2 to be lower than the approved density of Phase 1.
71. Clearly the approved Structure Plan **Policy P5/3** and **PPG3** advice would support a higher density than that proposed in this application. However the circumstances which led to the imposition of condition 16 on the outline planning permission have not materially changed. The applicants are pursuing the question of density and numbers on the whole site by other means. That will be the opportunity to consider the costs and benefits of any additional dwellings in terms of transport, education, open space and affordable housing obligations, together with impact upon infrastructure capacities. That application would also need to be considered in the context of Development Plan Policies (see above) or those appertaining at the time of determination of the application.
72. 7As a Reserved Matters application, the density is acceptable.

### ***Design and Layout***

73. The adopted Development Brief sets out a series of design principles to ensure the new development is appropriate in terms of scale and style. The illustrative Master Plan shows how these principles could be put into practice. This indicates that Phase 2 would contain an element of each townscape zone (greenways, village lanes, village streets, and hamlets) with these more informal, lower density areas located to the west, on the periphery of the site.
74. An assessment of the design and layout proposals of the amended scheme has been carried out for this Council by an experienced Design Architect. I quote below the general comments:
75. "The site itself is split into two zones separated by the main spine road. To the South and East is located the George Wimpey East Anglia Ltd development and to the North and West is the Kingsoak Homes Ltd development. The spine road forms the only access into the site and separates the two developers' proposals. The road pattern around the site is generally acceptable providing a number of styles and grades of roads and accesses. A number of footpaths are provided around and across the site which provide good permeability. Positions of buildings are generally well considered to provide overlooking of public open spaces and footpaths and vista stops at important junctions, however, there does appear to be a lack of focal point buildings around the site (these are detailed in the assessment). The proposed

layout reflects the general concept of density/character zones included in the development brief.

76. **General Comments**

1. Pavement widths and road widths around the scheme should be varied in order to provide an informal arrangement and variation in streetscene;
2. The implementation of semi-mature landscaping features should be considered in order to provide an established sense of place to focal areas within the site;
3. The scheme would generally benefit from some further variation in street scenes by the introduction of some frontages tight to the back edge of the pavement and some further gables positioned on to the street;
4. The detailing of front garden areas needs to be carefully considered along the tree lined spine road, the use of front walls and/or railings should be considered along with brick garden walls of varying heights around the scheme. It is important to recognise that the use of front boundary garden treatments of this type can act as a good device to break down the scale of the buildings behind whilst also providing defensible space to the dwellings themselves. The use of walling in particular allows pinch points to be created within streetscapes when positioned hard along the back edge of pavement or road edge.
5. The submission of streetscenes, particularly for key road junction areas, would be useful.
6. Details of proposed materials and finishes to be provided.
7. The scheme would benefit from the introduction of further landscaping and in particular tree and hedge planting, to reinforce it's green village imagery."

77. The assessment incorporates detailed comments and suggestions which are aimed to improve the quality of the scheme and to highlight weaknesses within it. There are also detailed comments on, and suggested improvements to, house types, particularly those in the Kingsoak Homes Ltd development. One house type is considered to be completely inappropriate. In two cases, building proportions need to be adjusted and one house type should be used in groupings of four. The remainder are considered to be generally acceptable subject to suggested elevational improvements.

78. Wimpey house types have been considered to be acceptable.

79. The above assessment, coupled with comments and concerns of the Council's Landscape Design Officer have been discussed with the applicants. At the time of preparing this report I am hopeful that many of these comments will be addressed, either in the amended drawings or by conditions.

**Drainage**

80. Conditions attached to the outline permission state that no development shall commence until a phased scheme of foul and surface water drainage has been approved by the Local Planning Authority and constructed. Discussions between the applicants and the relevant parties (Environment Agency, Council's Drainage Manager, Middle Level Commissioners and the Longstanton Residents for Dry

Homes Group) have concluded in the agreement of a surface water drainage strategy. This strategy does not impact upon the layout of this reserved matters application but is to be taken forward by virtue of the application referred to in Paragraph 16 above and which has been the subject of discussion at the Land Drainage Advisory Group on 14<sup>th</sup> December 2004.

81. Although the capacity does not yet exist in the foul water drainage system to cater for development in excess of some 100 dwellings, condition 23 of the outline planning permission precludes further development commencing until the necessary improvements to the infrastructure have been completed. These comprise an upgrade to the existing pumping station, which will then pump all the sewage to Utton Drove Sewerage Treatment Works via a new rising main.
82. All necessary conditions are already imposed on the outline planning permission. No further drainage-related conditions are necessary or appropriate at this reserved matters stage. Therefore, there is no reason to withhold approval of reserved matters on this ground alone.

***Other Matters***

83. A condition of the outline planning permission requires the provision of fire hydrants.
84. Any improvements to Ramper Road, between Longstanton and Swavesey are outside the scope of the consideration of this application.
85. The outline planning permission does not provide for a Willingham bypass. This application cannot be withheld for that reason.
86. Further consideration is to be given to the road crossings of Public footway No. 3 having regard to comments from the County Council's DMO. A bridleway through the perimeter landscaping area will provide wider links and pedestrian routes between Phases 2 and 1 will provide links to Over Road and the Recreation Ground to the south.
87. The applicants have indicated that they will respond to the Council's General Works Manager's comments, although the application is accompanied by a refuse collection layout.
88. Although the number of LAPs provide satisfactory coverage, their design appears to warrant further attention. This is the subject of further consultation.
89. There is no reason to withhold the grant of reserved matters, which complies with the requirements of the outline planning permission and the Development Plan, on the grounds of awaiting a Master Plan for Northstowe.

**Recommendation**

90. I shall report progress on the submission of amended drawings and the representations received in relation to those drawings. But I anticipate being in a position to recommend approval of details of siting, design, means of access and the landscape structure for the erection of 153 dwellings and ancillary works.

**Background Papers:**

Reserved Matters Applications File Refs S/2069/04/RM and S/0696/04/RM

Cambridgeshire and Peterborough Structure Plan 2003  
South Cambridgeshire Local Plan 2004  
Development Brief for Home Farm, Longstanton 1998

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee                      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2305/04/F - Melbourn**  
**Erection 35 Flat Very Sheltered Residential Home, 18 Flats and 4 Houses, Including**  
**Demolition of Existing Residential Home, Moorlands Residential Home, The Moor,**  
**for Cambridge Housing Society**

**Recommendation: Refused**  
**Date for Determination: 14<sup>th</sup> February 2005**

Members will visit this site on Monday 31<sup>st</sup> January 2005

**Site and Proposal**

1. Moorlands Residential Home is located on a 0.67 ha site to the east of The Moor, Melbourn, opposite the Village College. The site currently comprises two main buildings, the main residential block and a day care unit, set within well landscaped grounds.
2. To the north the site abuts an unmade roadway leading to a pumping station beyond which is a recreation ground. To the south is an industrial building fronting The Moor behind which there is a block of flats currently under construction.
3. To the east the site abuts the rear gardens of bungalows in Dickasons. These properties are set on land which is slightly higher than the main part of The Moorlands site.
4. This full application, registered on 15<sup>th</sup> November 2004, proposes the demolition of the existing buildings on the site (this element is to be phased) and the erection of a 35 flat very sheltered residential home, 18 flats and four houses.
5. The 35-bedroom residential home comprises a mainly three-storey building, with a ridge height of 9.6m, although it reduces to a two-storey building at the rear of the site where it adjoins properties in Dickasons. The building extends directly behind three of the existing bungalows in Dickasons for a length of 35m and the distance between it and the boundary varies between 11m and 11.5m. At this point the new building will have an eaves height of 6m with a shallow sloping roof which rises to a height of 6.6m a further 7m away from the boundary where the building rises to three storeys. There are four flats at first floor level facing Dickasons, each containing a lounge and bedroom window. There is some screening on the east boundary of the site although views into the site from the rear gardens of properties in Dickasons are still obtained.
6. The building is designed in a 'U' shape, and whilst requiring the existing day centre building to be demolished, it warps around the existing residential building, allowing it to be retained whilst the new building is constructed. An existing mature walnut tree is to be removed. A substantial lime is shown as being retained.

7. Fronting The Moor, to the north of the proposed entrance road which serves all properties, are proposed two linked 3-storey blocks each containing 6 two-bedroom flats, with a ridge height of 9.1m. To the rear of these would be a single block of 6 two-bedroom flats facing the internal access road. Between this block and the rear of existing properties in Dickasons is proposed a pair of 2<sup>1/2</sup> storey semi-detached three-bedroom houses and a pair of 2-storey two-bedroom houses.
8. The application contains a tree survey and report.
9. The scheme is developed at a density of 85 dph.

### **Planning History**

10. None that is relevant to this application.

### **Planning Policy**

11. **Policy SE2** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") designates Melbourn as a Rural Growth Settlement where residential development and redevelopment will be permitted on sites within village frameworks 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.
12. Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
13. **Policy HG7** of the Local Plan sets out the District Council's policy in respect of affordable housing on sites within village frameworks. In villages such as Melbourn, where the population is in excess of 3000, such provision should represent up to 30% of the total number of dwellings for which planning permission may be given, dependant upon the level of clearly identified local need, although higher or lower percentages may be agreed in the light of such factors as proximity to local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case.
14. **Policy HG9** of the Local Plan states that the development of residential care homes within village frameworks will be permitted where:
  - (a) The quality of design is in keeping with surrounding properties and landscape in terms of scale, form, layout and materials;
  - (b) Boundary treatment provides privacy and a high standard of visual amenity;
  - (c) The privacy and amenity of neighbouring properties is protected;
  - (d) There is safe and convenient access for vehicles, cycles and pedestrians;
  - (e) Parking facilities are in accordance with District Council standards; and
  - (f) There is access to an adequate level of services to meet the need of the development.

15. **Policy CS9** of the Local Plan states that the District Council will refuse planning permissions for proposals which would result in the loss of a village service, where such loss would cause a significant reduction in the level of community or service provision in the locality.

### **Consultations**

16. **Melbourn Parish Council** recommends refusal. "We are refusing this application on the grounds that the proposal does not provide the facilities the community requires. We don't feel that the design/layout will allow the level of care necessary nor does there appear to be adequate day care facilities vital to the community. We feel further discussion is required and would welcome another meeting at the first opportunity".
17. The **Chief Environmental Health Officer** requests a condition restricting the hours of operation of power driven machinery during the period of construction. He also comments in respect of the use of driven pile foundations and the burning of waste and points out that a Demolition Notice will be required in respect of the existing properties
18. The **Environment Agency** offers standing advice in respect of surface water drainage.
19. The **Council's Drainage Manager** states that the Council is responsible for the award drain immediately downstream of the site. As the proposal represents an increase in the impermeable area of the site, the applicant should produce a flood risk assessment that will outline the impact on the award. Proposals for the disposal of surface water from the site should then be agreed with the Council's Drainage Manager.
20. The **Cambridgeshire Fire and Rescue Service** requests that adequate provision is made for fire hydrants.
21. The **Trees and Landscape Officer** objects to the loss of the Walnut tree. It is noted that a Lime tree is shown for retention however with development on two sides of the tree this will also be compromised by the proposal and an objection is raised.
22. The comments of the **Local Highway Authority** and **Commercial Director** will be reported verbally.

### **Representations**

23. The occupier of 14 Dickasons expresses concern at the limited amount of time given to comment on a proposal, which will result in the site becoming a building site for near future. There is concern about the effect on health of the unavoidable noise, dust and general pollution over an undetermined period.
24. The occupiers of 12 Dickasons express similar concerns and ask for assurances that strict controls would be imposed on the noise and pollution levels during demolition and construction.
25. The occupier of 15 Dickasons strongly opposes the application in its present form although it is accepted that Moorlands needs updating. The garden of No15 is some 10m long and the proposed building will be located behind this although clarification

is sought on the exact distance. It is noted that the main building contains a plant room that is located at the closest corner to No15 whilst it is assumed that this will not convene any noise pollution levels there is likely to be a constant hum from the building generators, which could be better placed at the roadside of The Moor. It is hoped that the pathway to the rear of the building will not be accessed by the public but guarantees are sought from a security aspect. There is concern that the application is a 'forgone conclusion' Assurance is sought that the applicant could not sell the building at a later date to be private flats, which would have greater impact and requirements.

26. The occupiers of 16 Dickasons are concerned that no information about the proposal was available sooner and that a three-storey structure looming behind will devalue property. There is concern at the possible level of noise from the plant room. Whilst they would not wish to stand in the way of providing a better quality of life for the elderly residents of the home there would be great reassurance if additional screening could be undertaken at the bottom of the garden.
27. A further letter, sent on behalf of the residents of 10-16 Dickasons, reiterates that concern at the loss of outlook and privacy currently enjoyed and asks that if the development should go ahead the hedgerow on the rear boundary should be greatly thickened and ideally fenced for those that wish it. The Moorlands garden area should be made as secure as possible for the safety of its residents and to make the rear of properties in Dickasons less accessible to the general public. Assurances are again sought in respect of noise from the plant room. The letter still however expresses concern at the amount of additional cars that will result from the development and that The Moor is already congested and that this must increase the risk of accidents opposite the school. The prolonged building works and loss of trees will have a detrimental effect on wildlife. The new design of the self-contained flats seems an extremely expensive exercise to house only 6 more residents. Is this to ensure an easier future sale of the building to private housing? If so there will then be enormous traffic and other problems.

#### **Applicant's Representations**

28. A copy of a letter submitted in support of the application and addressing the matters raised by Melbourn Parish Council is attached as Appendix 1.

#### **Planning Comments – Key Issues**

29. The site is within the village framework and therefore the principle of redevelopment is acceptable. The key issues to be considered with this application are whether the development would be sensitive to the character of the village, local features of landscape or ecological importance, the amenities of neighbours, whether safe and adequate access can be provided, and whether the proposal confirms to Local Plan Policy HG7 in respect of affordable housing.
30. The existing building is located adjoining attractive planted groups, particularly at the southern end. In designing a new building for the site the applicant is constrained by the need to retain the existing residential home building while the new one is being constructed. This has to a large extent dictated the footprint of the new building, which as a result will require the removal of a number of existing trees within the site. Including a walnut tree to the south of the main building which is identified in the tree report as being a tree of between high and moderate priority for retention. The Trees and Landscapes Officer objects to the loss of this tree and is concerned at the close proximity of the new building on two sides of a lime tree which is identified in the tree

report as being an exceptional tree warranting a high protection priority. The applicant is discussing the measures for the retention of the Lime tree further with the Trees and Landscapes Officer but the loss of the Walnut is unavoidable with the scheme as proposed. Members will be able to see these trees on site and will have to balance the desirability of retention against the benefits of the housing scheme as a whole.

31. In terms of the impact of the development on the amenity of neighbours I am concerned at the proximity and length of the building to the rear boundary of bungalows in Dickasons. The gardens of these bungalow are relatively shallow, ranging from 8-13m. The proposed building has lounge and bedroom windows at first floor level facing the bungalows in Dickasons within 11 metres of the boundary. Although there is some existing planting on the boundary and the land on the application site is lower than that of the bungalows I consider that there will be an unreasonable loss of privacy to the occupiers of properties in Dickasons.
32. I have no objection to the erection of a three-storey building along the frontage of the site with The Moor although I have asked the applicant to look at the design of the building in order to make more of a feature of the roof, which is currently very shallow and squat. The proposed buildings at the northern end of the site fronting the access road are acceptable and will not harm neighbour amenity.
33. The comments of the Local Highway Authority will be reported verbally. The applicant is discussing the requirement for a flood risk assessment with regard to the impact of the development on the nearby award drain direct with the Council's Drainage Manager. The outcome of these discussions will be reported verbally.
34. The Development Manager has confirmed that this scheme has been the subject of lengthy discussions with Cambridge Housing Society and that the mix of housing is appropriate. He also confirms that the erection of the additional blocks of flats is required to fund the main building and that the District Council will have nomination rights. These can be secure through a Section 106 Agreement if necessary and therefore the requirements of Policy HG7 are met.
35. The objection of Melbourn Parish Council relates to the design and layout of the building which will not allow the level of care necessary and that there does not appear to be adequate day-care facilities vital to the community. Policy CS9 seeks to prevent a significant reduction in the level of community or service provision in the locality. The letter from the applicants at Appendix 1 sets out the Housing Association's position regarding the day-care provision and this matter is to be discussed further with the Local Members, the Housing Portfolio Holder and officers prior to the meeting. A verbal report will be made.
36. Landscaping and boundary treatment would be conditions of any consent. The Chief Environmental Health Officer requires a condition restricting hours of operation of power driven machinery during the demolition and construction process. As some of the building works will take place around the existing residential home I am sure that the applicant will be seeking to minimise disturbance in any event. I have asked the Chief Environmental Health Officer to comment further on the concerns of local residents in respect of the plant room. The applicant is aware of these concerns and is proposing to suggest noise mitigation measures if necessary.

## **Recommendation**

That the application be refused on the grounds that the proposed residential care home building will result in an unreasonable loss of amenity to the occupiers of adjacent properties on Dickasons by reason of overlooking and being overbearing, contrary to Policies SE2 and HG9 of the South Cambridgeshire Local Plan 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 files Ref. S/2305/04/F

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2435/04/F - Melbourn**  
**Siting of a Mobile Home and Six Storage Containers at**  
**Land Adjacent Whitehouse Farm, Cambridge Road for**  
**Mr R Bicheno**

**Recommendation: Refusal**  
**Date for Determination: 26<sup>th</sup> January 2005**

**Site and Proposal**

1. White House Farm lies on the corner of Cambridge Road and Fowlmere Road to the north and east of Melbourn village. It lies some 600m south of the village framework for Shepreth and 900m north of the village framework for Melbourn.
2. The mobile home and storage containers have been located within and adjacent to an orchard with an existing farm access used off Fowlmere Road.
3. The orchard is a planted strip that is approximately 40m x 130m and runs perpendicular to Cambridge Road. On its western end, adjacent to Cambridge Road, are mature well established trees.
4. The full retrospective planning application, received 1<sup>st</sup> December 2004, proposes to retain a mobile home and six storage containers. The mobile home has been stationed on the eastern end of the orchard strip, amongst the fruit trees. Four of the storage containers lie to the south of the strip and would appear to have been painted dark green (at least partially). The other two storage containers are red and blue and lie to the north of the orchard strip.

**Planning History**

5. In October 2001 planning permission was refused for an extension and garage to White House Farm.
6. In January 2002 planning permission was granted for an extension to White House Farm.
7. In July 2002 planning permission was granted for a replacement dwelling.

**Planning Policy**

8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure plan") states, in part, that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
9. **Policy SE8** of the South Cambridgeshire Local Plan 2004 (the Local Plan) states:

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

### **Consultation**

10. **Melbourn Parish Council** has recommended approval.
11. **The Environment Agency** has no objections subject to safeguarding measures.
12. **Chief Environmental Health Officer** concludes that there are no significant impacts from the Environmental Health standpoint.
13. **Housing and Environmental Services**  
“I recall that Mr Bicheno's mother had died and the property was to be sold and divided amongst his relatives. However, it would seem that he would exceed our financial limits to be awarded a tenancy and would therefore be expected to participate in the councils shared ownership scheme.
14. I can not give any further information as to his application except to say it has remained unchanged and he has not notified us of a change in circumstances and certainly not that he has now moved to a mobile home. Until he notifies us of any changes his application will not be considered for any vacancies that may arise. If his application did come to the top of the housing register, the details would need to be verified but this is unlikely to happen in the foreseeable future as Melbourn is a very high demand area with few vacancies arising for single person accommodation”.
15. “In general terms...  
an applicant must notify us of changes. We will not consider them for any vacancy if their details are not correct. If we are told of the changes we will re-point an application so it accurately reflects the housing circumstances. Any person may come to the office and seek homeless advice and assistance but under the homeless legislation it is doubtful that we would accept a duty to re-house a single able person who is financially able to support themselves. We could only give advice on how to secure accommodation in the private sector. The likelihood of us being able to house a single person in Melbourn is slim as we simply do not have the vacancies. An applicant would also need to be top of the waiting list for a suitable property.
16. In short, I doubt we would be able to re-house Mr Bicheno in the very near future and accept that it would be difficult and expensive for him to secure private rental accommodation in the area. I would be happy to visit him and reassess his application if he requested me to do so”.

### **Representations**

17. 34 letters of support have been received, including from the occupiers of adjacent properties - Phillimore Gardens, Rosslyn, White House Farm, the adjacent landowner at Newfield Farm and the nearby Foxfield Farm, together with a 59 signatory petition supporting the planning application. In addition are 2 letters in support from Hewitsons solicitors and Cheffins estate agents and 1 letter from the applicant's doctor.

*Orchard Surgery, Melbourn*

18. The letter is from a doctor at the surgery confirming that the applicant suffers from long standing depression and anxiety and takes regular anti-depressants and suffers other associated ailments requiring regular medication.

*Hewitsons Solicitors (acted for the family in the sale of the White House Farm)*

19. "The main asset in Mrs Bicheno's estate was White House Farm, the other assets were minimal, just enough to cover debts and administrative expenses. The residue of the estate was given under the Will to Raymond, his brother and two sisters. There were no legacies.

20. It became apparent at a very early stage that we would have difficulty selling the property as Raymond was living in the property and had lived there for the whole of his life. It also became apparent that Raymond had no funds to purchase alternative accommodation".

21. Many efforts were made over 4 years to find alternative accommodation including writing to the Council on 15<sup>th</sup> November 2002 (reply confirmed that demand is high and it may be some time before housing would be available) but it was impossible.

22. "As all other options had drawn a blank Raymond's brother and sisters asked the executors to retain some land behind White House Farm that would allow Raymond to store his farming equipment and hopefully provide a permanent place for Raymond to live. The executors transferred the strip of land into the name of Raymond, his brother and sisters - and on the basis of the Raymond was able to move out of White House Farm so that the sale of the property could be completed.

23. We could not find any other way forward in the circumstances, particularly taking into account the following factors:

- White House Farm was in very poor condition and would have deteriorated further as the estate and Raymond had no funds to keep it in good repair or maintain it.
- Forcing Raymond out of the house without making arrangements for suitable alternative accommodation would have had an extremely adverse impact on his health, we believe he has suffered from stress related illnesses for several years"

*Cheffins Estate Agents(acted for the Bicheno family for a number of years)*

24. Confirm that the applicant actively sought alternative accommodation for four years.

The 34 letters of support make the following points:

25. The applicant lives for the countryside and is well known in the local farming community.

26. The applicant has lived on the site for all of his life, recently caring for his mother until she died in August 2000 following which he lived there alone until his home was sold by family agreement, beyond his control - he has not made himself homeless deliberately. He has no regular income and cannot work because of his poor health. He has approached the Council for a house and is on a waiting list but has been unsuccessful due to the acute shortage of affordable housing in this area.

27. The applicant is a kind, gentle and private man who should be given the opportunity of living out his life in a place he is familiar with in quiet and peaceful surroundings, independent and continuing his lifelong interest in farming and agricultural machinery.

28. The applicant needs to live on site for security reasons, to maintain the land and to look after his agricultural machinery. The current owner of White House Farm is happy for him to live there as it helps provide additional security for him.
29. The mobile home is not obtrusive and hardly visible.
30. "It seems very odd that a local man is undeserving of remaining on his own land, in his home village, when SCDC has allowed the site in Kneesworth Road in Meldreth to be developed extensively for the fair people to live in a community in an area where they have no previous connections"
31. "It is a great pity there is not more affordable housing in the village of Melbourn at present so that people born in the village and brought up in Melbourn can find somewhere affordable to live".
32. The applicant consulted with all of his neighbours before putting the mobile home on the land.
33. It would be short sighted of the Council to make the applicant homeless without being able to offer him accommodation. He is a local man and the village would not be the same without him.
34. Family members who have written have said that the split of the sale of the property was insufficient to allow the applicant the chance of purchasing another property. The mobile home is unobtrusive and in good condition, inside and out - the applicant keeps it in good order. Since acquiring the mobile he has become positive for the first time in a long time since suffering the loss of his parents, bad health and uncertainty about where he will live.

#### **Further representations from the applicant**

35. "...My sole objective in making this application is to establish a home for my lifetime close to the family home where I lived with and cared for my parents.
36. I seek no financial gain from this application nor further future development. The mobile home will be solely for my use and only during the course of my lifetime. Upon my death the site would revert to its former use.
37. Hence the application I make is for a planning licence with a limited time scale i.e. my lifetime only.
38. Having my home at White House Farm is essential to my future well-being. This is the environment in which I have lived all my life and it provides the peace and seclusion that I seek. Further the site offers me the opportunity to store and retain my substantial collection of vintage farm equipment..."

#### **Planning Comments - Key Issues**

39. The key issues are the impact of the development on its surroundings, amenity of neighbours, settlement patterns and the personal circumstances of the applicant.

#### ***Impact on surroundings***

40. The site is visible from Cambridge Road but the mobile home and storage containers are set well back from it. The mobile home is only partially visible from Cambridge

Road as it is set within the fruit trees. The storage containers have been partially painted dark green and are seen with the backdrop of the trees. There is a good hedge along Cambridge Road which helps to reduce the impact of the mobile home and containers.

41. The mobile home is more visible from Fowlmere Road but again the existing trees help to screen it to some degree. The two storage containers to the north of the orchard strip would be less obvious if painted a suitable dark colour.
42. On this issue I conclude that the mobile home and storage containers are visually detrimental to the visual quality of the surroundings but that they have been positioned so as to minimise their impact.

***Amenity of neighbours***

43. The mobile home and storage containers are sufficiently distant from residential properties so that there is no material impact on amenity.

***Settlement pattern***

44. The positioning of a residential mobile home in this position, well outside of any defined settlement framework, is contrary to the aims of the settlement policies. In particular it represents incremental growth in an unsustainable location.

***Personal circumstances***

45. The applicant is unwell, has not deliberately made himself homeless, has made unsuccessful efforts to seek Council housing, considers that his money would only fund rental accommodation for a relatively short period and feels that this is his only solution. There is considerable and strong support locally and evidence of his medical conditions has been submitted. He has clearly lived at White House Farm for all of his life and his needs, I believe, are genuine. It would appear that the income he earned from his share of the sale of the property was insufficient to enable him to find market housing but in excess of financial limits to be awarded a Council tenancy.
46. In my opinion however these facts do not outweigh the policy objection even if a personal planning condition were to be imposed to ensure the occupation is by Mr Bicheno only and the mobile home and containers would be removed from the site in due course.
47. Attached as Appendix 1 is a statement made on behalf of the applicant from his brother.

***Conclusion***

48. I have sympathy with the applicant but I have to recommend that Members refuse the application due to the impact of the development on its surroundings and the strong policy objection to development outside of village frameworks.

***Recommendation***

49. Refusal for the following reasons:
  1. The site lies in the open countryside well outside of any development framework boundary defined in the Development Plan. The mobile home and storage containers intrude into the countryside and are detrimental to the visual quality of the surroundings. As such the proposal is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy SE8 of the South Cambridgeshire Local Plan 2004.

2. The site lies in an unsustainable location for residential development. Insufficient justification has been given to demonstrate that this development is essential in this particular rural location. As such the proposal is contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy SE8 of the South Cambridgeshire Local Plan 2004.
  
50. Authorisation for enforcement action. Considering the personal circumstances in this case a 12 month compliance period would seem appropriate to provide the applicant a reasonable and appropriate period to find alternative accommodation.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning application files reference S/2435/04/F, S/2262/01/F, S/2261/01/F and S/1618/01/F

**Contact Officer:** Nigel Blazeby - Senior Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2476/03/O - Papworth Everard**  
**Residential Development Including Public Open Space, Vehicular Access, Together  
with the Demolition Of Nos. 18, 20, 52 & 54 Ermine Street South and  
1 & 3 St John's Lane, Land to the South of Church Lane and  
West Of Ermine Street South for the Papworth Trust and the Varrier Jones Foundation**

**Recommendation: Delegated Approval**  
**Date for Determination: 30/01/04**

**Adjoining Conservation Area****Site and Proposal**

1. This application was deferred from the meeting of the DCCC on 3rd November to enable further discussions to take place with the applicants. In particular, the main issue to be resolved related to the matters to be addressed within the legal agreement.
2. The 21.633 ha (53 acres) site lies on the south western side of the village and is fringed with a ribbon of housing on the north-eastern, Ermine Street boundary and a residential nurses home, sheltered housing and the Church on the north-western boundary. To the south-west and south-east of the site is open countryside; Cow Brook runs along the south-western boundary.
3. Running north-west/south-east across the centre of the site at its highest point is a belt of young trees. To the west of the belt the site slopes sharply down into the valley of Cow Brook. There are few other trees on the site.
4. The application site includes 3 pairs of semi-detached houses dating from the 1940s-50s that are proposed to be demolished.
5. Also included in the north-east corner of the site is the existing car park to the Papworth Trust offices.
6. The outline application, received on 5<sup>th</sup> December 2003, proposes residential development, including public open space, vehicular access together with the demolition of nos. 18, 20, 52 and 54 Ermine Street South and 1 and 3 St John's Lane to gain vehicular access. Apart from access details all matters are reserved.
7. In a covering letter the agent states that, as guided by the Development Brief, the application takes in more land than depicted in the Local Plan to include complementary open space, surface water attenuation facilities and means of vehicular access.
8. Detailed drawings are submitted for four potential points of vehicular access; three "all purpose" ones and the fourth for emergencies (via Southbrook Field into Church Lane). This is to ensure that all four, if required, are feasible and to enable

preferences to be expressed during the consultation process. However, even if all the possible means of access are feasible and are granted permission, the intention would be to utilize only those having “preferred” status in the Brief.

9. Archaeological investigations are underway with the County Council. It should be noted that there is already an agreement in place between the Foundation, the District and County Council that, on the commencement of its development, this site will contribute towards the bypass construction costs.

### **Planning History**

10. There is no relevant planning history

### **Planning Policy**

11. The following policies are relevant:

#### **Cambridgeshire and Peterborough Structure Plan 2003.**

**Policy P1/2** - Environmental Restrictions on Development

**Policy P1/3** - Sustainable Design in Built Development.

**Policy P5/3** - Density

**Policy P5/4** - Meeting locally identified housing needs.

**Policy P7/2** - Biodiversity

**Policy P7/6** - Historic Built Environment

#### **South Cambridgeshire Local Plan 2004.**

**Policy SE3** - Limited Rural Growth Settlement.

**Policy Papworth Everard 2** states that within housing allocations an average density of 25 dwellings per ha will be achieved, although a range of densities above and below that level will be sought.

**Policy Papworth Everard 3(c)** states the following sites (inter alia) are allocated for development for housing and incidental open space:

12.01 ha south west of Papworth Everard, providing a minimum of 259 dwellings within a developable area of 10.36 ha.

Planning permission for area 3C will not be granted until appropriate contributions towards the funding of the bypass have been secured.

12. The supporting text refers to a shallow ridge running across the site and says extensive tree planting will be required to prevent intrusion into the surrounding open countryside and to soften the impact of the village from the proposed bypass. The close proximity to St Peters Church to the north west boundary of the site requires developers to demonstrate that the design and layout will not adversely affect its setting.
13. In order to absorb the new housing areas into the wider landscape, appropriate landscaping works will need to be undertaken within and around the areas so as to soften and screen the housing edge. Woodland belts, trees, hedgerows and copses should be used. The screen belt should have a minimum width of 10 metres.

14. Additional areas of public open space are also required. These areas should be well related to the built-up area but may be beyond the village frameworks and the sites allocated for development.

**Policy SE9** -Village edges

**Policy HG4** - Allocations in Limited Rural Growth Settlements.

**Policy HG7** - Affordable housing on sites within village frameworks.

**Policy HG10** -Housing mix and design.

**Policy RT2** - Public open space

**Policy EN15** - Development affecting archaeology.

**Policy EN28** - Development within the setting of a listed building.

### **Legal Opinion**

15. Legal opinion has been sought by the Applicant and, in response by the Council, as to whether or not the site is required to provide affordable housing under the Local Plan. Counsel for the applicant concluded that there is no reasonable basis in policy for requiring affordable housing at Summersfield.
16. Counsel for the Council concluded that while the Applicant's Counsel's conclusion is a reasonable interpretation of the plan; it is not the only defensible interpretation. Since the application was deferred, discussions have been on-going with representatives of the Parish Council, the housing policy officers and the applicant to try to reach an amicable agreement, rather than for the different opinions to be contested through the appeal process. Mainly thanks to the efforts of the local members, satisfactory agreement has now been reached.

### **Development Brief**

17. The site is subject to a Development Brief commissioned by the Council and adopted as supplementary planning guidance in September 2003 and to include the following: "There is a greater than normal provision of 'social housing' in the existing stock and that a lower level requirement may be more appropriate in the interests of achieving a balanced community."

### **Departure Procedures**

18. In the event of Members being minded to grant planning permission, the provisions of the Town and Country Planning (Residential Development on Greenfield Land) Direction 2000 will apply, requiring reference of the application to the Secretary of State.

### **Consultation**

19. **Papworth Parish Council objects:**

1. "NE access: it is not necessary to demolish nos. 18 and 20 Ermine Street South to provide this access; however there is no objection to their demolition on other grounds. If these houses were demolished, then the footpath could run around the north side of the pond, rather than the south side, as currently indicated. It is felt that the pond, and the area between the pond and the old Papworth Trust Head Office building, should be included within the application area, to ensure that the landscaping of these areas is included in future plans.
2. Southbrook Field emergency access: no objection.

3. Stirling Way access: this access has the agreement of all parties, the traffic lights are already in position, and it provides a logical access to the site, close to the Business Park and the bypass.
  4. 52/54 Ermine Street South access: we continue to hold a strong objection to full vehicular access at this point. It is vital for the integration of the development with the existing village that an access is provided at St John's Lane. With a primary access at Stirling Way, the only possible use for this access might be as a haul road. We believe that permission should be granted for a temporary haul road, to be relandscaped and reduced to pedestrian/cycle access on completion of construction. Since all interested parties to date (landowners, SCDC and PC) agree with the Summersfield Development Brief recommendation that the two full vehicular accesses should be in the NE and SE corners, there is no need to grant permission for full vehicular access at this point."
20. **The Local Highway Authority** has carried out a safety audit on the proposed access and this has been passed to the agent for consideration at the reserved matters stage. No objections are raised in principle. Any connection to Southbrook Field must be restricted to cycle/footway and emergency vehicles only.
  21. All off-site works relating to access junctions must be completed prior to the commencement of development.
  22. **The Environment Agency**  
The Environment Agency originally objected to the scheme, and indicated that the site is within area that is very sensitive to flooding, albeit that the maps indicate Flood Zone 2 (low/medium risk). Negotiations with the applicant about measures to alleviate flooding have been undertaken by the Environment Agency to achieve a 1 in 100 year protection. A flood risk assessment has been submitted and amended, taking into account Environment Agency guidance. The proposals include a balancing pond and an underground storage facility, but do not provide any detailed designs of surface water drainage proposals at this stage.
  23. The flood risk assessment is acceptable to the Environment Agency, subject to pertinent conditions being attached to any consent issued.
  24. **Anglian Water** has not commented.
  25. **English Heritage** is concerned at the effect of the proposal on the setting of St Peter's Church, which is Listed Grade II\* and recommends refusal. It states:
    1. "Historically Papworth was a small settlement, the buildings of which were scattered along and to either side of Ermine Street. Extensive modern development has overwhelmed the few old buildings and created a village with little sense of place. St Peter's Church stands on the hill to the west of the main road. Although modern development of indifferent character has spread to its east and north, the Church commands a fine view to the south and west over an unspoilt valley and the hills beyond. In other words it still stands in something of its historic setting, and Church and landscape form a beautiful scene. The Church itself is a thirteenth Century structure substantially restored in 1870.

2. It is not wholly clear from the papers sent how far the proposed development would extend across the site. This lack of information is itself unsatisfactory. If, as seems to be the case, it would be largely confined to the area to the east of the trees that run north-south across the site its effect on the setting of the Church would be much more limited than it would be were it to extend over the whole site. Even if so limited, however, the development would still erode what remains of the rural setting of the Church; and one road is shown placed close to the south-east corner of the Churchyard.
3. If the proposed development were to extend across the large area to the south of the Church and west of Ermine Street its effect would be severe. The encroachment of further development into the rural setting of the Church would all but destroy any sense of that building's historic setting. Houses would be put up across the land to its south that is presently open. The landscape to the west of the Church would remain as farmland; but the Church's historic relationship with the countryside would be substantially destroyed.
4. The effect of the proposed development - whatever its extent - would be made worse by its apparent character. The indicative plans submitted with the application suggest that what is intended is a housing development of the standard suburban type planned around meandering spine roads, roundabouts and *cul de sacs*. If this is correct it would continue the unfortunate pattern set by the majority of post-war development in Papworth and it would be wholly unsympathetic to the setting of St Peter's Church.
5. Ideally the extent of the proposed development would be confined to leave that half of the proposed site that lies immediately south of the Church open. If this is the case it is welcome. I note, however, that the applicants' agents suggest that the entire site has already been designated for development in the local plan, and refer to a planning brief. If your Council has already agreed that the whole site can be developed, that leaves the form of any development to be considered.
6. The English countryside owes much of its character to the historic pattern of villages set amidst farmland and woodland, and in that relationship churches play a particularly important part. In Cambridgeshire as elsewhere their towers and spires form the most conspicuous historic monuments and in a sense articulate the pattern of settlement within the countryside. If the site that is the subject of this application were to be wholly developed, the relationship between St Peter's Church and the surrounding landscape would necessarily be largely destroyed.
7. It is the function of the planning system to ensure that if there is a case for building on this land its development should be conceived so as to create a place that is of itself of value, and - more particularly, from English Heritage's perspective - one that responds fully to the adjacent Church. The drawings submitted with this application suggest that what is proposed would do neither, and, indeed, would merely result in the creation of yet another unfortunate suburban sprawl. The most recent development in Papworth - the library and its environs - has been conceived so as to create some sense of place, and there is no reason why the development of this site should not be required to rise above the suburban model of development that is so often followed - to the detriment of towns, villages and countryside alike."

26. **Transco** has confirmed that the proposed works do not directly affect its apparatus.
27. **Edf Energy Networks (Electricity)** has not commented.
28. **The Countryside Services Team (County Council)** states:
  1. Public Footpath No. 2 Papworth Everard transverses part of the application site.
  2. The footpath must remain open and unobstructed at all times during and after development. No encroachment onto the width (minimum 2 metres) of the footpath is permitted.
  3. No alteration or disturbance to the surface of the footpath is permitted without the County Council's prior consent.
  4. No building materials are to be stored on the footpath.
  5. No scaffolding is to be erected on the footpath.
  6. The footpath should not be used for vehicular access to the site. Vehicles should not be parked on the footpath (including contractors' vehicles.)
  7. Consent is required for temporary diversions.
29. **The Chief Financial Officer (County Council)** requires an educational contribution for pre-school, primary and secondary amounting to £3,900 per dwelling.
30. **The Cambridgeshire Fire and Rescue Officer** requires adequate provision to be made for hydrants.
31. **The Architectural Liaison Officer (Cambs. Constabulary)** has no comments at this stage.
32. **The Conservation Manager** has no objection. "No significant impact on the Conservation Area or Listed Buildings. However, the proposed southern access is in open country at the gateway to the village, therefore the new access will make a major impact on the place as a whole. It is suggested this access in particular needs to be planted to re-establish the broken Ermine Street hedgeline and penetrate the site via a new woodland setting. This should be feasible without blocking sight lines."
33. **The Trees and Landscape Officer** has no comment on the proposed access points. As highlighted on the application plan, the route of the internal road and the location of houses to the young tree belt is important. The indicative layout appears to indicate a significant impact.
34. **The Ecology Officer** believes some ecological information on newt populations in the area has been gathered, but this has not been seen. An assessment of the site for farmland birds, particularly skylarks should be undertaken. An assessment of the semi-natural scrub, ditch and spring-wetland areas should also be undertaken. The adjacent (westward) grassland may be impacted upon by an increased local population; again some assessment should be carried out.
35. As the applicants control adjacent land, provision should be provided for appropriately managed semi-natural areas. The adjacent ponds should be suitably enhanced as semi-natural features to complement the development.

36. Adjacent water features should not be subject to any effects that will result in the lowering of their water quality (ie. used to receive water direct from culverts and underground storage tanks).
37. The design brief states that badgers and water voles are within the development site. These are protected species. It also makes reference to the brown hare, a national biodiversity action plan species.
38. The proposed balancing lakes offer much potential for biodiversity, particularly if set in a semi-natural context.
39. **The County Archaeologist** has indicated that the site is of high archaeological potential, and has requested that a condition be attached to any planning permission issued to secure a programme of archaeological investigation.
40. **The Development Manager (Housing)** states: the last housing survey was in September 2002 and indicated a need for 52 units, mainly in the 1, 2 and 3 bed range and of all tenure types.
41. **The Chief Environmental Health Officer** has no objection subject to an hours of work for power operated machinery during construction condition.

#### **Representations**

42. No representations have been received.

#### **Planning Comments**

43. **Key Issues**
  - Safety/appropriateness of proposed access points.
  - Demolition of 6 houses.
  - Extended site area to include complementary open space and surface water drainage.
  - Impact on setting of St Peters Church.
  - Affordable housing/community gain
44. This is the last quadrant of residential development, first designated in the 1993 Local Plan, to be developed.
45. The Council commissioned a Development Brief in 2003 and it was adopted as supplementary planning guidance in September 2003.
46. The application site includes the area allocated for residential development in the 2004 Local Plan but also includes a large area on the western side of the allocation to be used as complementary open space and for surface water drainage attenuation facilities as envisaged in the Development Brief. A small area is added to the north to facilitate vehicular access. In total the two additional areas amount to about 11 ha.
47. Three points of vehicular access are proposed to Ermine Street South, involving the demolition of 3 pairs of semi detached houses owned by the Trust. A fourth "emergency access" is proposed off Southbrook Field and hence onto Church Lane. The Local Highway Authority has carried out safety audits of the proposed access points and requested further information on the north-eastern access. No objections

are now raised in principle subject to conditions. Physical measures will be required to prevent the emergency access being abused by other motorists.

48. The Parish Council would prefer the retention of one pair of semi-detached houses proposed for demolition for the north-east access but accept there is no objection to their demolition on other grounds. The houses would be isolated by the proposed new road and would appear rather incongruous. As they are very plain and of no architectural merit I have there is no objection to their demolition.
49. Also, in the north-eastern corner, the Parish Council would like a pond and the old Papworth Trust Head Office included within the site area and a footpath around the northern rather than the southern side. This has been put to the applicants who have pointed out this area is not in the allocated area shown in the 2004 Local Plan and they would prefer to deal with this as a separate matter. The alignment of the footpath is a matter for the reserved matter stage.
50. The Parish Council is strongly opposed to a full vehicular access at the mid point of the Ermine Street South frontage. With accesses north and south to Ermine Street South, it considers this access should be a temporary haul road only and should be reduced to a pedestrian/cycle access. The applicant's intention is that this access would serve as a haul road and revert as described, providing the Local Highway Authority raised no objection to the northern and southern access points. This is the case and the use of the "middle" access point can be conditioned as a haul road.
51. English Heritage objects to the application because of the impact on St Peters Church, which borders the north-west corner of the site. This objection appears to be partly based on the assumption that the proposed housing would extend onto land to the south of the Church but this is intended to be public open space and is shown as such in the Development Brief. The Conservation Manager has raised no objections to the impact on the Church or the Conservation Area in general.
52. The Trees and Landscape Officer is concerned that the illustrative internal road layout "clips" the plantation of small trees on the west of the site. The road can be excluded from the permission by condition.
53. Notwithstanding the different interpretations of the relevant Local Plan policies, the applicant has been very positive about the scheme bringing forward financial contributions towards the provision of affordable housing and community gain. Indeed, discussions have been successfully concluded thanks in no small part to the efforts of the local members.

### **Recommendation**

54. Having regard to the greenfield land status of the application site, it is recommended that the application be referred to Secretary of State under the provisions of the Town and Country Planning (Residential Development on Greenfield Land) Direction 2000.
55. If the application is not called in by the Secretary of State, the application be approved, subject to the prior signing of a Section 106 Legal Agreement concerning financial contributions towards provision of affordable housing, community gain, maintenance of public open space, footpath improvements and education contribution; and subject to the following conditions:

1. In respect of any matter reserved for further consideration by the Local Planning Authority, application for approval shall be made not later than the expiration of 3 years beginning with the date of this Decision Notice.
2. The development to which this permission relates shall be started not later than whichever is the later of the following dates:
  - i) The expiration of 5 years from the date of this Decision Notice; or
  - ii) The expiration of 2 years from the final approval of matters reserved by this permission for further consideration by the Local Planning Authority or in the case of approval on different dates the final approval of the last such matter to be approved.  
(Reason - 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.)
3. 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 buildings;
  - b) design and external appearance of the buildings;
  - c) the landscaping of the site.  
(Reason - The application is for outline permission only and gives insufficient details of the proposed development.)
4. The details to be submitted pursuant to condition 3 shall accord with the Council's Development Brief for the site adopted as supplementary planning guidance in September 2003.  
(Reason - To ensure that an appropriate form of development is achieved.)
5. Sc 52 Implementation of landscaping. (Rc 52)
6. Submission of details of site boundaries and plot boundaries.
7. Permanent reservation of parking and turning areas.
8. No access to be gained from Southbrook Field except for emergency vehicles or as cycleway/footway.
9. All off-site works relating to the access junctions to be completed before development commences.
10. Details of road layout and construction, surface water drainage and street lighting.
11. Adequate provision for fire hydrants to be made.
12. No development to take place prior to the implementation of a programme of archaeological work.
13. During the period of construction, no operation of power operated machinery during unsocial hours.

14. Submission of habitat assessment of all semi- natural habitats including farmland.
15. Submission of surveys and schemes of mitigation, including habitat creation and enhancement, for Protected Species and species of importance to local biodiversity.
16. Details of a drainage strategy to be submitted.
17. No development to occur within the 1 in 100 year modelled floodplain envelopes of Cow Brook and Ermine Brook.
18. Details of a scheme for pollution control of the water environment to be submitted.

### **Informatives**

1. No bonfires on site.
2. Further planning application required to authorise provision of a haul road during the construction period.
3. As indicated by the Countryside Services Team.
4. As indicated by the Environment Agency.

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - a) **County Structure Plan 2003:**
    - Policy P1/2** - Environmental Restrictions on Development
    - Policy P1/3** - Sustainable Design in Built Development.
    - Policy P5/3** - Density
    - Policy P5/4** - Meeting locally identified housing needs.
    - Policy P7/2** - Biodiversity
    - Policy P7/6** - Historic Built Environment
  - b) **South Cambridgeshire Local Plan 2003:**
    - Policy Papworth Everard 2**
    - Policy Papworth Everard 3(c)**
    - Policy SE9** - Village Edges
    - Policy HG4** - Allocations in Limited Rural Growth Settlements
    - Policy HG7** - Affordable Housing
    - Policy HG10** - Housing Mix and Design
    - Policy RT2** - Public Open Space
    - Policy EN15** - Development Affecting Archaeology
    - Policy EN28** - Development Within the Setting of a Listed Building
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
  - Means of Access;
  - Surface Water Drainage;
  - Impact on the Conservation Area and
  - St Peter's Church

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

- County Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Summerfield Development brief
- Planning Application File S/2476/03/O

**Contact Officer:** Mr R McMurray - Senior Planning Officer  
Telephone: (01954) 713259

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2366/04/F - Sawston**  
**2 Dwellings and Garage (amended design) on Land Adjacent 2 Granta Road for Hogger Homes Ltd**

**Recommendation: Approval**  
**Date for determination: 17<sup>th</sup> January 2005**

**Site and Proposal**

1. The site extends to approximately 0.06 hectares (0.14 acres) and was previously the grassed side garden to No. 2 Granta Road which, like all the other dwellings in this part of Granta Road, is a semi-detached chalet dwelling with flat roof dormers on the front and rear and a flat roof garage to the side. The site falls to the north. There is an existing 1.5m-2m hedge along the sites' road frontages. The site is bounded by Granta Road to the northeast, No.2 Granta Road to the southeast, open land/trees to the southwest and Meadowfield Road to the northwest.
2. This full application, received on the 22<sup>nd</sup> November 2004, proposes the erection of a pair of 8.2 metres high semi-detached 3-bedroom chalet dwellings on the site. The dwellings are similar in design to the existing dwellings in this part of Granta Road although the dwelling on plot 1 has an attached garage with study above and the dwelling on plot 2 would have a pitched roof detached garage to the rear accessed from Meadowfield Road. The proposed density equates to 33 dwellings per hectare.
3. When construction began to erect the 2 dwellings approved under S/1606/04/F, it became apparent that to build the floor levels of the dwellings at the previously stated 300mm above the highest recorded flood level applicable to this site, the finished floor level of the dwelling on plot 1 would be approximately 0.7m above the existing ground level and the dwelling on plot 2 would be approximately 1 metre above the existing ground level. Construction has stopped on site. This application proposes dwellings of the same design and appearance as previously approved but with a finished floor level of 21.15m ODN as opposed to the previously approved level of 21.55m ODN. In addition to the measures incorporated into the previous scheme which demonstrated that there would be no loss of flood plain by ensuring that the area beneath the dwellings and garages is left open, air bricks allow any water to flow into this area and then drain out after the end of the flood and any small loss of flood plain is counteracted by lowering the ground level beneath the dwellings, the following additional flood proofing measures are proposed: internal walls to be finished with lime based plaster; screws and fixings to be non-ferrous; wall ties to be stainless steel; skirting boards, architraves and door linings to be moisture resistant mdf; kitchen units to have plastic legs; floor finish to kitchen and cloakroom to be ceramic tiles; electricity meter box to be 900mm above finished floor level; ground floor electrical wiring to drop from the first floor zone; pipework to be accessible to allow pipes to be maintained and washed down; install non-return valve within the private sewer and immediately before the connection on the boundary to the public sewer; water supply pipe to be insulated with closed cell insulation; central heating pipework to be plastic operated from manifold; ground floor doors to be solid timber;

stairs to be constructed from moisture resistant mdf; and gas main to have purging point.

### Planning History

4. Planning permission was granted for 2 dwellings and garage of the same design as now proposed on the site in April 2004 (**S/1606/04/F**). Condition 3 stated that the ground level of the dwellings shall be 21.55m ODN metres. The application was considered at the October 2004 meeting of this Committee.
5. Planning permission was granted for 2 dwellings and garage on the site in April 2004 (**S/1745/03/F**). The application was considered at the March 2004 meeting of this Committee.
6. An outline application for 2 dwellings on the site was refused in February 2002 (**S/2072/01/O**) for the following reason: "The site is in the recorded floodplain of the River Cam and it's tributaries, at a level approximately 600mm below the highest recorded flood level. The proposed development of the site for housing would subject the dwellings to the potential of flooding and reduce the area of floodwater storage, increasing the risk of flooding elsewhere. As such it would be contrary to Policy SP8/6 of the Cambridgeshire Structure Plan 1995 and Policy CS8 of the Deposit South Cambridgeshire Local Plan 1999."

### Planning Policy

7. The site is within the village framework of Sawston, which is defined as a Rural Growth Settlement in Local Plan 2004.
8. Whilst the front part of the site is outside the Environment Agency's Zone 2 (medium to low risk) Flood Risk Area, the rear part of the site is within it. These Zones replace the Indicative Flood Plain maps previously used.
9. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which responds to the local character of the built environment.
10. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within village frameworks of Rural Growth settlements provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the plan. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
11. Local Plan 2004 **Policy CS5** states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at risk unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.

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

### **Consultation**

13. **Sawston Parish Council** recommends refusal on the following grounds: “in flood plain; more building would create flood problems for neighbouring properties; and dangerous road junction/traffic problems”.
14. At the time of application S/1606/04/F, **Chief Environmental Health Officer** recommended conditions relating to the times during the construction period when power operated machinery shall not be used and driven pile foundations are attached to any approval. At the time of application S/1745/03/F, he also specifically confirmed that he had no objections to the proposal in terms of groundwater pollution.
15. **Environment Agency** states that, in line with current Government guidance, the District Council is required to respond on behalf of the Agency in respect of flood risk and surface water drainage related issues. That said, it has indicated that, with the previously approved flood mitigation measures and the additional flood proofing measures now proposed, the proposed finished floor level would be acceptable
16. It indicates that surface water drainage is the only outstanding issue and states that soakaways should be designed and constructed in accordance with BRE365.

### **Representations**

17. An objection has been received from the occupier of No. 20 on the grounds of flooding, traffic and parking.

### **Planning Comments - Key Issues**

18. The main issue in relation to this application is flood risk.
19. The principle of erecting two dwellings and a garage of the designs proposed on the site has already been established by the granting of planning permission under reference S/1606/04/F, albeit at that time the application erroneously stated that the existing average ground level was 20.9m ODN. A survey drawing submitted with this application shows the ground level to range from 20.93 to 20.45m ODN. The current proposal only differs from that permission in that the finished floor level proposed is now lower (in recognition of the actual ground level, to facilitate access to the dwellings and in order to ensure the development has an acceptable impact in the streetscene) and additional flood proofing measures are proposed. The proposed finished floor level is 0.4m below the previously approved level, 0.09m below the highest recorded flood level in the area in 1968 but 0.05m above the finished floor level of the adjacent dwelling, No. 2 Granta Road. Whereas the whole of the site was well within the Environment Agency’s indicative flood plains, the site is now on the very edge of the medium to low risk Flood Zone (the rear part of the site is within the medium to low risk zone and the front part of the site is within the little or no risk zone) which superseded the indicative floodplains. The Environment Agency has carefully considered the proposal and, subject to conditions, I am satisfied that the

scheme satisfactorily addresses and mitigates against the risk of flooding to the site and neighbouring properties.

20. The proposed revised floor levels would be acceptable in relation to the street scene and neighbour impact of the development.

### Recommendation

21. Approval, subject to the receipt of details of the previously proposed flood mitigation scheme as part of this application and the following conditions:
1. Standard condition A – RCA.
  2. The external materials of construction for the building works hereby permitted shall be identical to those used for No. 2 Granta Road unless otherwise agreed in writing by the Local Planning Authority – RC To ensure the satisfactory appearance of the development.
  3. The ground floor level of the dwellings hereby permitted shall be 21.15 ODN m – RC To provide a reasonable freeboard against flooding.
  4. Unless otherwise agreed in writing by the Local Planning Authority, surface water drainage shall be by means of soakaways designed and constructed in accordance with BRE 365 – RC To ensure a satisfactory method of surface water drainage.
  5. There shall be no raising of ground levels within the site, save for the hereby permitted dwellings and garage – RC To prevent the risk of flooding to other land/properties, due to impedance of flood flow and reduction in flood storage capacity.
  6. The air bricks, shown on drawing no. EDG/04/84/5b, shall remain clear from obstruction at all times – RC To facilitate flood risk conveyance.
  7. Standard condition 21 (Part 1, Classes A and E) ‘Removal of permitted development rights’ – RC To ensure that extensions and outbuildings which would not otherwise require planning permission do not lead to an increased risk of flooding to other land/properties, due to impedance of flood flow and reduction in flood storage capacity.
  8. During the construction period ... Standard condition 26 ‘Times when power operated machinery shall not be operated’ (0800, 0800, 1800, 1300) – RC26).
  9. Standard condition 60 (all) ‘Boundary treatments’ – RC To ensure the satisfactory appearance of the development and to protect the amenity of the occupiers of No. 2 Granta Road and the hereby permitted dwellings.

### Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - a) Cambridgeshire and Peterborough Structure Plan 2003: **P1/2** (Environmental Restrictions on Development); **P1/3** (Sustainable Design in Built Development); and **P6/3** (Flood Defence).
  - b) South Cambridgeshire Local Plan 2004: **SE2** (Development in Rural Growth Settlements); and **CS5** (Flood Protection),

2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: flood risk; and highway and parking problems.

### **General**

In coming to a decision to approve this application, the Local Planning Authority had regard to the Environment Agency's comments that the scheme satisfactorily addresses and mitigates against the risk of flooding to the site and neighbouring properties.

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

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

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/2366/04/F, S/1606/04/F, S/1745/03/F and S/2072/01/F.

**Contact Officer:** Andrew Moffat – Area Planning Officer  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2544/04/F- Sawston**  
**Two Dormer Windows at Little America Farm Bungalow for Mr & Mrs Allen**

**Recommendation: Refusal**  
**Date for Determination: 10<sup>th</sup> February 2005**

**Site and Proposal**

1. Little America Farm Bungalow forms one of a pair of dwellings that are situated to the west of the A1301 (Sawston bypass), outside the Sawston village framework and in the Cambridge Green Belt. It is a single storey brick and tile bungalow that has been previously extended at ground floor level. A landscaped bank separates the site from the A1301 to the north. A public footpath runs along the boundary of the adjacent property to the south west.
2. The application, received on 16<sup>th</sup> December 2004, proposes the erection of two dormer windows in the south east (rear) facing roof slope of the bungalow to light and ventilate two bedrooms.

**Planning History**

3. Planning permission was granted in 1987 for a single storey side extension (**S/1319/87/F**) that increased the floor area of the original dwelling by 22 square metres and volume by 91 cubic metres (42%).
4. Planning permission was subsequently granted in 1989 for a single storey front extension (**S/3193/88/F**) that increased the floor area by a further 8 square metres and volume by 31 cubic metres (14%).
5. An extension for a garage with accommodation above was granted planning permission in 2001 (**S/1592/01/F**). This increased the floor area by a further 51 square metres and the volume by 124 cubic metres (58%).

**Planning Policy**

6. **Policy P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003 states in part that new development in the Green Belt 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. Development is defined as inappropriate development unless it comprises amongst others extensions and alterations to dwellings provided that the criteria in Policy HG13 are met and that the overall impact of any extension does not result in the dwelling having a materially greater impact upon the openness of the Green Belt.

8. **Policy HG13** of the South Cambridgeshire Local Plan 2004 states in part that extensions to dwellings in the countryside will only be permitted where the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling; and the proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling upon its surroundings. The aim of this policy is to minimise the impact of development upon the landscape and to prevent the gradual reduction in the stock of small and medium sized dwellings in the countryside.
9. **Planning Policy Guidance Note 2 (Green Belts)** outlines the presumption against inappropriate development in the Green Belt. Paragraph 3.4 implies that extensions that result in disproportionate additions over and above the size of the original building are classed as inappropriate and by definition, harmful to the Green Belt.

### **Consultation**

10. **Sawston Parish Council** approves the application

### **Representations**

11. Councillor Bard supports the application.

### **Planning Comments - Key Issues**

12. The original bungalow at Little America Farm was modest in scale and measured just 63 square metres in floor area and 215 cubic metres in volume. The existing extensions have already increased both the floor area and volume by over 100% and have substantially changed the impact of the dwelling upon its surroundings.
13. Whilst I accept that the proposed dormer windows would only add a limited amount of volume to the dwelling (15 cubic metres), they would nonetheless still increase the volume further over the 50% limit as defined in Policy HG13 of the Local Plan.
14. Little America Farm Bungalow is clearly visible in places from the public footpath that runs along the south western boundary of the adjacent property (Barns Farm).
15. The proposed dormer windows, by virtue of their length (2.5m), height (1.5m), flat roof design and position high in the roof slope just below ridge line, would completely change the character and appearance of the dwelling when viewed from the public footpath and thereby materially affect the openness of this part of the Green Belt. The introduction of two dormer windows at first floor level in the rear of this simple existing roof form would be visually intrusive and increase the impact of the dwelling upon its surroundings to the detriment of the openness of the Green Belt and the rural character of the surrounding countryside.

### **Recommendation**

16. Refusal
  1. The proposed dormer windows, by virtue of their size, design and height in the roof, would significantly change the simple character and appearance of Little America Farm Bungalow when viewed from the public footpath to the south west, thereby resulting in a materially greater impact upon the openness of the Green Belt and the rural character of the countryside. In addition, the

proposed dormer windows would result in a cumulative increase of approximately 120% in the size of the original dwelling.

2. The proposal would therefore be contrary to: Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy GB2 of the South Cambridgeshire Local Plan 2004 that seek to resist inappropriate development in the Green Belt; and Policy HG13 of the South Cambridgeshire Local Plan 2004 that states extensions in the countryside will only be permitted where the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling and the proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling on its surroundings.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File references S/1319/87/F, S/3193/88/F, S/1592/01/F and S/2544/04/F.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2364/04/F - Steeple Morden  
2 Houses at Land rear of 1 Cheyney Street for  
Wedge Homes Ltd**

**Recommendation: Delegated Approval  
Date for Determination: 17<sup>th</sup> January 2005**

**Conservation Area****Site and Proposal**

1. This approximately 450m<sup>2</sup> site forms part of the rear garden of No.1 Cheyney Street, a corner property. It lies opposite the school across on Hay Street. Adjacent properties, No. 3 Cheyney Street and No. 12 Hay Street, which is set back from the road, are both Grade II Listed. There are various outbuildings in a poor state of repair and the site is currently overgrown.
2. The full planning application, received on 22<sup>nd</sup> November 2004, proposes the erection of a pair of semi-detached 2/3 bedroom cottage style dwellings fronting Hay Street set back approximately 3-5m from the road. The northernmost dwelling is approximately 6.5m in height, 1½ storey with front facing dormer windows that cut through the eaves line. The other dwelling is taller, at 7.2m and with a 2 storey frontage to Hay Street. Both dwellings have an asymmetric pitch, no windows at first floor level in the side elevations and rooflights in the rear roofslope which falls to an eaves height of 2.2-3.3m. The density would equate to 44 dwellings per hectare.
3. The existing access is to be used and a parking and turning area for 4 cars for the two dwellings and 2 cars for the existing dwelling, No. 1 Cheyney Street, is to be provided.
4. The northernmost dwelling would be situated approximately 1-1.5m adjacent to a telephone box and telegraph pole.
5. Each dwelling would be situated at the back edge of the grass verge with pedestrian access off Hay Street.

**Planning History**

6. In January 1993 full planning permission was granted for a dwelling on the application site and land to the rear of No. 3 Cheyney Street.
7. In October 2003 full planning permission was granted for two dwellings on the site.

**Planning Policy**

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

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

Structure Plan **Policy P7/6** - Historic Built Environment

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

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

10. Steeple Morden 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**

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

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

**Local Plan Policy EN30 - Development in Conservation Areas**

12. The District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed. This must include drawings or other pictorial material which illustrates the proposed buildings in

their context, and in most cases outline applications will not be acceptable. Proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.

### **Local Plan Policy EN28 - Development within the Curtilage or Setting of a Listed Building**

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

### **Consultation**

14. **Steeple Morden Parish Council** recommends refusal:  
“As with the original version of the Application, the Parish Council finds the design of the proposed dwellings fully in keeping with their location at the heart of the Conservation Area and also approves of the decision to opt for two smaller dwellings, rather than a single larger one. However, the following practical difficulties continue to be present with the plans as presented.

There remains some concern that the boundary with No. 3 Cheyney Street is not as indicated on the plan. This may have implications both for the parking area and for the layout of the gardens for the proposed new dwellings.

It would seem that the parking area is still intended to provide space for vehicles from No. 1 Cheyney Street, as well as from the proposed new dwellings. Given the paucity of local public transport and the unsuitability of the location for on-road parking, the allocation of space for 1.5 cars per dwelling would be the very minimum required, while 2 would be a much better solution as it would also allow for occasional visitors. Even at the lower allocation, we feel that the indicated layout of the parking area would prove unworkable if it is to allow vehicles to turn, in order to exit the area in forward gear - at least, not without removing at least one of the mature trees on-site, and we see no mention of that in the current plan.

The sightlines around this busy corner of Hay Street are also a concern, both for vehicles exiting the parking area and those joining Hay Street from Cheyney Street - not helped by the thick hedge bordering the garden of No. 1 Cheyney Street. Recent new building in the immediate vicinity and the ever-increasing weight of fast-moving

traffic have done nothing to improve the situation since we considered the original application in April 2003. We would suggest that the Highways Authority make a site visit to confirm that the indicated splay of the parking area exit and location of the proposed new dwellings will not constitute additional safety hazards. We would also request that members of the current Committee make a site visit to satisfy themselves on the same matters.

We also feel that the plans do not take sufficient account of the current location of the listed telephone box and associated telegraph pole immediately adjacent to the left-hand dwelling.

Without prejudice to the above objections, we would ask that should the Committee be minded to approve the Application, the following conditions should be imposed:

- That the listed telephone box and telegraph pole should be resited at an agreed location, at the expense of the Applicant (Reason: to preserve the existing streetscape within the Conservation Area).
- That any mature trees removed to increase the parking area be replaced by similar specimens elsewhere in the Conservation Area at the Applicant's expense (Reason: to preserve the green content of the Conservation Area).
- That consideration be given to replacing the hedge bordering the garden of 1 Cheyney Street with a 3' high open picket fence (Reason: to improve vehicle and pedestrian sightlines at this junction).

15. **County Archaeology Office**

The site was the subject of an archaeological evaluation in March 2004 (*Late Medieval Features at 1 Cheyney Street, Steeple Morden, Cambridgeshire: An Archaeological Evaluation - Cambridgeshire County Council - Archaeological Field Unit Report No. 719*), in connection with a previous application for the site (S/0561/03/F), which demonstrated that few archaeological features were present and any impact upon the archaeological record is likely to [be] minimal. Accordingly, no further works will be required".

16. **Chief Environmental Health Officer**

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

17. **Conservation Manager**

"The site has permission for the construction of two cottage style dwellings (**Ref: S/0561/03/F**) and this application follows the broad principals of that design.

The original scheme has been shown to have headroom problems in respect of the cat-slide roofs to the rear. The current revised design attempts to address this problem, while at the same time includes some modest additional floor area at ground floor to each cottage.

The changes will result in the ridgeline to the northern cottage being raised by approximately 200mm, while the ridgeline on the southern cottage will rise by approximately 300mm. The plan depth of both cottages is increased by approximately 150mm with the additional ground floor outshoots to the north of the northern cottage and to the east of the southern cottage.

When compared to the approved development for this site, the change in impact on Conservation Area in general and the street scene and adjacent Listed Building in particular, will be minimal. The revision to the front elevation of the north cottage (with the introduction of a single window alongside the entrance door) is an improvement over the symmetry of the approved scheme.

**Recommendation:**

18. No objection.

I note the kitchen window on the North cottage will now face towards the north boundary and the flank wall of an adjacent garage. I would suggest that this space could be improved through the addition of a single casement window onto the west elevation of the lean-to element (similar in size to the new window lighting the hall)".

**Representations**

19. One letter of objection has been received from the occupiers of **3 Cheyney Street:**
20. Not opposed to dwellings in principle
21. The boundary between Nos. 1 and 3 is incorrect and the site includes land that is owned by No. 3.
22. No mention is made with regard to fencing.
23. On-road parking is not an option at this very busy location opposite the school and a few metres from the village's central road junction. Overspill parking on the verge outside the site would obstruct the view on the T-junction and would be a danger to both pedestrians and road users. Additional parking and turning space is required on site.
24. One letter has been received from **Steeple Morden Primary School:**
25. Construction deliveries should be restricted to before 8.45am and after 9.15am until 2.45pm and then after 3.30pm.
26. "Although the majority of our parent population park away from the school we do have one and sometimes two school buses that require access to the front of the school. The proposed development is opposite the school and only a short distance away from a junction".
27. The Council should be satisfied that sufficient parking spaces are provided within the development so that resident parking will not cause any additional congestion outside the school.

**Planning Comments - Key Issues**

28. The key issues in this application are the impact of the two dwellings on the amenity of surrounding residents, the impact on the street scene, the impact on the character and appearance of the Steeple Morden Conservation Area, the impact on the setting of nearby Listed Buildings, the potential impact from additional traffic and parking, turning and access issues.

***Previous application***

29. This proposal is very similar to the extant planning permission ref. S/0561/03/F which unfortunately did not allow sufficient ceiling heights to be practically workable. Members may recall resolving to grant the permission at the September 2003 committee meeting. The differences, which are minimal, between the current application and that approved earlier are largely explained in the Conservation Managers comments. In addition internal layouts have been revised and the parking layout has altered resulting in a less workable arrangement. I have contacted the applicant's agent who will amend the application to provide 6 car parking spaces in the same arrangement as previously approved. Members will be updated at the meeting.

***Neighbour amenity***

30. At first floor level the properties are only one room deep. This allows for all of the primary bedroom windows to be in the front elevation with only secondary bedroom and bathroom rooflights in the rear elevation which will be obscure glazed. As such the only views out of the properties at first floor level are from their front elevations. This will protect the garden of No. 3 Cheyney Street from being overlooked as well as the rear of No. 1 Cheyney Street and the front of No. 12 Hay Street. The proposed dwellings are also sufficiently distant from surrounding properties not to result in any material loss of light or overbearing impact. As such the small additional volume over the previous approved scheme (described in the Conservation Managers comments) will have little impact on amenity.

***Impact on the street scene, character and appearance of the Conservation Area and the setting of nearby listed buildings.***

31. The scheme provides two small 2/3 bed cottages that are well designed following lengthy consultation with officers. The site is in a prominent position in the village but these carefully designed modest properties will fit well into their surroundings. I note the support of the Parish Council on design issues and the comments of the Conservation Manager.

***Parking and turning***

32. The proposal as submitted shows six car parking spaces, two for each dwelling plus two for No. 1 Cheyney Street. However, only five of these spaces are practical. As stated above the applicant has agreed to amend the parking arrangement to that already approved which provides six spaces - two for each dwelling. Turning space is limited, however this was accepted for the previous scheme following the removal of the tree to the right of the existing access point and turning will be possible if a little restricted.

***Trees***

33. The Trees and Landscape Officer has not commented on this application. His comments, regarding the previous approval, indicated that there were no trees of particular merit. The loss of the tree to the right of the access was accepted to accommodate a sixth parking space. Once the amended parking layout plan has been received there will be no change to the existing tree planting from that already approved. New tree planting can be secured through a landscape scheme.

***Boundary***

34. The precise position of the boundary between Nos. 1 and 3 appears (from the comments of the occupiers of No.3) to remain unresolved. In my view the application should be considered as submitted. If there is a change to the position of the boundary this will impact on the space available for the rear gardens of the dwellings and more importantly the space available for parking and turning. If the development cannot go ahead in accordance with the approved plans the matter will have to be

considered at that time. I do not consider that this application should be refused for a matter which has remained unresolved for approximately the last 2 years.

***Affordable housing***

35. It was accepted in the previous application that affordable housing would not be required. Negotiations began prior to the publication of the Local Plan Proposed Modifications and have taken place over a long period of time. The site lies in a prominent position in the Steeple Morden Conservation Area and the design of the proposal is felt to positively contribute to its character and appearance. Coupled with this I am mindful of advice that has been given regarding the officers' preferences and the willingness of the agent to address these during negotiations on the previous scheme. I also believe that a requirement for one affordable dwelling here would lead the developer to re-examine the possibility of erecting a single dwelling. This could probably be achieved satisfactorily but would not in my opinion be best use of land and would not be as positive to the character and appearance of the Conservation Area as this proposal. Although one of these dwellings will not be 'affordable' they will nevertheless each be of a value that is significantly lower than that of one larger dwelling and will provide two smaller dwellings for the village.

***Highway safety***

36. The Parish Council is concerned that existing sight lines around the busy corner of Hay Street limit views from vehicles approaching Hay Street from Cheyney Street and will create problems for vehicles exiting the parking area. There is approximately 3-4m of grass verge in front of the hedge behind the footpath. Vehicles exiting the parking area on the site will have the advantage of this area before approaching the footpath and pedestrians will clearly see any vehicles emerging. As for the situation regarding sightlines around the bend, this proposal will not alter that situation. The dwellings are set sufficiently far back so that there will be no material loss of visibility when approaching from Cheyney Street to Hay Street. In any case the situation has not changed from the previous approval.

***Telephone Box and Telegraph pole***

37. The proposed dwellings will be close to both the telephone box and the telegraph pole (approximately 1m) but will not impact on the use of the telephone box and I do not consider there will be any harm to the visual quality of the surroundings due to this close relationship.

**Recommendation**

38. Delegated Approval subject to a plan showing car parking for six cars in accordance with that approved under reference S/0561/03/F and subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.  
(Reason - 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 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.

- b) materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas.

(Reason -

- a)i) To ensure that visually the development accords with neighbouring buildings in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
- a)ii) To ensure that the development is not incongruous in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
- b) To ensure that the development enhances the character of the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)

- 3. No development shall commence until precise details of the proposed windows and doors have been submitted to and approved in writing by the Local Planning Authority. Such details shall show sections, opening arrangements and glazing bar patterns. All windows and doors shall be of timber construction and painted.  
(Reason - To ensure fenestration appropriate to the character and appearance of the Conservation Area and to the setting of adjacent listed buildings in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
- 4. The first floor windows in the roof slope of the east elevation of the buildings, hereby permitted, shall be fitted and permanently maintained with obscured glass.  
(Reason - To safeguard the privacy of occupiers of the adjoining properties in accordance with the requirements of Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4 and HG10, of the South Cambridgeshire Local Plan 2004.)
- 5. No further windows, doors or openings of any kind shall be inserted in the first floor north, east or south elevations of the development, 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 in accordance with the requirements of Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4 and HG10, of the South Cambridgeshire Local Plan 2004.)
- 6. The development shall not be occupied until parking and turning for 6 cars has been laid out within the site (in accordance with the approved plans attached hereto), 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 (loading and unloading) (turning) of vehicles.)

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.  
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
8. 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.  
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
9. Details of the treatment of all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the buildings are occupied or the development is completed, whichever is the sooner.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
10. During the period of construction no power operated machinery shall be operated on the site 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 agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.  
(Reason - To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction.)
11. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-

  - i) PART 1, (Development within the curtilage of a dwellinghouse, Classes A, B, C, D, E and F).  
(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene in

accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)

- ii) PART 2, (Minor operations), Class A (erection of gates, walls or fences).

(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)

## Informatives

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. The Environment Agency's advice on the construction of soakaways is attached.

## 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  
**P7/6** (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004:**  
**SE4** (List of Group Villages)  
**HG10** (Housing Mix and Design)  
**EN30** (Development in Conservation Areas)  
**EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Highway safety
  - Noise and disturbance during construction

**Background Papers:** the following background papers were used in the preparation of this report: Planning Files reference S/0561/03/F, S/2364/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2225/04/O - Great Wilbraham**  
**Erection of a Temporary Agricultural Dwelling at Land adjacent 1a Mill Road**  
**for Mr. J. Beaumont**

**Recommendation: Refusal**  
**Date for Determination: 27<sup>th</sup> December 2004**

**Site and Proposal**

1. The site is part of a small field measuring 0.76 hectares. The area for the temporary dwelling and its access measures approximately 0.0655 hectares. The field lies outside the village framework and is adjacent to the Great Wilbraham Conservation Area. It is within the Green Belt. The land runs alongside the unclassified Mill Road, off which there are two gated field accesses serving the site. A mature, largely hawthorn hedge, screens the field from the road. The land slopes uphill away from the road and towards the south of the site, where the site adjoins open countryside beyond. The field contains three small pole barns, in which cattle are housed, and a number of temporary storage sheds.
2. This outline application proposes the erection of a temporary agricultural dwelling. This will be accessed via an existing, but lesser used field access. All detailed matters have been reserved. However the application includes indicative details of log cabin type accommodation that the applicant would wish to erect. The applicant is seeking a temporary agricultural dwelling in order to ensure the welfare of the cattle herd that he is building up, the meat from which will be sold locally at his butchers shop in Fulbourn. The agricultural holding comprises sites in the area totalling 23 hectares of grassland on tenancy through mowing/grazing licences and the site itself, which the applicant owns.

**Planning History**

3. Outline planning applications for a bungalow on this site were twice refused under references **S/1536/75/O** and **S/1336/77/O**. The reasons on both occasions were the location outside of the village framework and that the development constituted ribbon development, which if approved would create a precedent for further development.
4. Outline planning permission was refused for a permanent agricultural dwelling on this site under reference **S/0981/04/O**. The reasons for refusal were:
  1. "The site lies in the countryside, outside of the physical framework of Great Wilbraham, as defined by the South Cambridgeshire Local Plan, adopted 2004, where development is restricted to that which is demonstrated to be essential to the particular location or to the operation of local farming by virtue of Policy P1/2 of the Cambridgeshire Structure Plan, adopted 2003. Policy HG16 of the South Cambridgeshire Local Plan, adopted 2004 states that agricultural dwellings will only be permitted on well established agricultural units where it can be demonstrated that there is a clear, existing functional

need for a full-time worker on site and where no suitable existing buildings in the area are available.

2. The site also falls within the Cambridge Green Belt, where there is a presumption against inappropriate development. It has not been demonstrated that very special circumstances exist to outweigh the harm caused by inappropriateness in the Green Belt. The proposal would therefore be contrary to Policy P9/2a of the Structure Plan 2003 and Policy GB2 of the Local Plan 2004.
3. Insufficient agricultural justification has been demonstrated to justify an agricultural dwelling on the site both in terms of the functional and financial tests identified in Planning Policy Guidance7: Countryside and reiterated in Policy HG16 of the South Cambridgeshire Local Plan, adopted 2004.”

### **Planning Policy**

5. **Policy GB2** (General Principles) of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) sets out what is considered by the Council to be appropriate development in the Green Belt. It includes agricultural dwellings as appropriate development where they serve an ‘essential agricultural need’. **Policy GB3** (The location of development) goes on to state that where development ‘is not inappropriate it will be located within or adjoining existing complexes...in order to protect the rural nature and openness of the Green Belt’.
6. **Policy HG16** (Agricultural dwellings) of the Local Plan permits permanent agricultural dwellings in the countryside only on well established agricultural units where it has been demonstrated that there is ‘a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation’.
7. **Policy HG18** (Temporary permission for mobile homes to support new agricultural units) of the Local Plan allows for the provision of temporary accommodation such as a caravan where it is essential to support a new or recently created farming enterprise. Certain criteria must be met including a) clear evidence of a firm intention and ability to develop the enterprise b) functional need c) clear evidence that the proposed enterprise has been planned on a sound financial basis and d) the functional need could not be fulfilled by another dwelling on the unit or in the area which is suitable and available for occupation.
8. **Policy P1/2** (Environmental Restrictions on Development) of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) restricts development in the countryside to that which ‘can be demonstrated to be essential in a particular rural location’.
9. **Policy P9/2a** (Green Belt) of the County Structure Plan sets out the aims of maintaining a Green Belt around Cambridge and limits all new development within the Green Belt unless required for ‘agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to the Green Belt’.
10. **Planning Policy Statement (PPS) 7: Sustainable Development in Rural Areas** (Annex A) sets out Government guidance upon agricultural dwellings.

### Consultations

11. **Great Wilbraham Parish Council** recommends approval. It comments that, although Members would not normally support a building in the Green Belt, local agricultural enterprises should be supported, noting that this application is for a temporary mobile home. It requests that conditions be placed limiting the permission to three years, with an agricultural tie, personal to the applicant, the dwelling is not connected to mains services at 1a Mill Road (water is available on site), the style and design of the building along with access and layout are to be agreed by SCDC and the Parish, the whole field should be well maintained and kept tidy, any additional barns/shelters or storage sheds should be approved by SCDC and the Parish Council.
12. The **Environment Agency** has no objection but recommends informatives to be included on the decision notice if approved.
13. The **Chief Environmental Health Officer** makes no adverse comment but notes that if the dwelling is classed as a caravan it will be exempt from requiring a Caravan Site Licence. However, from a fire safety point of view, had a licence been required, then the unit would have needed to be sited 3 metres from the boundary.
14. The **Trees and Landscape Officer** has no objections.
15. The **County Farms Manager** acknowledges that locally produced meat is becoming increasingly popular; however in appraising the business he advises that the functional test set out in PPG7 for temporary agricultural dwellings is not met and would still not be met if the herd were to increase to fifty head of cattle, as the labour requirements would not equate to a full-time worker. In terms of meeting the financial test set out in PPG7, other than the butchery businesses trading accounts for 2003 - 2004 no financial data has been provided. He was however, concerned that unless there is significant expansion (far beyond that proposed) of the cattle side of the business, whether in three years or longer the financial tests for a permanent dwelling could be met. The full comments are attached at Appendix 1.

### Representations

16. Letters of objection have been received from residents of adjacent properties, The Old Granary and Kennels Farmhouse. The concerns raised include the site's use for storing vehicles and metal parts, the small number of cows and calves on the site at various times (approximately three have been counted), impact on the character of the adjacent Conservation Area, Grade II Listed Buildings and the Green Belt, lack of clear details, the proposed access point is an overgrown gate that is not used and is sited on the inside of a dangerous bend upon which vehicles travel at speed.
17. The applicant's agent has written two letters in support of the application. These letters address points made by the Parish Council in recommending conditions, and noting that the applicant is due to expand his butchery business, having secured a lease for six years on the adjoining unit in Fulbourn into which the butchery shop will be expanded. These letters are attached at Appendix 2.

### Planning Comments - Key Issues

18. The key issues in considering this application are whether the development is appropriate to the Green Belt location, whether there is an essential agricultural need, and whether the financial and functional tests set out in PPS7 have been

met. All other matters, including those relating to the siting, design and access are reserved and do not form part of this application.

***Green Belt***

19. Development within the Green Belt is by definition inappropriate. Policy GB2 allows dwellings where there is an essential agricultural need provided they are located and designed so as to not have an adverse impact upon the rural character and openness of the Green Belt and meet other Local Plan policy requirements. The applicant has not demonstrated that there is an essential agricultural need and therefore no very special circumstances exist that would justify the erection of a temporary dwelling. This is explained further in comments in the following section.

***Criteria for temporary agricultural workers dwellings***

20. The key consideration in determining this application is whether a new dwelling on site is essential to support the agricultural unit. Four criteria are set out in policy HG18. The advice of the County Farms Manager has been sought in order to ascertain whether these criteria have been met.
21. The applicant has demonstrated a firm intention to develop the enterprise having acquired land to rent, stocking with cattle and investing in improved housing facilities for the cattle. There is clear support for the principle of rearing cattle to provide locally produced beef in the form of a petition signed by 143 customers of the applicants shop. The ability of the applicant to develop the business further is also not questioned.
22. The key issue is that the scale to which the business is planned to be developed will not equate to a requirement for a full-time worker on site. The County Farms Manager is very clear on this point in his comments on the application.
23. The details submitted by the agent suggest that attempts have been made to steal cattle and equipment from the site. PPS7 is clear that protecting stock from theft or injury is not in itself a reason to allow an agricultural dwelling. The applicant, to support this statement has submitted no other details of these attempted thefts. Therefore I do not consider this to be enough alone to justify the erection of a temporary dwelling.
24. Similarly, there is concern about the financial basis on which the business is planned. The applicant has not provided financial information for the farming business. The figures submitted are for the butchery business, and do not detail figures for the farming business in its own right. Policy HG18 states that temporary dwellings will be provided only where it can be shown that the business will provide the applicant's main livelihood. The absence of such financial planning of the farming business in its own right would indicate that it has not been planned on a sound financial basis and as such can not meet the financial test set out in PPS7.
25. Lastly, the applicant has not demonstrated that existing accommodation in the area is not suitable or available for occupation.
26. In conclusion, the applicant has not satisfied three of the four criteria for temporary agricultural dwellings, as set out in policy HG18 and a new dwelling is not considered to be essential to support this new farming enterprise. In light of this conclusion, a clear agricultural need does not exist and therefore, the erection of a dwelling is also inappropriate development in the Green Belt.

## Recommendation

27. In light of the comments above, it is recommended that the application be refused for the following reasons:

1. The site lies in the countryside, outside of the physical framework of Great Wilbraham, as defined by the South Cambridgeshire Local Plan, adopted 2004, where development is restricted to that which is demonstrated to be essential to the particular location or to the operation of local farming by virtue of Policy P1/2 of the Cambridgeshire Structure Plan, adopted 2003. Policy HG18 of the South Cambridgeshire Local Plan, adopted 2004 states that temporary agricultural dwellings will only be permitted where it can be demonstrated that it is essential to support a new farming enterprise. The applicant has failed to demonstrate that there is a clear, existing functional need for a full-time worker on site, that the business is planned on a sound financial basis and that no suitable existing dwellings in the area are available.

Insufficient agricultural justification has been demonstrated to justify an agricultural dwelling on the site both in terms of the functional and financial tests identified in Planning Policy Statement 7: Sustainable Development in Rural Areas and reiterated in policy HG18 of the South Cambridgeshire Local Plan, adopted 2004.

2. The site also falls within the Cambridge Green Belt, where there is a presumption against inappropriate development. A new dwelling is not considered to be essential to support this new farming enterprise and it has not been demonstrated that very special circumstances exist to outweigh the harm caused by inappropriateness in the Green Belt. The proposal would therefore be contrary to Policy P9/2a of the Structure Plan 2003 and Policy GB2 of the Local Plan 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 Refs S/2225/04/O and S/0981/04/O
- PPS7: Sustainable Development in Rural Areas

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2550/04/PNT - Landbeach**  
**Erection of 8 Metre High Telecommunications Monopole and Associated Development, Land opposite Cambridge Research Park for Vodafone Ltd**

**Recommendation: Approval**  
**Date for Determination: 10<sup>th</sup> February 2005**

**Site and Proposal**

1. The proposed mast is to be sited on land adjacent to the A10, opposite the entrance to the Cambridge Research Park. At present a small area of grassland surrounds the eastern rim of the Cambridge Research Park roundabout upon which a small plantation of sapling trees has been planted. A ditch defining the Landbeach and Waterbeach Parish boundary runs adjacent to the site. This ditch is lined with mature trees. A modest sized electrical cabinet is at present sited adjacent to the cluster of trees.
2. This prior notification application, received on the 16<sup>th</sup> December 2004 seeks prior approval for the siting and appearance of a 8 metre high monopole mast, (10 metres to top of antenna), and telecommunications cabinet, both of which are to be sited on an area of hard standing. The mast is a slim line monopole, which is the same height as the adjacent street lamps. The mast and cabinet are to be sited within the existing cluster of trees, set 11 metres back from the edge of the A10. No vehicular access is to be provided to the site.

**Planning History**

3. Planning permission was granted in 1997 for the construction of a roundabout and junction with associated land reclamation and landscaping, reference **S/0271/97/RM**.

**Planning Policy**

4. **Policy CS8 'Telecommunications'** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") lists the criteria against which applications for telecommunication development should be considered.
5. **Policy 6/5 'Telecommunications'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The Structure Plan") states that the growth of new and existing telecommunications system will be encouraged to ensure people have equitable access to a wide range of services and the latest technologies as they become available.
6. **Planning Policy Guidance Note 8 (PPG8) 'Telecommunications'** 2001 provides guidance on the assessment of applications for telecommunication facilities.

### **Consultations**

7. **Councillor Hockey** has requested that this application be presented at Committee. No specific comments regarding this application had however been received at the time of writing this report.
8. **Landbeach Parish Council**- No comments received at the time of writing this report. Any comments raised will be reported verbally to the Committee.
9. **Waterbeach Parish Council, (neighbouring Parish Council)** - No comments received at the time of writing this report. Any comments raised will be reported verbally to the Committee.
10. **Chief Environmental Health Officer** - No comments received at the time of writing this report. Any comments raised will be reported verbally to the Committee.
11. **Ministry of Defence** - No comments received at the time of writing this report. Any comments raised will be reported verbally to the Committee.
12. **Waterbeach Level Internal Drainage Board** - No comment.
13. **County Highways Authority** - "I note that the original proposal to have direct vehicular access off the A10 has now been omitted from the scheme. I now am unable to sustain an objection to this proposal."

### **Representations**

14. No representations have been received at the time of writing this report. The consultation period does not expire until the 1<sup>st</sup> February 2005. Any comments received will be reported verbally to the Committee.

### **Planning Comments - Key Issues**

15. As this is a Prior Notification Application, (PNT), the Council can only comment on the siting and appearance of this proposal. In this location it is considered that the main points of consideration are the impact of the mast on the character and appearance of the area and the impact on Highway Safety.

### ***Character and appearance of area***

16. The proposed mast is a slim line design and will in part be screened from view by the cluster of young trees sited adjacent to the mast and the more mature trees situated along the bank of the ditch, located to the east. When viewed in conjunction with the existing streetlights, which also measure 10 metres in height, it is considered that this structure will not form an alien feature within the landscape, nor will the mast unduly impinge on the openness of the surrounding countryside.
17. As the mast is to be sited within the cluster of young trees, this development may result in the removal of some of the lower level screening currently provided on site. These trees however are no longer protected by the landscaping condition for the roundabout and junction improvements approved in 1997, (application reference S/0271/97/RM), nor are they worthy of a Tree Preservation Order. It is therefore considered that an objection to the removal of some of these trees could not be sustained. Irrespective of the above, the agent has confirmed that the footings of this

development can be hand dug to minimise any disturbance while supplementary planting can be carried out. This could be secured by a condition.

18. The siting of the mast in relation to the adjacent Research Park and settlement of Landbeach is considered acceptable. Whilst only sited on the opposite side of the road to the Research Park, sufficient separation is provided to ensure a mast of this height will not appear overly dominating. The mast will also be sited more than 2 km from the village of Landbeach.

### ***Highway Safety***

19. This PNT application was the subject of lengthy pre-application discussions. Initially it was proposed that vehicular access be provided to the mast for maintenance purposes. Strong objections were raised to the creation of an additional access onto the A10 and this has now been excluded from this proposal. Whilst access to the mast is still required for maintenance purposes, Vodafone has stated that service staff will park in the lay-by sited 480 metres further north along the A10 and walk to the site.
20. Members should note that Vodafone is a Statutory Undertaker for the purposes of the New Roads and Street Works Act 1914 by virtue of being a Telecommunications Code System Operator. The agent has therefore advised that this proposal is not dissimilar to maintenance works of other Statutory Undertakers being carried out in the area, i.e the maintenance and repair of street lights. The agent has also confirmed that should any maintenance work be required for the mast, (which is very unlikely) this will be undertaken in the same manner as that undertaken by those maintaining the street lamps at this location. Normal traffic management applications and consultations will be undertaken.
21. The County Highways Authority have stated that as Vodafone are a Statutory Undertaker, no objections can be raised on Highway grounds.

### ***Other issues***

22. The site is located within 3km of the Waterbeach Barracks airfield. The details of this application have therefore been forwarded to the Ministry of Defence for comment. As stated previously if any safeguarding issues are raised these will be reported verbally to the Committee.
23. During the consultation period of this application concerns have been raised verbally by residents of Landbeach village, 2 km distant, on health grounds. While health concerns can in principle be a material consideration to this application, as stated in PPG8, it is the Government's firm view that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone station meets the International Commission on Non-Ionizing Radiation (ICNIRP) guidelines for public exposure it should not be necessary for a Local Planning Authority, in processing an application for prior approval, to consider further the health aspects and concerns about them.
24. This proposal meets with the ICNIRP public Exposure Guidelines. As stated previously, the proposed mast will be sited more than 2km away from the village of Landbeach. While some isolated residential properties are located adjacent to the A10, the nearest property, Landbeach Lakes Chalet, is sited approximately 345 metres south west of the site. To the north, the nearest residential property, Denny

Croft is sited approximately 670 metres away. Given the above, no objections are raised on the grounds of Health.

25. The site is located within Flood Zone 1 and therefore no objections are raised to this proposal on the grounds of flooding. The lower land located on the opposite side of the ditch however is categorised Flood Zone 2 and 3, and is a high-risk flood area. It is advised that a covering letter be sent to the agent informing them of this if, Members are minded to approve this application.

**Recommendation**

26. Approval of siting and appearance subject to no objections being raised from the Ministry of Defence and Chief Environmental Health Officer and subject to a condition securing the hand digging of footings.

**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/2550/04/PNT
- Planning Policy Guidance 8: "Telecommunications"

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1785/04/F - Willingham  
Erection of 76 Dwellings including Conversion of Barn into Dwelling;  
Land to the West of High Street at Manor Farm**

**Recommendation: Delegated Approval  
Date for determination: 23 November 2004**

**Site and Proposal**

1. The site occupies 1.94 ha land to the rear of farm buildings and dwellings fronting High Street. The land is in agricultural use as grassland, with established trees and hedgerows on three boundaries. A brook adjoins the western boundary, but is outside the application site. To the south, residential development by Bovis Homes Ltd is in progress (also known as Willowbrook/Covent Garden). The application site represents a continuation of that development. A timber barn on the site is grade 2 listed.
2. This application for the erection of 76 dwellings and the conversion of the barn to a dwelling was received on 24<sup>th</sup> August 2004, and amended on 20<sup>th</sup> October and 29<sup>th</sup> November. The application includes 22 units of affordable housing, representing a 29% provision. Vehicular access is proposed from the High Street, with pedestrian/cycleway linkages to the development to the south. Narrowing of the High Street carriageway on either side of the new access is proposed in order to achieve adequate visibility splays. The existing bus stop on the site frontage will be relocated by the developer to a site to be agreed.
3. The dwellings represent a mix of 1&2 bed flats, and 2,3,4, and 5 bed houses. They range in height from 1-storey garages and outbuildings to 2 and 2½-storey houses with occasional 3-storey buildings in strategic positions. There are a variety of styles of contemporary and traditional architecture.
4. The density is 39.2 dwellings per hectare. Provision of 2,200 sq m open space is made, including one LAP unequipped play area.
5. The application is supported by a design statement from the agent, together with a transport assessment, a flood risk assessment and a tree survey. Removal of fruit trees and dying trees is included in the proposal.

**Planning History**

6. Listed building consent for the conversion of the listed barn to a dwelling has been granted - **S/1701/04/LB**.
7. Planning permission for the adjoining development on this allocation site was granted on 11<sup>th</sup> August 2003 to Bovis Homes Ltd et al for 80 dwellings - **S/1572/01/F**. The application was issued in conjunction of a Section 106 Agreement for an education

contribution, public open space provision and maintenance, affordable and discounted cost housing, and a play area contribution.

### Planning Policy

8. In the Cambridgeshire & Peterborough Structure Plan 2003 the following policies are relevant:
  - P1/3** - Sustainable Design in the Built Environment
  - P5/3** - Density
  - P5/4** - Meeting locally identified housing needs
  - P6/1** - Development-related provision
  - P6/4** - Drainage
  - P8/2** - Implementing sustainable transport for new development
  - P8/5** - Provision of parking
  - P8/8** - Encouraging walking and cycling
  - P9/8** - Infrastructure provision
  
9. In the South Cambridgeshire Local Plan 2004 the following policies are relevant:
  - SE2** - Rural Growth Settlements
  - SE9** - Village edges
  - HG3** - Allocations in Rural Growth Settlements
  - HG7** - Affordable housing on sites within village frameworks
  - HG10** - Housing mix and design
  - TP1** - Planning for more sustainable travel
  - CS1** - Planning obligations
  - CS10** - Education (financial contributions)
  - CS13** - Community Safety
  - RT2** - Provision of open space in new development
  - EN5** - Landscaping of new development
  
10. In Inset Plan No 100 Willingham the site falls under Allocation 1B. **Policies Willingham 1 and 2** require developers of this land to provide affordable housing in accordance with **Policy HG7**, and to make a financial contribution towards the costs of improved educational facilities, the provision of a village hall and an extension to the recreation ground. These policies have been carried forward to the draft Local Development Framework 2004.

### Consultations

11. **Willingham Parish Council** - held a public meeting on 15th October. WPC has strong objections to the proposal on grounds that:
  - A third large development feeding into the High Street would result in an unacceptable increase in traffic on a road that is already heavily congested at peak times;
  - Existing sewerage problems close to the proposed site would become considerably worse;
  - Drainage problems (already reported in connection with the adjacent Covent Garden development) would add to the danger of flooding in an area very close to the flood plain;
  - These unacceptable pressures will only be addressed by significant investment in roads and cycle paths, utilities (drainage, sewerage and electricity supply) and facilities (better public transport and adequate policing). The PC believes that

the public opposition to this proposal is partly linked to the lack of investment in infrastructure in the village;

- There are already problems of surface water disposal at the Covent Garden development, and this development will exacerbate the situation. They recommend further investigation taking into account local advice;
  - The transport assessment does not take into account the cumulative effect of three major developments. There is an urgent need to provide a bypass for the village, to which major new housing schemes should contribute.
12. **Local Highway Authority** - the HA has accepted amended road layout and parking provision, and the findings of the submitted transport assessment. Conditions are recommended to be attached to any planning permission granted.
  13. **Environment Agency** - Discussions between the EA and the developers is continuing. Originally the EA objected on the grounds of flood risk and risk of water pollution, but subsequently has requested further information in response to the findings of the flood risk assessment. The EA seeks provision of same-level compensation on the land or nearby for flood water storage, in addition to a 4-6 metre wide buffer strip clear of development adjacent to the watercourse. Soakaways are acceptable on this site. Further information concerning highways drainage is also requested.
  14. **Old West Internal Drainage Board** - has noted that the proposal involves discharge to the Lord's Ground Ditch/Willingham Lode high level system. As these fall under the jurisdiction of the Environment Agency, the Board is content for the Agency to represent its interests in this matter.
  15. **Over and Willingham Internal Drainage Board** - comments awaited.
  16. **Anglian Water** - comments awaited.
  17. **Cambridgeshire Fire and Rescue** - has requested provision of fire hydrants by means of a condition on any planning permission granted.
  18. **Chief Financial Planning Officer, Cambridgeshire County Council** - Applying a formula based on a net developable hectare basis, the CFPO has required a financial contribution of £155,488. The formula includes elements for various community facilities and amenities to be provided under the auspices of the Parish Council. The educational element is intended for the village school and the secondary school at Cottenham.
  19. **Police Architectural Liaison Officer** - has put forward suggestions for amendments to the layout that have been incorporated by the applicant. In response to the amended plans received 29<sup>th</sup> November, the PALO is concerned about poor natural surveillance of two parking spaces next to Plot 1, and has requested 1.8m high weld mesh fencing in place of chain link to the back of hedge on the northern boundary to provide protection for the car park.
  20. **Conservation Manager**- has requested amendments to the design and cladding of dwellings that form part of the setting of the listed barn, as well as boundary treatments in this area, so as to safeguard the setting of the listed building. In the event that Members are minded to grant planning consent, he recommends that this be subject to resolution of design matters to his satisfaction.

21. **Trees and Landscape Officer** - has indicated that the proposed footpath/cycleway adjacent to the western boundary should be constructed using a 'no dig method'. He considers two trees within the scheme to be worthy of TPO designation.
22. **Landscape Design Officer** - has negotiated amendments to the proposed layout in order to safeguard boundary hedges and to enable additional planting to take place.
23. **Cultural Services Manager** - states that there is no formal play or sports provision within the development, and that this is in accordance with the wishes of the Parish Council. The CSM is happy to accept this as the recreation ground is close by and improvements to the existing play and sports facilities on the main village recreation ground is a better and more financially viable option. The areas of usable play space within the development are small and amount to only about 700sqm. This leaves a shortfall of provision by the developers which needs to be provided in the form of a commuted capital sum towards the provision of formal play and sports facilities off site (on the recreation ground). This may be used towards new facilities or capital improvements to existing facilities. This should also include a contribution towards the cost of the land.

In addition, appropriate commuted maintenance sums should be provided for all open space plus a contribution towards maintenance of the "off site " play and sports provision. The Parish Council should be strongly encouraged to ring fence the commuted funds specifically for the purposes outlined above.

The Council is currently working towards a new recreation policy as part of the LDF process which will provide an approved formula for the commuted capital and maintenance sums required from developers but in the mean time it is appropriate for the Parish Council to negotiate a figure directly with the developers.

The CSM recommends that the larger areas of informal public open space within the development are designed for informal play space (unequipped) with signs prohibiting dogs and possibly a bench and bin for residents' use.

24. **Chief Environmental Health Officer** - recommends conditions to control hours of operation of powered machinery during the construction period, methods of construction of driven pile foundations, and investigation of the site for contamination.
25. **Development Manager**- has indicated that the proposed siting and mix of affordable dwellings has been discussed with Granta Housing Society and is acceptable in his opinion.
26. **Recycling and Waste Minimisation Officer** - has requested various minor amendments to the scheme to ensure satisfactory access by refuse vehicles. Suitably amended plans are awaited.
27. **Ecology Officer** - requests conditions to be added to require a survey for the presence of bats in existing buildings, schemes for the ecological management and enhancement of the biodiversity value of the ditch adjacent to the site (Dockerall Ditch), and the provision of bat and bird boxes.

### **Representations**

28. The following representations have been received from 13 residents of the village:

*Site specific comments*

- Limits on hours of operation of powered machinery have not been adhered to on other developments.
- Development will overlook neighbouring properties.
- Overlooking from Plots 13-15
- Many trees and shrubs will be removed.
- Wildlife habitats should be maintained/increased.
- The site should have significantly larger open space provision.
- The setting of the listed barn will be destroyed by modern development around it.
- Harm to the setting of listed buildings on High Street.

### *Traffic and parking*

- Inadequate road junction onto High Street due to inadequate visibility.
- The proposed junction is too close to Osborne Close junction.
- The road and pedestrian links to the northern boundary implies a future extension of development for which there has been no agreement.
- Insufficient parking provision has been made.
- Existing on-road parking space will be reduced.
- Existing on street parking already causes traffic chaos, especially at times of auctions. New frontage dwellings will encourage more on-street parking.
- The existing road narrowing at Willowbrook has created gridlock on the High Street. The proposed road narrowing will do the same and will impede emergency vehicles, and create dangers for cyclists.
- Where will the bus stop be re-sited to?
- The bus service to Cambridge has been cut by half.
- The development does not reflect local needs and will attract commuters.
- A cycle route to Longstanton is required.
- Traffic on the High Street has reached unmanageable levels, as it is a back route to the M11.
- With little employment in the village the development will generate more car-borne transport, contrary to government policy.
- This site should have lower density development without any provision for affordable housing until a bypass is built.
- How much more traffic can the village take? The village should be supported by A14 improvements, the guided bus and a bypass before significant new development is allowed.

### *Infrastructure and services*

- Flooding occurs behind properties in the High Street in the winter and times of heavy rainfall. There are foul drainage problems in Fen End.
- Part of the site is shown on Environment Agency maps to be in an area at medium risk of flooding.
- Can the existing sewerage system cope?
- Will the sewage pipe along the High Street need to be replaced, causing more traffic problems?
- Local electricity supply is likely to be inadequate. Will the substation be upgraded?
- Recreational facilities and surgery inadequate to serve the village's current population.
- Local school intake levels are already high.
- The proposal will affect local school class sizes. Will there be a school extension, and where?
- New influx of youth has led to difficulties in policing the village.

*The village generally*

- There has been enough recent development - Balland Field, Saxon Way, Pyrethrum Way, Willow Brook.
- Too much construction noise, traffic, general inconvenience.
- With Northstowe coming, this extra development is not needed.
- Those jobs within the locality are mainly low paid and would not finance the purchase of the proposed dwellings.

*Policy and approach*

- Villagers voted to reject these proposals at the Public Meeting in October.
- This housing allocation is contained in the draft LDF. To grant approval at this stage would be premature.
- In the LDF draft (Rural Centres Preferred Option Report) Willingham fails to qualify as a Rural Centre as it does not meet any of the four key criteria. Cambourne has been identified as capable of absorbing the District's housing need, so this development is not needed.
- Planners/ developers show total disregard for building anything but more and more houses.
- "Directions from government do not have to be correct or in the interests of the people you represent - be resolute and stand up and be true".

**Planning Comments - Key Issues**

29. As the site has been allocated in the adopted Local Plan, the main issues relate to the details of the proposal rather than to the principle of residential development. The developments planned at Northstowe and Cambourne, as referred to by some objectors, are not relevant to the consideration of this application.

***Traffic and access***

30. The submitted transport assessment concludes that the development will have a maximum 5% impact on High Street in the PM peak, which is not considered to be a major impact. The overall frequency of accidents on the B1050 is low (2.4 accidents a year) and very few accidents have occurred close to the site area. The report concludes that the overall impact of the development is low and the additional traffic flows will not make the existing situation any worse. The Highway Authority has accepted this assessment, as well as the proposed works to narrow the High Street at the site entrance. This is a main concern for the Parish Council and many of those who have written in, but on the advice of the Highway Authority I consider this aspect to be acceptable.

31.

***Layout, design and mix***

32. The design statement and concept drawing accompanying the application show that the layout has been designed to reflect the informal nature of Willingham's side roads. The access road is flanked tightly by two new houses, between which views to an area of public open space and adjoining countryside are available. In the centrepiece of the site there is a triangular area of open space around which are a few 3-storey houses to provide a central focus. Dwellings around the listed barn are clustered to reproduce the form of a farmyard, which are the subject of continuing discussions with the agent. Subject to this, I consider the layout to be acceptable.
33. The mix of dwellings varies from 1-bed to 5-bed, and from 2- to 3-storey heights. There are a variety of styles and scales of buildings, using a restricted range of materials that can be found in Willingham, including light buff brickwork, render and

stained timber cladding to walls, and a mixture of slate and pantile roof finishes. Access roads vary from shared surface to standard double pavement.

***Density/open space***

34. The density of 39.2 dwellings per hectare exceeds the minimum required by Policy SE2, but this is acceptable in this central position adjacent to the High Street. The proposal does not include open space or play areas to the standards set out in policy RT2, however the Cultural Services Manager has indicated that a satisfactory approach in this instance would be for the developer to make a contribution towards improvements to the village's recreation ground, which is within walking distance of the site. This forms part of my recommendation.

***Affordable housing***

35. The provision made in the scheme has been assessed as acceptable and in compliance with Policy HG7 by the Development Manager.

***Impact on neighbours***

36. The main aspect to be considered is the effect on properties fronting High Street. Two occupiers have written with concerns. Those of No.20 have been addressed by the developer by the inclusion of a 1.8m high brick wall on the boundary, to provide visual screening and to reduce disturbance from traffic. The rear boundary of No.22 has been shown to have a fence 2.2m in height in order to reduce overlooking of the rear garden from proposed rear windows in Plots 13-15. The distance to the boundary from these windows is 11 metres. In my opinion this distance together with the proposed fence height is sufficient to overcome serious overlooking of the neighbours' garden from the proposed windows.

***Infrastructure and drainage***

37. Consultation responses are awaited from the Environment Agency and Anglian Water. A verbal update will be presented to members at the meeting. The Parish Council and objectors have raised a number of related concerns. In some cases the developer has indicated that he is willing to make appropriate contributions to the Parish Council and County Council in respect of recreation ground extension, recreation facilities, village hall, cycle links and educational facilities. In others, such as electricity supply, public transport, road network and policing, further information can be sought from the applicant if Members require this.

***Recommendation***

38. Subject to (1) no objections being received from the Environment Agency, Anglian Water and Over and Willingham IDB (2) suitably amended plans to take account of requirements for refuse vehicle access and Conservation Manager, and (3) the prior signing of a Section 106 Agreement to cover the following items - affordable housing provision, education contribution and contribution towards the provision of a village hall, contribution in lieu of provision of outside play areas towards the extension of the recreation ground and provision and maintenance of facilities upon it, public open space and its maintenance, and public arts provision then:

Delegated powers are sought to approve the application, as amended by plans date stamped 20<sup>th</sup> October and 29<sup>th</sup> November 2004, subject to the following conditions:

1. Standard Condition A - Time limited permission (Reason A);
2. Sc5a - Details of materials for external walls and roofs, doors, garage doors, and eaves(Rc5a1i);
3. Sc51 - Landscaping (Rc51);

4. Sc52 - Implementation of landscaping (Rc52);
5. SC56 - Tree protection during the course of development (Rc55);
6. Provision and retention of boundary treatment (Rc60);
7. Footpath construction adjacent to western boundary to use a 'no dig' method;
8. Sc5f - Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason - To minimise disturbance to adjoining residents);
9. Fire hydrants;
10. As recommended by the Ecology Officer;
11. As recommended by the Highway Authority;
12. Conversion of garages to living accommodation to require planning permission;
13. Restriction of hours of use of power operated machinery during the period of construction;
14. Investigation of site for contamination;

+ any conditions required by the Environment Agency or Anglian Water.

### **Informatives**

As recommended by Ecology Officer, Environmental Health Officer, Environment Agency and Anglian Water.

### **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 the Built Environment
    - P5/3** - Density
    - P5/4** - Meeting locally identified housing needs
    - P6/1** - Development-related provision
    - P6/4** - Drainage
    - P8/2** - Implementing sustainable transport for new development
    - P8/5** - Provision of parking
    - P8/8** - Encouraging walking and cycling
    - P9/8** - Infrastructure provision
  - **South Cambridgeshire Local Plan 2004:**
    - SE2** - Rural Growth Settlements
    - SE9** - Village edges
    - HG3** - Allocations in Rural Growth Settlements
    - HG7** - Affordable housing on sites within village frameworks
    - HG10** - Housing mix and design
    - TP1** - Planning for more sustainable travel
    - CS1** - Planning obligations
    - CS10** - Education (financial contributions)
    - CS13** - Community Safety
    - RT2** - Provision of open space in new development
    - EN5** - Landscaping of new development
    - Willingham 1** and **Willingham 2** - Residential allocations and Legal Agreements

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
  - Road layout, access and highway safety
  - Design and appearance and visual impact on the locality
  - Infrastructure and drainage
  - Open space provision and landscaping
  - Provision of affordable housing

**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/1785/04/F, S/1701/04/LB, S/1572/01/F

**Contact Officer:** Ray McMurray - Senior Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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

**Recommendation: Approval**  
**Date for Determination: 20<sup>th</sup> October 2004**

Members will visit the site on 31<sup>st</sup> January 2005.

Departure Application

Conservation Area

**Proposal Update**

1. At the 1<sup>st</sup> December 2004 meeting of this Committee, this application was deferred for a site visit and to allow further discussions to take place to consider whether the buildings would lend themselves to being 'live/work units'. The report to the December meeting is attached as an Appendix.
2. Amended plans, date stamped the 4<sup>th</sup> January 2005, have now been received which show an office/studio for units 1-5. Unit 6 already had a studio/office annexe. The offices/studios would be provided within the existing buildings by reconfiguring the internal layouts and parking provision. At least 2 parking spaces are still proposed for each unit.
3. There was some discussion at the December Committee meeting as to whether the buildings could be put to an employment use. This matter was considered in paragraph 28 of the report to the December meeting. The agents have also now produced a plan which shows the improvements that would be required to the High Street access in order for it to serve an employment use of the site.

**Planning Policy Update**

4. In addition to those policies referred to in the report to the December Committee meeting, Local Plan 2004 **Policy EM9** is now of relevance. It states that the District Council will support proposals for teleworking schemes which bring home and workplace physically together on sites within village frameworks or by conversion/adaptation of rural buildings outside village frameworks provided that there would be no adverse impact on residential amenity, traffic, character and the environment generally.

**Consultation Update**

5. **Hinxton Parish Council** was consulted on the latest amended plans and any comments received will be reported orally. In relation to the amended plans

date stamped the 9<sup>th</sup> November 2004, it states that it continues to recommend refusal and comments that it was disappointed that an additional window has been included to the north elevation fronting Mill Lane and overlooking nearby properties. It was also disappointed that visitor car parking spaces have been lost.

6. **Conservation Manager** makes the following comments: Converting existing open fronted cart sheds to office/studios for units 1-5 will involve infilling the open fronts with either weatherboarding or glazing and insulating and lining the internal walls. The result is that the character and appearance of the open fronted cartsheds will become domestic in appearance and the traditional agricultural character will be eroded.
7. In addition, the loss of undercover parking will result in an increase in open parking which will adversely affect the setting of the curtilage listed barns. Visitors to the home/work units will increase the demand for parking and this will further erode the setting.
8. Improvements to the High Street access to satisfy the requirements of the Highways Authority for a commercial use would involve the demolition of substantial sections of curtilage brick and flint wall, which the residential scheme retained. The wider access would therefore result in a loss of historic fabric and be harmful to the character and appearance of the Conservation Area and the setting of the curtilage listed barns.
9. Conclusion: The proposed alterations to the access required for a solely employment use would result in a loss of historic fabric and be detrimental to the setting of the curtilage listed barns and the character and appearance of the Conservation Area.
10. The conversion of parts of the outbuildings for ancillary offices/work accommodation and the loss of undercover parking will be harmful to the character and appearance of the curtilage listed buildings and will adversely affect their setting.

#### **Representations Update**

11. Neighbours and objectors were notified of the receipt of the latest amended plans and any additional comments received will be reported orally.

#### **Planning Comments Update**

12. For the reasons set out in the report to the December meeting, I consider that the conversion of these farm buildings to 6 dwellings is acceptable. The introduction of the office/studio units would give residents the opportunity to work from home and thereby reduce the need to travel and thereby make the development more sustainable. However, it is difficult to see how this might be achieved other than in the manner proposed. In view of the concerns of the Conservation Manager, I consider that the scheme should be approved without the office/studio units. If Members resolved to approve the application as amended to include the office/studio units, a condition could be attached to the permission to ensure that they could not be used other than by the occupiers of the dwellings to which they relate as a studio/office (i.e. to ensure that they could not be put to any other use by the occupiers and thereby not be available for employment purposes).

### Recommendation

13. Approval (as amended by drawing nos. A.24.397b, 01-54-100E, 01-54-101B, 01-54-102F, 01-54-111D, 01-54-112C, 01-54-201A, 01-54-104F, 01-54-200A and 01-54-202 and certificate date stamped 9.11.04 and facsimile message dated 11.11.04) subject to the following conditions:
- Conditions and reasons 1-12 as per report to December 2004 meeting.
  - Details of any external lighting to be installed on the site shall be submitted to and approved in writing before it is first operated. No lighting other than in accordance with approved details shall be operated - RC To ensure that lighting would not harm the visual amenities of this countryside site.

### Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the Development Plan for the following reason: the proposal represents a suitable new use for these curtilage listed buildings and will thereby secure their future.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/2** (Environmental Restrictions on Development) and  
**P7/6** (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004:**  
**EM9** (Teleworking),  
**EN26** (Conversion of Listed Buildings to New Uses),  
**EN28** (Development Within the Curtilage or Setting of a Listed Building) and  
**EN30** (Development in Conservation Areas)
3. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: current and possible future alternative uses of the buildings; countryside planning policies; overdevelopment; residential amenity interests; parking and access matters; increase in village housing stock; archaeology; wildlife; and flood risk.

### Informatives

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

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

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

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

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

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

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

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/0265/04/F - Little Abington**  
**Erection of 60 Bedroom Hotel Building Incorporating Business Centre,**  
**Alterations and Extensions to Existing Café at the Comfort Café**  
**For Mr and Mrs Hannan**

**Recommendation: Refusal**  
**Date of determination: 13<sup>th</sup> May 2004**

Members will visit the site on Monday 31<sup>st</sup> January 2005.

Departure Application

**Site and Proposal**

1. The site, which extends to approximately 0.85 hectares, is currently occupied by the two-storey buff brick and large flat tile Comfort Café building with single storey flat roof elements at either end, a corrugated sheeting monopitch roof pallet store and adjacent fenced compound, a tarmac parking area and gravelled area. A two-storey Travelodge, restaurant and petrol filling station are situated to the north.
2. This full application, registered on the 12<sup>th</sup> February 2004, proposes the erection of an L-shaped 60 bedroom hotel building also incorporating a business 'touch-down' centre and extensions and alterations to the existing café including pitched roofs over the existing flat roof elements. The length of the wings of the hotel building are 48 metres and 41 metres approximately respectively. The building would be 5 metres to eaves and 8 metres to ridge. The proposed hotel and business centre would be linked to the café building by a first floor link. Additional supporting statements were submitted by letter dated 19<sup>th</sup> August 2004.

**Planning History**

3. The site has an extensive planning history. The following applications are of most relevance.
4. A full application for a 60 bedroom hotel building incorporating a small business centre, alterations and extensions to the existing café was refused in July 2003 (**S/2261/02/F**) for the following reasons:
  1. The site of the proposed travel lodge is located within the countryside in which approved Country Structure Plan Policy SP12/1 restricts development to that which is essential to the effective operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services. The proposed travel lodge would not comply with this Policy which is aimed at protecting the rural character of the countryside.
  2. Exceptionally, Policy T7 of the Approved South Cambridgeshire Local Plan 1993 states that the District Council may permit accommodation on trunk and

primary roads where there is a proven need, no alternative sites exist and the development does not materially detract from the visual quality of the countryside. The proposed travel lodge would not comply with this policy by reason of:

- (a) No proven need has been demonstrated in the application;
  - (b) Alternative accommodation exists at this location to the north east of the site; and
  - (c) The extent, height, position of the building, the elevation of the site above the open land to the south and the limited space available for landscaping on the site would cumulatively result in a prominent building which would detract from the visual quality of the surrounding countryside.
3. The site is located within an Area of Best Landscape which Policies SP12/2 of the approved Structure Plan and C1 of the approved Local Plan seek to protect from development which would adversely affect their character. In addition Policy EN1 of Local Plan No. 2: Proposed modification 2002 states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas; for the reasons identified in Reason 2(c) above, the proposed travel lodge would not protect the character of such areas and would therefore be contrary to the above mentioned policies.
  4. Approved Structure Plan Policy SP7/20 expects Local Plans to identify suitable sites for roadside service areas. Local Plan No. 2: Proposed Modification 2002 does not identify suitable locations, the one location initially identified in the Deposit 1999 Plan having been completed alongside the A14 Trunk Road.
  5. Permission was granted for extensions to café and change of use of store to chapel (**S/1788/99/F**).
  6. Permission was granted for use of land and building for pallet storage and repair extensions and change of use of store to chapel (**S/1787/99/F**).
  7. An application for extensions to the café, conservatory garden service point, garden store, bedroom accommodation and drive through takeaway was withdrawn (**S/1904/98/F**).
  8. An application for extensions to the café, a garden service/waiter station and a garden store was refused and subsequently dismissed at appeal on the grounds that it would have involved a further protrusion into the countryside and would have visually detracted from the Area of Best Landscape (**S/0163/98/F**).
  9. An application for extensions to the café, a garden service/waiter station and a garden store was refused (**S/0649/97/F**).
- Planning Policy**
10. The site is within the countryside and the East Anglian Chalk Landscape Character Area as defined in the Local Plan 2004.

11. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location. **Policy P4/1** sets out criteria for assessing new or improved tourism, recreation and leisure development.
12. Local Plan 2004 **Policy EN1** states that planning permission will not be permitted for development which would have an adverse effect on the character and local distinctiveness of a Landscape Character Area.
13. Local Plan 2004 **Policy RT11** states that development to provide overnight visitor accommodation and restaurants will not be permitted outside the framework of settlements except in the cases of modest extensions to existing facilities or the change of use/conversion of existing buildings not requiring large extensions.
14. Local Plan 2004 **Policy EN15** states that the Council will protect, preserve and enhance known and suspected sites and features of archaeological importance, and their settings, by: requiring, in all cases involving proposed works at sites of known or potential archaeological interest, that an appropriate level of assessment and/or evaluation is carried out by a suitably qualified person so that the archaeological implications of any proposed development can be established; and refusing planning permission for development which would result in damage to sites and features of national archaeological importance, and their settings. It also states that: where planning permission is granted for development on sites of archaeological interest, in-situ preservation of remains will be preferred; and, in all cases where this is not merited or is not feasible, the Council will require that satisfactory provision is made for a programme of excavation and recording of remains by a suitable person or body prior to the commencement of any approved development

### Consultation

15. **Little Abington Parish Council** makes no recommendation in response to the supporting statements but states that "From our knowledge of the touchdown facility we are not convinced that the 200m<sup>2</sup> 'Conference Area' would be required and, were it to be so, the possible increase in traffic on to the A1307 could be detrimental". In response to the original application the Parish recommended refusal, commenting:
  1. "The scale of the development could have been beneficially reduced had the almost 200m<sup>2</sup> conference room accommodation been omitted. The actual purpose of this was of some concern since there is no demonstration of a need for conference accommodation in this location.
  2. Strongly felt that **dense** planting to the eastern boundary should accompany any scheme on this site to completely obscure views from the village of Little Abington.
  3. Notwithstanding that the development is un-aligned with the current structure plan/local plan it was felt that bedroom/hotel accommodation on this site could be considered as a possibility in principal, in this case on a site specific basis.
  4. Note the Parish Council is anxious that the site should **not** return to its previous use as lorry park and pallet store".
16. **Chief Environmental Health Officer** has no objections.

17. **Highways Agency** states that, as the proposal would not adversely affect the A11, it does not wish to comment on the application.
18. **County Archaeology** objects to the application stating that an archaeological evaluation is required and would allow full consideration of the nature, extent, quality and survival of archaeological remains, including the barrow known to be located within the development area and thereby allow an informed judgement to be made as to whether any planning consent will need to include provisions for the recording, and more importantly, the preservation of important archaeological remains *in situ*.
19. **Environment Agency** has no objections but recommends conditions relating to surface and foul water disposal are attached to any approval. It also makes advisory comments.
20. **Anglian Water** has no objections but recommends conditions relating to surface and foul water disposal are attached to any approval.
21. **Cambs Fire & Rescue Service** states that additional water supplies for firefighting are not required.
22. **Cambridge Water Company** was consulted but has not commented.
23. **Local Highway Authority** was consulted. At the time this report was compiled, no comments had been received.

#### **Representations - Agent**

24. In support of the application, the agent makes the following case:
  - The service area is a significant roadside rest facility and currently consists of the Comfort Café, which has earned official brown and white tourist signs, a petrol station, a Little Chef Restaurant and a Travelodge;
  - The building would replace the existing pallet store and lorry parking area. The designated use of the site is far more detrimental to the countryside than the proposal and the scheme would enhance the area;
  - The facility is specifically designed to cater for 54 seater coach parties/large groups. There is a definite lack of suitable accommodation and services of this type in the Cambs and East Anglian areas;
  - This brownfield site is ideally located in relation to the nearby tourist facilities;
  - The planned expansion of the café makes provision for additional seating, new toilets and baby changing areas and would include a fast turn coffee shop and tourist information and pitched roofs over the approved flat roofs;
  - Proposal would provide facilities for Granta Park;
  - Tourism in the District will not develop without appropriate accommodation;
  - A facility for business etc. meetings away from town centres would ease traffic congestion;
  - Meeting rooms would also be used by coach parties in the evenings as part of educational tours;
  - The information gathered strongly indicates that there is a demand for this type of sustainable development;
  - There is a lack of off-road coach parking in Cambridge;
  - Tariffs would be low due to the site's out of town location, which is important to group travel operators;

- The touch-down facility is an innovative concept and relates directly to 'new ways of working' for mobile/car-based workers. It would provide printing, photocopying, internet access, video conferencing etc. facilities. It would also provide space for meetings and interviews for such people;
- The proposal would provide employment; and
- The proposal is supported by a number of interested parties, including firms who would welcome the touch-down facility, local tourist attractions, the Confederation of Passenger Transport UK, Cambridge Tourist Information Centre and the East of England Tourist Board. Letters from some of the groups have been submitted as part of and in support of the application.

### **Representations - Neighbours**

25. The owners of the Temple Conference Centre strongly object on the following grounds: they are building up their business; need has already been met; they are running at a little under 50% capacity; a new conference facility would detract from local need; the proposed development would be sited in open landscape; they are arranging for plans to be drawn up to build accommodation for their overnight delegates within their grounds; and a single storey motel type development with no conference facilities would make a lesser impact on the area.

### **Planning Comments - Key Issues**

26. The key issues in relation to this application are:
- The visual impact of the development;
  - Highways matters;
  - Archaeology; and
  - Whether there is a demonstrable unmet need for the proposed hotel and business centre and, if so, whether this need outweighs the presumption against non-essential development in the countryside, overnight visitor accommodation of the scale proposed in the countryside and any identified harm that it would cause to matters of acknowledged importance.
27. The floor area of the café was approximately doubled under planning permission S/1788/99/F. An earlier application for an extension similar in size to the one now proposed had previously been refused and subsequently dismissed at appeal under reference S/0163/98/F on the grounds that it would have involved a further protrusion into the countryside and would have visually detracted from the Area of Best Landscape. The previous application for a hotel on the site was also refused on the grounds that it would detract from the visual quality of the surrounding countryside (S/2261/02/F). Although well located to other roadside facilities, by virtue of its size, the proposed hotel and business centre building, extensions to the café and attendant lighting would have a significant detrimental impact on the visual amenities of the countryside.
28. Subject to no adverse comments being received from the Local Highway Authority, the proposal is considered to be acceptable in terms of highway matters.
29. The agent has been asked to undertake an archaeological investigation of the site prior to the application being determined. Such an investigation would allow a full consideration of the nature, extent, quality and survival of archaeological remains, including the barrow known to be located within the development area, to be made. In turn, this would enable an informed judgement to be made as to whether any

planning consent will need to include provisions for the recording, and more importantly, the preservation of important archaeological remains in situ. No such investigation has been submitted.

30. The proposed hotel and business centre element of the scheme is contrary to Local Plan Policy RT11 and, unless it can be demonstrated that this part of the proposal is essential in this particular rural location, also Structure Plan Policy P1/2. If there was a proven, essential, unmet need for a roadside hotel and business centre in this part of the District, I consider that this would probably be the most appropriate location for such a facility. I accept that the proposed facility would be of benefit to road users, and particularly the target coach parties for the hotel and car-based business people for the touch-down centre. However, I do not consider that the benefit constitutes an overriding, unmet, essential need which would justify setting aside development plan policies and the concerns identified above. It is perhaps worthy of note that, whilst generally supporting the proposal, the East of England Tourist Board concludes that there is a possibility that a development of this scale could disperse visitors away from the existing accommodation providers within the vicinity.

### **Recommendation**

31. Refusal (as amended by additional information date stamped 1.9.04)
1. The application site is within the countryside as defined in the South Cambridgeshire Local Plan 2004. The proposed hotel and business centre element of the scheme is contrary to: 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; and South Cambridgeshire Local Plan 2004 Policy RT11 which states that development to provide overnight visitor accommodation will not be permitted outside the framework of settlements except in the cases of modest extensions to existing facilities or the change of use/conversion of existing buildings not requiring large extensions. There are no material considerations which indicate that the proposal should be approved as a departure from the development plan.
  2. The proposal involves the erection of an 8 metre high 60 bedroom hotel and business centre, extensions to the café building, a first floor link between these two buildings and associated parking. Although well located to other roadside facilities, by virtue of its size, even with additional landscaping, the proposed development would seriously detract from the visual amenities of the countryside. The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy EN1 which states that planning permission will not be permitted for development which would have an adverse effect on the character and local distinctiveness of the East Anglian Chalk Landscape Character Area.
  3. In the absence of an archaeological evaluation of the site, a full consideration of the nature, extent, quality and survival of archaeological remains, including the barrow known to be located within the development area cannot be made. An informed judgement cannot therefore be made as to whether any planning consent will need to include provisions for the recording, and more importantly, the preservation of important archaeological remains in situ. The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy EN15 which requires an appropriate level of assessment and/or evaluation to be carried out by a suitably qualified person so that the

archaeological implications of any proposed development can be established in all cases involving proposed works at sites of known or potential archaeological interest.

**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/0265/04/F, S/2261/02/F, S/1788/99/F, S/1787/99/F, S/1904/98/F, S/0163/98/F and S/0649/97/F.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1971/04/F - Pampisford**  
**Extension and Conversion of Barn into Dwelling - Mill Farm House, Mill Farm Lane for Mrs S Lee**

**Recommendation: Refusal**  
**Date for Determination: 17<sup>th</sup> November 2004**

**Departure Application****Site and Proposal**

1. The application site is located in the Green Belt to the south-west of the villages of Sawston and Pampisford and on the west side of the Sawston bypass. It is occupied by a large brick and slate barn that is attached to and forms part of the curtilage of a substantial red brick dwelling, Mill Farm House. Between the barn and the farmhouse is a single storey element that is occupied as an annexe to the main dwelling. To the west of the site is a dwelling whilst to the north-west are a range of barns for which consent has been granted for conversion to a veterinary examination room/assistant's accommodation. Further to the west are Pampisford Mill and a barn used for commercial purposes.
2. This full application, submitted on 22<sup>nd</sup> September 2004 proposes to extend and convert the barn to create a 2 bedroom dwelling. A number of windows and openings would be added at ground and first floor level and also inserted into the roofspace in order to enable accommodation to be provided at first floor level. Access would be via Mill Farm Lane to an existing gateway into Mill Farm. It would then go through part of the existing annexe to a parking area at the rear of the barn.

**Planning History**

3. **S/1034/91/F** - Permission granted for extension and garage subject to a Section 106 Agreement to link the occupancy of the development to that of the main dwelling.
4. **S/1682/85/F** - Permission granted for flat annexe

**Planning Policy**

5. The site is within the countryside and Green Belt.
6. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
7. **Policy P9/2a** of the Structure Plan states that development within the Green Belt will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.

8. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not be permitted.
9. Paragraph 17 of Planning Policy Statement 7 'Sustainable Development in Rural Area' (2004) states that "The Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in LDDs (Local Development Documents) their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

These criteria should take account of:

- The potential impact on the countryside and landscapes and wildlife;
  - Specific local, economic and social needs and opportunities;
  - Settlement patterns and accessibility to service centres, markets and housing;
  - The suitability of different types of buildings, and of different scales, of re-use;
  - The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
10. Local Plan 2004 **Policy GB2** states that that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Development is defined as 'inappropriate' unless it comprises (in part) the re-use of buildings provided that:
    - The development does not result in a materially greater impact on the openness and purpose of the Green Belt;
    - Strict control is exercised over any proposed extensions and associated uses of surrounding land;
    - The buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction; and
    - The form, bulk and general design of the buildings are in keeping with their surroundings.

### Consultations

11. **Pampisford Parish Council** recommends approval.
12. **The Conservation Manager** states that the barn, which appears to date from the 19<sup>th</sup> century is, in itself, of little historic interest. However, it has some group value when seen in association with Mill Farm House and the adjacent Mill. The group of buildings are clearly visible in the landscape and can be seen from the A505 to the south, the A1301 to the east and the railway line to the west. The barn makes a significant contribution to the group of buildings and should therefore be retained. The barn has been well maintained but to ensure its retention over the longer term, it may be necessary to find an appropriate new use. Whilst the details of the alterations do much to retain a barn-like aesthetic, more could have been done to retain some of the existing features and more of the historic fabric of the building, namely:
  - The application does not propose to use two existing openings in the east elevation, rather it seeks to introduce new windows elsewhere;

- The proposals include the provision of two new fireplaces but neither use the original fireplace or flue;
  - The diamond shaped arrangement of perforated bricks on the north elevation should be retained;
  - The roof pitch of the single storey block on the south side should be retained at its current angle;
  - The new garden room on the south side will have an awkward relationship to the retained brick garden wall on the west.
13. **The Chief Environmental Health Officer** recommends conditions are attached to any approval relating to the times during the construction period when power operated machinery shall not be operated.
14. **The Environment Agency** states that the application does not consider sufficiently issues of foul water drainage. As such, a condition requiring details to be submitted should be attached to any planning permission.

### **Representations**

15. No representations have been received from local residents.

### **Representations by the applicant and the applicant's agent**

16. The following points have been raised in representations submitted by the applicant and her agent:
- The location, arrangement and proximity of the barn to residential buildings at Mill Farm do not make this a suitable site for any commercial operation;
  - The barn has historical interest in its own right and in the group setting;
  - The barn is currently used only for domestic storage;
  - Very little external change to the building is planned so it would visually remain as part of the group of buildings;
  - The proposal would maintain the character of the site and make best use of this attractive group of rural buildings;
  - There would be no impact on neighbouring properties;
  - The application is in accordance with all objectives of government advice and with Policy GB2 of the Local Plan;
  - This is a similar scenario to recently approved applications at Greenhedge Farm (S/1734/04/F and S/1735/04/F). In addition, the adjacent farm buildings are currently being converted into a dwelling;
  - The applicant's husband died in 2002 and her children have left home. She lives alone in the large farmhouse and has sole responsibility for her in-laws who live in the attached annexe;
  - The applicant wishes to convert the barn for her own use and to retain the in-laws current living arrangements, thereby ensuring minimum disruption to their independent living. It is intended that the large house would be sold separately leaving the barn and annexe as a combined property;

### **Planning Comments - Key Issues**

17. The key issues in relation to this application are:

- a) The principle of converting the building to a dwelling and whether there are any material considerations which outweigh the presumption against residential development in the countryside; and
  - b) The effect of the proposal on the visual amenities of the countryside.
18. Policy SE8 of the Local Plan states that residential development in the countryside (which applies to both new development and the conversion of existing buildings) will not be permitted. The proposal is therefore contrary to policy, in principle.
19. This Authority has previously granted consent for the residential use of traditional barns where the benefits of finding an appropriate use for a historic/vernacular building outweighs the harm of allowing a dwelling away from settlements and local facilities. The Conservation Manager was therefore asked to comment on the quality of the barn and whether it is considered to be of sufficient historic importance to warrant its retention. He has advised that the barn, in itself, is of little historic interest but that it makes a significant contribution to the group of buildings and should therefore be retained. He also states that it may be necessary to find an appropriate new use for the barn to ensure its retention in the longer term.
20. I am satisfied that the building would not lend itself to employment use given its proximity to residential properties and the consequent noise and disturbance that would be suffered by the occupiers of adjoining dwellings, most notably Mill Farm House itself. The suitability of using the building for holiday-let accommodation has not been explored as part of this application. Whilst it is accepted that the existing building does need to be retained, Officers consider that the most appropriate use for the barn is as existing, ie - as an ancillary building to the main dwelling. There is no evidence to suggest that the barn cannot continue to be used for this purpose. Indeed, given that the Conservation Manager has identified that the importance of the building lies in its group rather than individual value, this strengthens the argument that Mill Farm House, the annexe and the barn should remain as one unit.
21. I do sympathise with the applicant's personal circumstances and her need to remain close to her in-laws. I have considered whether a personal condition would be appropriate in this instance. However, such a condition could not prevent the sale of the main house and the subsequent subdivision of the site into two planning units.
22. With regards to the visual impact of the barn, the Conservation Manager considers the barn to be structurally sound and capable of conversion. However, the alterations proposed do make the barn appear overly domestic thereby detracting from its existing character.
23. The applicants have referred to barns at Greenhedge Farm in Stapleford which Members may recall were given consent for conversion to two dwellings at Committee in November 2004. Consent was only granted for these dwellings as there was an extant permission on the site dating from early 2004 prior to the adoption of the current Local Plan. At the time applications were being considered against Draft Deposit policies as well as policies within the 1993 adopted Local Plan. In the latter, tentative support was given to the residential conversion of traditional vernacular buildings.

### **Recommendation**

24. Refusal:

1. The site is in the countryside and Green Belt as defined in the South Cambridgeshire Local Plan 2004. The barn makes a significant visual contribution to the group of buildings at Mill Farm and should therefore be retained. However, insufficient evidence has been submitted to explain why the barn cannot continue in use as an ancillary outbuilding to Mill Farm House and why an alternative use is required to ensure its long-term retention. There are no material considerations in this instance to justify setting aside Policy SE8 of the South Cambridgeshire Local Plan which states that residential development will not be permitted outside village frameworks, and, as it has not been demonstrated why the development is essential in this particular rural location, the proposal is also contrary to Cambridgeshire and Peterborough Structure Plan 2003 Policies P1/2 and P9/2a.
  
2. Notwithstanding the above, the alterations proposed to the barn would result in the structure appearing overly domestic thereby detracting from its rural character, the character of the group of buildings at Mill Farm and the impact of the site upon its surroundings. The development would therefore be contrary to the aims of Planning Policy Statement 7 (Sustainable Development in Rural Areas) which requires development in rural areas to avoid any undue harm to the character of the area.

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

Planning Policy Statement 7

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

File references S/1971/04/F, S/1034/91/F and S/1682/85/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1102/04/F - Bourn****Change of Use of Agricultural Barn to Electronics Workshop and Storage at Long Barn, Manor Farm for P & A Gildersleeve and R & R Slack**

**Recommendation: Approval**  
**Target Determination Date: 2 August 2004**

**Conservation Area****Site and Proposal**

1. This application relates to circa 17th century Grade 2 Listed Barn, situated amongst a group of agricultural buildings within the grounds of Manor Farm, to the south east of Manor Farmhouse, also a listed building (Grade 2\*). The barn is timber framed with weatherboarding, with a corrugated iron roof and has a floorspace of 450 square metres. The site is within the Bourn Conservation Area and Bourn village framework.
2. The barn is accessed off an existing farm access, which connects the site to Alms Hill, approximately 100m from the junction of High Street, Caxton End and Alms Hill. Alms Hill/High Street is a thoroughfare through the village of Bourn, with a 'C' road classification. The site is also located with a high flood risk area, as identified by the Environment Agency's flood zoning maps.
3. This full application, received on the 26 May 2004 and amended by a plan franked 12<sup>th</sup> October 2005 is for a change of use of the redundant barn from agricultural storage to electronics workshop and storage; in addition to the insertion of free-standing portable building within the middle of the barn, with an approximate floorspace of 58 square metres. The electronics workshop will be sited within the free-standing unit, with an approximate wall and ceiling height of 2.5m. The remaining floorspace of the barn is to be used for warehouse storage. Seven car parking spaces are proposed for the use of the building. The amended plan reduces the width of the free-standing unit, away from the side arcade posts/aisle ties of the barn. No changes are proposed to the external appearance of the building.
4. The agent in a letter dated 5 May 2004 states that the maximum number of lorries in or out of the site would be one per week, with the expected number of employees for the proposed use being 4 or 5. The proposed use will not generate any hazardous trade wastes, with metal and glass off-cuts created and recycled. The agent also acknowledges the presence of bats hibernating in the barn.

**Relevant Planning History**

5. In September 2001, a planning application for extension and conversion of an agricultural building along the Alms Hill road frontage, into offices, together with boundary wall and new access (**S/0865/01/F**) was withdrawn. This barn lies to the east of the site.

6. In December 2001, planning permission was given for a new vehicular access to Manor Farm (**S/2007/02/F**). Condition 7 of the consent required the closure of the existing vehicular access off Alms Hill/High Street.

### **Planning Policy**

7. **Policy 2/6** of the Cambridgeshire and Peterborough Structure Plan 20003 ("The County Structure Plan") states that sensitive small-scale employment development in rural areas will be facilitated where it contributes to various objectives, including enabling farm or rural diversification where appropriate to the local area; enabling the reuse of existing buildings; enabling the reuse of vacant, derelict or under-used land within villages and helping to maintain or renew the vitality of rural areas.
8. **Policy P7/2** of the County Structure Plan outlines that all development should seek to conserve and enhance the biodiversity value of the areas which they affect.
9. **Policy P7/6** of the County Structure Plan states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
10. **Policy P8/1** of the County Structure Plan aims to encourage sustainable transport for new development. The policy states that new development should provide appropriate access from the highway network that does not compromise safety.
11. **Policy SE9** of the South Cambridgeshire Local Plan ("The Local Plan") specifies "development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the Countryside."
12. **Policy EM6** of the Local Plan states that within village frameworks, planning permission will be granted for small-scale developments in Class B1 - B8 providing that:
  - a) There would be no adverse impact on residential amenity, traffic conditions, village character and other environmental factors; and
  - b) The development would contribute to a greater range of local employment opportunities.
13. **Policy EM10** of the Local Plan outlines criteria for the assessment of planning applications for the change of use and conversion of rural buildings within the Countryside. Although this policy does not strictly apply to this application, due to its siting within the village framework, it is considered to raise relevant issues for consideration in the assessment of this application.
14. **Policy TP1** of the Local Plan aims to promote sustainable transport in new development.
15. **Policy CS5** of the Local Plan outlines that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to increase the risk of flooding elsewhere, unless it has been demonstrated that impacts on flooding can be overcome by appropriate alleviation and mitigation measures.
16. **Policy EN13** of the Local Plan points out that the District Council will not grant planning permission for development, which could adversely affect, either directly or indirectly, the habitats of plant and animal species, which are protected by law, unless

the need for development clearly outweighs the importance of conserving that habitat and the advice of English Nature is to the effect that permission may be granted.

17. **Policy EN14** of the Local Plan states that the District Council will require the retention, enhancement or provision of roost sites for bats or barn owls in the conversion of farm buildings.
18. **Policy EN22** of the Local Plan outlines the ability of the District Council, when granting consent to alter a listed building, to impose conditions which may be necessary to protect the character of that building, insofar as the retention or reinstatement of traditional features or materials are concerned.
19. **Policy EN26** of the Local Plan states that in “judging applications for planning permission to change the use of listed buildings the Council will consider whether or not:
  1. The existing use can continue with reasonable utility or life expectancy;
  2. All other options for less damaging uses have been explored, including the outcome of any attempts at disposing of the building at a fair market price;
  3. The proposed use can take place without the necessity of extensive alterations which would be harmful to the fabric, character or setting of the building; and
  4. The building would harm the setting or amenity of adjacent buildings.”
20. **Policy EN27** of the Local Plan states that applications for planning permission for the change of use of listed buildings, will not be approved unless full details of the effects of the proposals on the fabric and character of the building and its setting are provided. In addition, the District Council will have regard to the implications of the proposals in terms of traffic, access, services and the amenity of neighbouring properties.
21. **Policy EN28** of the Local Plan aims to protect the setting, well-being and attractiveness of Listed Buildings.
22. **Policy EN30** of the Local Plan states that proposals in conservation areas will be expected to preserve or enhance the special character and appearance of the area, especially in terms of their scale, massing, roof materials and wall materials. Schemes which do not specify traditional local materials or details that do not fit comfortably into their context will not be permitted.
23. **Policy EN31** of the Local Plan specifies that the District Council will expect to agree a high standard of design, planting and materials for the hard and soft landscaping of the open public or private spaces, connected to developments in Conservation Areas.

#### **Consultation**

24. **Bourn Parish Council** - recommendation of approval. No other comments made on the application.
25. **Cambridgeshire Fire and Rescue Service** - No objection. It adds that it is of the opinion that additional water supplies for firefighting are not required.

26. **Local Highways Authority** - Recommendation of refusal on the grounds of inadequate vehicular access off Alms Hill for light industrial use. The Local Highway Authority (LHA) adds that:

“the existing access (constructed to cater for both the traffic associated with the office development within Long Barn and the agricultural uses) at only 6.0m wide and with a radii of 7.5m, is not really suitable to cater for the type of traffic that is likely to be generated by any B1 use.

Whilst the traffic likely to be generated by the proposed user is very modest, another user may generate the type and level of traffic more in keeping with that expected for the use class and footprint of the building.

100 square metres of Use Class B1c has the potential to generate some 8 - 12 vehicle movements a day; and 350 square metres of storage (Use Class B8) has the potential to generate some 10 - 28 vehicle movements a day.

In view of the development not being restricted to office accommodation, I would recommend that the access be improved to provide a minimum width of 7.3m for a minimum distance of 15m measured from the channel line of the public highway. If the width is improved to the minimum recommended, I will accept the retention of the 7.5m radii.”

Additional advice obtained from LHA on 15 November 2004 stated

“my recollection of the proposals relating to the barns was that they were to be used for offices, I do not recall there being any discussions about light industrial/industrial uses on the site. The new access was, as far as I am aware, approved on the basis that the traffic likely to be generated by the proposals was predominantly cars, with the occasional farm vehicle.

Light industrial use has the potential to generate vans and trucks as well as cars every day. The access was not meant to cater for such vehicles on a daily basis”...

27. **English Nature** - has no objections based on information supplied by Council's Ecology Officer that a healthy bat population is known to be present in the barn proposed for development and that the Cambridgeshire Bat Group had studied/surveyed this barn. In addition the owner has a very positive attitude towards this bat roost and does not wish to lose the roost as a result of the proposal.

Furthermore, providing that the proposed works can be undertaken in a manner that results in no disturbance or damage to bats or their roosts (i.e. appropriate timing of the works) and that the roost is maintained post development, a DEFRA licence is unlikely to be necessary.

28. **Ecology Officer** - No objection, subject to suitable conditions of consent to protect bats, including the submission of a bat mitigation strategy.
29. **Chief Environmental Health Officer** - No objection, subject to recommended condition of consent.
30. **Conservation Manager** - No objection. The form and use of the workshop is acceptable and the impact on the character and appearance of the barn is not considered to be significant. Conditions should require precise details of the proposed structure including drainage associated with staff facilities, water closets

and method of ventilation and extraction to be provided, prior to the commencement of any development. Any works required by Building Control which may have an impact on the character and appearance of the barn should also be approved before work commences.

The Conservation Manager has subsequently stated that any further alterations to the new access may have an impact on the Conservation Area and the setting of the nearby Grade 2\* Listed Building (Manor Farmhouse). However, the existing access, if it has been built in accordance with the approved plan and with the grass paving system, would appear to allow for vehicles to pass and is presumably acceptable for the additional traffic.

31. **Environment Agency** - Response to be verbally reported at Committee
32. **Cambridgeshire Bat Group** - Email received in support of planning application. The group confirms that the barn is used as a summer breeding site by a colony of Natterer's bats (*Myotis Nattereri*). The activity level and potential for disturbance to bats from the proposed use is not likely to be any greater than that of a typical barn used for normal agricultural purposes. Just one possible source of additional disturbance was identified, being the opening and closing of the main barn doors as personnel move in and out throughout the day. It is felt, however, that this can be minimised by the erection of some sort of screen to prevent light entering the main barn. The Group adds that *"overall it seems an excellent proposition that will enable (the applicant) to put the barn to good use and maintain it as an important site for bats"*.

#### **Representations by Agent**

33. The existing access road approved in December 2001 and constructed in the previous 12 months was intended to provide for both the existing heavy articulated lorries for the farm activity, in addition to the full development of the various barns with Manor Farm for B1 use.
34. Further:  
  
*"it is unacceptable to our clients to propose any modification (to the existing vehicular access), particularly bearing in mind that the heaviest use of this site will be via the farm during the harvest season when considerable numbers of large articulated lorries have already and will continue to use quite satisfactorily the constructed access"*.

#### **Planning Comments**

35. The main issues to be considered are whether the principle of a change of use to the barn to electronic workshop and storage is acceptable or not and whether the proposal would have an adverse impact on highway safety.

#### ***Principle of Change of Use***

36. All parties are in agreement that the proposed use of the barn as an electronics workshop and storage is appropriate, subject to several conditions of consent to protect the historic value of the listed barn and bats present in the building.

#### ***Impact on Listed Building and Conservation Area***

37. The proposal is considered to have an acceptable impact on the listed barn and the character and appearance of the Bourn Conservation Area, subject to recommended conditions of consent.
38. In that respect, I have had regard to the general duty of the Local Planning Authority in respect of listed buildings and conservation areas, required under Sections 66 and 72 of the Planning (Listing Building and Conservation Areas) Act 1990 (c.9).

### **Highway Safety**

39. The LHA have objected to the application on the grounds that the existing vehicular access off Alms Hill at 6.0m wide, is too narrow to adequately cater for larger types of vehicles (vans and trucks) which a light industrial and storage use on the site is likely to generate. The authority adds that the access width should be increased to 7.3m for a minimum distance of 15m.
40. The approval of the current vehicular access in December 2001 (S/2007/01/F) occurred prior to the granting of any planning permission for a change of use of redundant barns on the site or adjacent land. As a result, the assessment of this application was unable to take into account the suitability of the proposed access for vehicles, which may be generated by the subsequent re-development of the site and surrounding area.
41. I am of the view that the proposed use of electronics workshop with ancillary storage will not generate a volume and type of vehicular traffic unsuitable for the existing vehicular access off Alms Hill. It is noted that the LHA has commented that the *"traffic likely to be generated by the proposed user is very modest"*. Nevertheless, I am concerned that a subsequent change of use to the building, which increases the level of activity of the building, could lead to an increase in the volume of traffic (particularly larger vehicles) beyond that suitable for the existing vehicular access, resulting in a possible loss of highway safety for vehicles using the access and vehicles along Alms Hill. I am of the view that the use of restrictive conditions of consent regarding the future use of the building, are adequate to control the type and volume of traffic entering and leaving the site.

### **Recommendation**

42. Subject to the receipt of comments from the Environment Agency, approval, as amended by Drawing No, 04.961/01A franked 12 October 2004, and subject to the following conditions:

### **Conditions of Consent**

1. Standard Condition A – Time limited permission (Reason A);
2. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage and surface water drainage, shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason: To ensure a satisfactory method of foul water and surface water drainage).
3. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – to ensure detailing appropriate to the listed building and the Bourn Conservation Area).

4. No development shall commence until precise details of the internal layout of the barn (including the provision of staff facilities and the position of the free-standing unit illustrated in Drawing No. 04.961/01A franked 12 October 2004) 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: a) to ensure development appropriate to the listed building and b) to protect the hibernation area of a known bat population).
5. No development shall commence until precise details of the free-standing unit (illustrated in Drawing No. 04.961/01A franked 12 October 2004) including size, materials, openings and method of installing and fixing to the building, 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: a) to ensure detailing appropriate to the listed building and b) to protect the hibernation area of a known bat population).
6. The free-standing unit illustrated in Drawing No. 04.961/01A franked 12 October 2004, shall be single storey in height and not fastened to the timber frame of the building. (Reason: a) to prevent harm to the historical value of the listed barn and b) to protect the hibernation area of a known bat population).
7. The free-standing unit illustrated in Drawing No. 04.961/01A franked 12 October 2004 and hereby approved, shall not be increased in size, repositioned, replaced or new free-standing units added, without the prior written consent of the Local Planning Authority. (Reason a) to prevent harm to the historical value of the listed barn and b) to protect the hibernation area of a known bat population).
8. No development shall commence until precise details of the method of ventilation and extraction 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: a) to ensure development appropriate to the listed building and b) to protect the hibernation area of a known bat population).
9. No external or internal lighting shall be installed other than in accordance with a scheme which has 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: a) to ensure that lighting is appropriate to the setting of the listed building and the character and appearance of the Bourn Conservation Area and b) to protect the hibernation area of a known bat population).
10. Prior to the commencement of any development, a bat mitigation scheme shall be submitted to and agreed in writing with the Local Planning Authority. The scheme should provide measures to prevent heat and light loss from the free-standing unit to other areas of the barn and means of screening of the barn entrance to minimise natural light entering the barn. (Reason: to protect the hibernation area of a known bat population).
11. The development shall not be occupied, until space has been laid out within the site, in accordance with Drawing No. 04.961/01A attached hereto) for seven vehicles to be parked, and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward

gear. The approved parking and turning areas shall not thereafter be used for any purpose other than the parking, loading and unloading and turning of vehicles. (Reason: to ensure that adequate space is provided and thereafter maintained on site for the parking, loading and unloading and turning of vehicles).

12. SC27 – Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building, but excluding office equipment and vehicles and the location of the outlet from the building of such plant and equipment, shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions. (Reason: a) to protect the occupiers of adjoining buildings from the effects of odour, dust and noise and b) to protect the hibernation area of a known bat population).
13. SC36 – No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically. (Reason: to safeguard the setting of the listed barn and the character and appearance of the Bourn Conservation Area).
14. The premises shall be used for electronic workshop and storage strictly in accordance with approved plan 04.961/01a and for no other purpose (including any other purpose in Class B1, B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). ( Reason: to prevent harm to the historical value of the listed barn and b) to protect the hibernation area of a known bat population).

+ conditions of 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:**
    - P2/6** (Rural Economy)
    - P7/2** (Biodiversity)
    - P7/6** (Historic Built Environment) and
    - P8/1** (Sustainable Development - Links between Land Use and Transport)
  - **South Cambridgeshire Local Plan 2004:**
    - SE9** (Village Edges)
    - EM6** (New Employment within Village Frameworks)
    - TP1** (Planning More Sustainable Travel)
    - CS5** (Flood Protection)
    - EN13** (Protected Species)
    - EN14** (Protected Species in Farm Buildings)
    - EN22** (Conditions to Protect the Fabric and Character of Buildings)
    - EN26** (The Conservation of Listed Buildings to New Uses)

**EN27** (Applications for Planning and Listed Building Consent)  
**EN28** (Development within the Curtilage or Setting of a Listed Building)  
**EN30** (Development in Conservation Areas) and  
**EN31** (Landscaping in Conservation Areas).

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

- Highway safety
- Impact on Conservation Area and Listed Building
- Biodiversity

#### **Other**

The applicant's attention is drawn to the need to obtain Listed Building Consent and Planning Permission for alterations to the external elevation of the building.

The applicant's attention is drawn to the provisions of the Wildlife and Countryside Act 1981 (amended 1985).

The applicant is advised to consult English Nature as to whether works on the site require a DEFRA license.

**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/1102/04/F, S/2007/01/F and S/0865/01/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1569/02/F - Bourn**  
**Wind turbine at Rockery Farm for Mrs Ward**

**Recommendation: Approval**  
**Date of Determination: 27<sup>th</sup> September 2002**

**Site and Proposal**

1. The site is within a paddock to the east of the house and yard at Rockery Farm. Land within Rockery Farm falls gently from west to east. Surrounding land is undulating. There is a bridleway, The Drift, approximately 200m to the south which runs southwest to northeast. The nearest dwellings to the site are Rockery Farm (approx. 150m) and Drift End Stables, The Drift (approx. 200m). Bourn airfield is situated approximately 500m to the northeast. The approach to runway 1 is close to the site.
2. This full application, received on the 2<sup>nd</sup> August 2002, proposes the erection of a three blade wind turbine. The tubular tower would be 31.5m high to the hub, 2.4m diameter at the bottom and 1.4m diameter at the top. The blades would have a diameter of 27m and would rotate to orientate upwind. The highest point of the blades as they rotate would be 45m high. The turbine would be painted with a non-reflective matt paint. The installation would be used to provide electricity for the business at Rockery Farm with the surplus being exported to the national grid. The cables to and from the tower would run underground.

**Planning History**

3. No relevant history.

**Planning Policy**

4. The site is within the countryside and the Bedfordshire and Cambridgeshire Claylands Landscape Character Area as defined in the Local Plan 2004. 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. Local Plan 2004 **Policy EN1** states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of the Landscape Character Areas.
5. Local Plan 2004 **Policy EN44** states that the District Council will support and encourage proposals for the use of renewable energy resources subject to other policies in the plan.
6. Structure Plan 2003 **Policy P7/7** states that proposals for generating energy from renewable energy sources such as wind will be favourably considered. It also states that Local Planning Authorities will consider areas of search for generating energy from wind in locations that: attain adequate wind speeds; do not cause unacceptable

impact on residential amenity or to the local environment; and can be efficiently connected to new or existing energy demands.

7. National Guidance in relation to renewable energy, including wind energy, is set out in **PPS22 'Renewable Energy' 2004** and its Companion Guide, **'Planning for Renewable Energy' 2004**.

### **Consultation**

#### **Parish Councils**

8. **Bourn Parish Council** "generally recommends approval, but with qualifications:
- Every effort should be made to avoid undue impact on neighbours by sound or visual effect. Ultimately, perhaps some landscaping with trees would help?
  - In construction can heavy vehicles use the A428 approach?
  - It is understood that the Flying Club on Bourn Airfield has objected. When asked, its spokesman Mr Trevor Gilpin said advice had been obtained from the Civil Aviation Authority. It said, while the wind turbine would not infringe their surfaces, it would by its size and proximity to Runway 01 have a visual distraction. The RFC/CAA have submitted objections to the Planning Department, Bourn is told."
9. **Caxton Parish Council** recommends approval.
10. **Caldecote Parish Council** recommends refusal but does not give any reasons for its recommendation.
11. **Cambourne Parish Council** makes no recommendation.

#### **District Council Departments**

12. The **Chief Environmental Health Officer** requested additional information in relation to sound power level, shadow flicker and flashing, and potential for TV interference which was duly forwarded by the applicant. He also contacted local authorities in Cumbria and Norfolk where there are similar installations who confirmed that they are not aware of any complaints, noise or TV interference or any other disturbance from such apparatus. He therefore raises no objections.
13. The **Council's Strategic Development Officer** states that the proposal complements the Council's Corporate commitment towards sustainability and this is precisely the type of proposal that needs to be encouraged. However, he states that the current application fails to indicate whether an assessment of the prevailing wind speed and direction of the proposed site has been carried out and, moreover, the type of turbine currently proposed is driven via a gearbox whereas he understands direct drive turbines are both quieter and more efficient in terms of energy generated. In response, the agent has confirmed that a second-hand turbine is proposed which is why a gearbox driven turbine is proposed.

#### **Affect on Bourn Airfield**

14. The **Civil Aviation Authority Safety Regulation Group** states that Bourn airfield is not statutorily safeguarded but, provided the height of the turbine, including blades, does not exceed 108.09m AOD, and would therefore be outside the safeguarded surface (the Approach Surface for runway 01) it does not object to the application. It

states that the purpose of the Approach Surface is to safeguard one of the more critical stages of flight.

15. The **Owner and Licence Holder of Bourn Airfield** and its agent objects on the grounds that a 45m high turbine in this location would cause a distraction to pilots, and trainee pilots in particular, during a safety critical phase of flight and would thereby present a danger to aircraft. It also states that: the airfield is licensed by the CAA and handles around 20,000 aircraft movements per year, many of these are for pilot training; at the moment about 90% of the flying from Bourn takes place from runway 01-19 (the north/south runway). If the turbine was to be built, runway 06-24 would have to be used for the majority of flying as this runway would be safer. This would result in substantially more overflying of Cambourne which is something that can currently be avoided. Should the application be approved, lighting should be fitted to the turbine for aircraft safety. Both day and night flying take place from Bourn (pilot training only takes place during daylight) and lighting would also help during times of poor visibility.
16. The **Rural Flying Corps at Bourn Aerodrome** states that even if the turbine does not project through the Inner Horizontal Surface, the large moving blades are so close to the approach path for runway 01 that it would cause a significant distraction to pilots during a safety critical phase of flight (i.e. the landing approach to Runway 01 and take-offs or go-arounds from Runway 19) and strongly objects on this basis.

#### **Affect on Radar**

17. **Defence Estates** states that it has no concerns in relation to the construction of 1 wind turbine but states that, should the development go ahead, it would like to receive the following data: date of commencement; date of completion; the height above ground level of the tallest structure; the maximum extension height of any construction equipment; the position of the mast in latitude and longitude; and clarification as to whether the site will be lit.
18. **Cambridge City Airport** raises no objections to the proposal.
19. **National Air Traffic Services (En Route) Limited**, which comments from the point of view of navigational equipment and air traffic control for large airports, has withdrawn its original objection and states that the development would be acceptable.
20. **Civil Aviation Authority's Directorate of Airspace Policy**, which comments on the affect of wind turbines on aeronautical navigation and communication systems, has no observation other than that the developer should consult the Rural Flying Corps, the licensee of the licensed aerodrome at Bourn.

#### **Affect on Public Bridleway No.15 (Bourn) - The Drift**

21. The **County Council Countryside Services Team** has no objections but requests that conditions relating to the obstruction, use and affect on users of The Drift, Public Bridleway 15 (Bourn), are attached to any approval.
22. The **British Horse Society** states that its Policy is that a safety margin of 200 metres should be provided between any wind turbine and public rights of way and other highways used by equestrians, and objects to the proposal on the grounds that this distance is not met between the turbine and The Drift. It also states that, if permission is granted, a condition should be attached to the effect that The Drift should not be used at any time by construction vehicles.

23. The **Ramblers` Association** states that it might be concerned if horses were likely to be disturbed by the sight or sound of the turbine - agitated horses and ramblers do not mix happily. It therefore gives limited support to any concerns raised by the British Horse Society.

#### **Representations**

24. The occupiers of 40 Broadway object on the grounds of visual intrusion, mechanical noise from the turbine, aerodynamic noise from the blades, precedent, and safety issues due to its close proximity to Bourn Airfield. They also query the need for, and productivity of, the development.
25. The occupiers of 48 Broadway in 2002 felt sustainable energy sources such as wind power should be encouraged and therefore supported this application.
26. The occupiers of Drift End Stables, The Drift, expressed concern in 2002 over the close proximity of the turbine to the flying school and feel that any structure of this height must surely be hazardous to 'learner pilots'.
27. An employee at Drift Farm, The Drift, objected in 2002 on the following grounds: the continual disturbance caused by the noisy rotation of the propeller; it would completely change the character of the area which is and should remain predominantly rural; it would be an eyesore; and it would be a danger to birds.

#### **Planning Comments - Key Issues**

28. The key issues in relation to this application are: the visual and landscape impact of the proposal; the impact on residential amenity; the affect on the approach to Runway 01 at Bourn airfield/flight safety; and the affect on Cambridge Airport's radar.

#### ***Visual and landscape impact***

29. At 31.5m high to the hub and with the highest point of the blades as they rotate being 45m high, the wind turbine will be clearly visible in the landscape. Although the previous 'Area of Best Landscape' designation is replaced in the Adopted Plan by Landscape Character Areas, it is perhaps worthy of note that the site is outside the Area of Best Landscape as defined in previous versions of the Local Plan. Many consider that wind turbines can be an interesting feature in the landscape and it is my view that the proposal for a single wind turbine of the height proposed would not seriously detract from the visual amenities of the landscape.

#### ***Impact on residential amenity***

30. Given the comments of the Council's Environmental Health Officer, I do not consider that the proposal is likely to serious affect the amenity of nearby residents in terms of noise, shadow flicker or TV interference. 'Shadow flicker' occurs when the sun passes behind the rotor blades of a turbine and, as the blades rotate, the shadow flicks on and off.

#### ***Flight safety***

31. Although just outside the Inner Horizontal Surface (an imaginary surface situated above Bourn Airfield which extends to a radius of 2000 metres from the centre of the runway), the proposed turbine is close to the approach path for runway 01 at the

Airfield, which is used for pilot training. The license holder and flying corps at the Airfield are concerned that the large moving blades would cause a significant distraction to pilots during a safety critical phase of flight and would thereby present a danger to flight safety. It appears to me that the blades could cause such a distraction and it is therefore my view that, for this reason, the application should not be supported.

***Affect on Cambridge radar***

32. The main reason for the long delay in putting the application before Members was the case officer's and agent's ongoing unsuccessful attempts to get the various bodies originally concerned about the affect of the proposal on Cambridge Radar to clarify their original objections. As a result of further discussions, all of these bodies have now confirmed that they do not object to the proposal.

***Other Matters***

33. The British Horse Society states that its Policy is that a safety margin of 200 metres should be provided between any wind turbine and public rights of way and other highways used by equestrians and objects to the proposal on the grounds that this distance is not met between the turbine and The Drift. However, the base of the turbine would be 200 metres from the Public Right of Way and I do not consider that the proximity of the wind turbine to the bridleway is reason for refusal. Paragraph 55 of 'Planning for Renewable Energy' states that the suggested 200 metres exclusion zone could be deemed desirable, but is not a statutory requirement.
34. Given the relative limited sweep of the blades, I do not consider that a refusal could reasonably be substantiated in terms of its affect on birds/wildlife.

**Recommendation**

35. Refusal (as amended by additional information received 3.10.02).

The proposed turbine is close to the approach path for runway 01 at Bourn Airfield, which is used for pilot training. The large moving blades would cause a significant distraction to pilots during a safety critical phase of flight and would thereby present a danger to flight safety. The proposal is therefore contrary to Planning Policy Statement 22: Renewable Energy which requires Local Planning Authorities to satisfy themselves that proposals for wind turbines have addressed potential impacts in relation to aviation.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning Policy Statement 22 'Renewable Energy' 2004 and its Companion Guide, 'Planning for Renewable Energy' 2004.
- Planning file ref. S/1569/02/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1100/04/F - Caxton**  
**House and Garage at Land Adjacent 1 Bourn Road, for Mr and Mrs S. Hogg**

**Recommendation: Delegated Approval**  
**Date of Determination: 21 July 2004**

Members will visit this site on 31<sup>st</sup> January 2004

**Conservation Area**

**Site and Proposal**

1. The irregular shaped site measuring 0.21 hectares is situated in the former garden area of the adjacent dwelling, 1 Bourn Road (a listed building). It has a road frontage of approximately 10m and of depth of approximately 90m, with a width varying from approximately 10m to 35m. Along the western boundary of the site are several tall beech trees, with a hedge along the front property boundary.
2. The site is situated on the eastern edge of the Caxton Conservation Area, and near the southern edge of the Caxton village framework. Fields adjoin the site to the north and the south (on the opposite side of Bourn Road), with residential properties adjoining the site to the east and west. Land on the site rises to the north, with the site at its southern boundary approximately 3m above road level. This area of Bourn Road is characterised by large detached houses on spacious plots.
3. The full application received 21 July 2004 is for the erection of a chalet-style house and detached garage, with a new vehicular access off Bourn Road. The proposed dwelling has a ridge height of 8.5m with an eaves height of 4m. The dwelling measures 17.2m in length and up to 12.2m in width and is setback 42m from Bourn Road. The materials for the proposed dwelling are blacked stained weatherboarding on a brick base, with clay tiles.
4. The detached garage is situated 15m to the west of the dwelling, adjacent the western property boundary and measures 6m in width, 6.1m in length, with a ridge height of 6m. The garage is setback 50m from Bourn Road.
5. Amendments to the application received 2 August, 23 September and 9 November 2004 resulted in a reduction in the height of the detached garage, the removal of dormer windows on the dwelling and revisions to the design and position of the proposed vehicular access.

**Planning History**

6. No relevant planning history on site.

7. It is noted that outline planning permission was given for two dwellings on the adjacent site, 15 Bourn Road, Caxton in 1989 (**Ref: S/0349/89/O**). This permission has now lapsed.

### **Planning Policy**

8. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") requires a high standard of design for all new development that responds to the local character of the built environment.
9. **Policy P5/5** of the County Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
10. **Policy P7/6** of the County Structure Plan states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
11. **Policy SE5** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Caxton as an Infill-only village. Residential developments within the village framework of these villages are restricted to not more than two dwellings comprising:
- A gap in an otherwise built-up frontage to an existing road;
  - The redevelopment or sub-division of an existing residential curtilage; or
  - The sub-division of an existing dwelling.

"Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality".

12. **Policy SE9** of the Local Plan specifies "development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the Countryside."
13. **Policy EN28** of the Local Plan aims to protect the setting, well-being and attractiveness of Listed Buildings.
14. **Policy EN30** of the Local Plan states that proposals in conservation areas will be expected to preserve or enhance the special character and appearance of the area, especially in terms of their scale, massing, roof materials and wall materials. Schemes which do not specify traditional local materials or details that do not fit comfortably into their context will not be permitted.

### **Consultation**

15. **Caxton Parish Council** - In response to the original planning application, has recommended the refusal of the planning application on the following grounds:
- "Site access - there is no footpath in this area and the road is narrow. Also poor entrance visibility which is dangerous;
  - Backland development - contrary to planning policy for Caxton; and
  - This will set a precedence."

In response to amendments received, the Parish Council continues to recommend the refusal of the planning application, adding site access is still a concern to the Parish Council. There is no footpath in this area and visibility is poor. The Parish Council notes and agrees with, the comments below from the Local Highway Authority. The Parish Council suggests that members of the Development and Conservation Control Committee undertake a site visit to see the problem for themselves before determining the application.

16. **Conservation Manager** - In response to amendments to the design of the proposed dwelling and garage, has no objection to the proposal, subject to recommended conditions of consent.

In response to comments from the Local Highway Authority regarding visibility splays, he adds that the listed building stands on a bank and is approximately 2m from the road at the point of the existing access and 4-6m further west. Cutting back the bank to increase visibility would affect the structural integrity of the listed building. As a rule, timber framed buildings have virtually no foundations and are often supported by a few courses of brickwork below ground and 4-8 courses above. As the new access is sited further to the east than the existing access, i.e. further away from the junction, the Conservation Manager can see no reason why visibility has to be improved to the extent suggested by the Highways Authority. I recommend that the applicant be required to provide satisfactory evidence that any necessary earth bank removal in front of No. 1 to provide the proposed visibility splay will not affect the structural stability of the building before any planning permission is issued.

17. **Trees and Landscape Officer** - No objection, subject to recommended conditions of consent. He adds that he has no objection to the loss of fruit trees shown on the application, that the site is well treed and the application has been designed to retain the principal trees on site.

18. **Landscape Design Officer** - No objection, providing full details of the replacement and management of the frontage hedge is submitted. Adds that the loss of hedge is undesirable.

19. **Local Highways Authority** - Recommendation of refusal. Stating:

"I must agree with the Parish Council.

The location of the proposed access is only some 54.0m from the Bourn Road/Royston Road junction, consequently vehicle speed past the site is less than that further along Bourn Road. However, intervisibility between vehicles wishing to exit the site and those within Bourn Road negotiating the junction and travelling eastwards and those travelling westwards towards the junction is very very restricted.

The maximum that could be achieved to the west (with all the frontage enclosure to No. 1 being reduced in height to 600mm above carriageway level) is only some 56.0m. Visibility to the east is very restricted 12.0m.

The concern of the Parish Council relating to the lack of footway could be resolved by the provision of a footway along the frontage from that existing within Royston Road, up to and including the new access. However, it is my view that the proposal should be refused due to lack of vehicle-to-vehicle visibility".

In response to the amended vehicular access details, the Local Highway Authority states that "whilst the access has been relocated in an attempt to increase visibility to

the east, no attempt has been made to address the visibility to the west. Visibility provided in this direction would certainly affect the frontage enclosure of the adjacent dwelling.

In addition, I have doubts that the splay to the east as indicated on the submitted plan can actually be achieved. My recollection of the site, which seems to be borne out by ordinance survey, is that the highway verge in front of the building in the south-east corner is only about 1m wide not some 1.8m as shown on the plan. This of course affects the available visibility”.

In response to comments from the agent, it adds that “I note and accept the comments relating the barn/carriageway distance. However, as can be seen from the survey plan, the available vehicle-to-vehicle visibility to the east is restricted to 24.0m (using an ‘x’ distance of 2.4m).

Given the proximity of the site to the Bourn Road/Royston Road junction, I would be prepared to accept a 2.4m by 50.0m visibility splay as vehicles are naturally approaching the proposed access at a slower speed. Such a splay, as you can see from the returned plan, affects the frontage of the application site and that of No. 1 and is not achievable to the east without affecting the barn.”

### **Representations**

20. None received

### **Representations by Agent**

21. The proposed access position has been repositioned five metres west from that shown on the original application diagram. This allows for a 2.4m by almost limitless splay to the east as Bourn road curves slightly to the south as it travels eastwards. It is proposed to cut the earth bank back to give a maximum height of 600m above the carriageway level in from of the visibility splay and replant the existing hedge behind this splay.
22. The proposed access arrangement and visibility splays shown were based on a detailed survey of the site as it exists, and they confirm that an almost limitless visibility splay to the east is achievable.
23. In order to address visibility to the west of the site, the bank between the new access and the existing access to No. 1 has also been cut back and the hedge moved back beyond the visibility splay line. Without affecting the frontage of No. 1, visibility splays of 2.4m by approximately 38 metres can be achieved. If the hedge and bank in front of No. 1 were cut back then a greater length of visibility splay could be obtained.
24. Other information supplied by the agent in support of the application is summarised as follows:
- The proposed dwelling does not extend as far into the rear of the site as the immediately adjacent property to the south-east;
  - The proposed siting of the dwelling was arrived at, following consultation with Council’s Conservation Officers;
  - The proposal is to build a house in the general form of an agricultural building;
  - The proposal will not result in overbearing, overlooking or overshadowing of existing residential properties;

- The property will not result in noise and disturbance to existing residential properties through the use of the proposed access; and
- The proposed house will not be out of character with the pattern of development in the vicinity.

### **Planning Comments - Key Issues**

25. The main issues to be considered are whether the principle of development in this position is acceptable and if so, whether the detailed design and siting submitted are suitable, in addition to highway impacts.

### ***Suitability of Site for Residential Development***

26. I am of the view that the proposal does not represent backland development, given that the dwelling will not be positioned behind an existing dwelling and the similar setback of the adjacent dwelling, 15 Bourn Road from the public road.
27. The site is situated within the Caxton village framework and represents the redevelopment of an existing residential curtilage, as encouraged by policy SE5 of the Local Plan. The dwelling has been positioned 44m from 1 Bourn Road, to protect the setting of this listed building and setback approximately 17m from the adjacent dwelling, 15 Bourn Road.
28. I am of the view that the siting and design of the dwelling has been sympathetically designed in relation to the surrounding character of development of large houses on spacious plots, in addition to respecting the setting of the adjacent listed building and responding to its location within a conservation area by its barn-like dimensions and materials.
29. The proposed dwelling and detached garage will not seriously harm the residential amenities of surrounding dwellings, given its setback from both adjacent dwellings, in addition to the setback of the access from both adjacent dwellings. Windows on the south-east elevation of the dwelling have been carefully positioned so as to protect the privacy of occupiers of the adjacent dwelling, 15 Bourn Road.
30. The proposed development also will not harm the visual amenities of adjacent land within the countryside.

### ***Impact on Listed Building and Conservation Area***

31. The proposal is considered to have an acceptable impact on the setting of the adjacent listed building and the character and appearance of the Caxton Conservation Area. In that respect, consideration has been given to the statutory requirements in respect of listed buildings and conservation areas, required under Sections 66 and 72 of the Planning (Listing Building and Conservation Areas) Act 1990 (c.9).

### ***Highway Safety***

32. The Local Highways Authority and Caxton Parish Council have recommended the refusal of the planning application on the grounds of inadequate vehicle-to-vehicle visibility. The applicant has amended the proposed vehicular access to increase the pedestrian and vehicle-to-vehicle visibility to the maximum achievable, given the constraints of the site. The Local Highways Authority advised that the 50m visibility splay in the easterly direction is acceptable. This will involve some cutting into the

bank fronting No. 1, potentially affecting the structural stability of the building. I recommend that the applicant provide satisfactory professional evidence on this matter before any consent is issued. The recommended visibility splay in the westerly direction cannot be achieved without the demolition/repositioning of the barn on the adjacent property. However, I am of the opinion that the 24m visibility splay to the west is adequate to serve a single dwelling.

33. Given that the site falls within a speed limit of 30mph, its proximity to the Bourn Road/Royston Road junction (where drivers are expected to slow down) and the ample turning space on site to allow vehicles to enter and leave in forward gear, I am of the view that the proposal, has on balance, an acceptable impact on highway safety and would not result in a significant loss of highway safety for either pedestrians or vehicles subject to conditions of consent requiring the access to be laid out in accordance with the submitted plans. I am also of the view, that the absence of a public footpath along Bourn Road, does not prevent the granting of planning permission for an additional dwelling along the road.

### **Recommendation**

34. Subject to receipt of satisfactory evidence that the proposed cutting into the earth bank adjacent to the highway will not adversely affect the structural stability of the listed building at No. 1 Bourn Road, then Delegated approval as amended by Drawing No. 0309.02 Rev C franked 12 November 2004 is sought.

### **Conditions of Consent**

1. Standard Condition A - Time limited permission (Reason A);
2. Sc5a - Details of materials for external walls and roofs of dwelling and garage (Rc5aii);
3. SC5 - details of external finishes and joinery for dwelling and garage (Reason: to ensure that detailing is appropriate to the Caxton Conservation Area);
4. SC5 - details of foundations of garage (Reason: to minimise the threat to trees along the western boundary of the site, by reason of root damage caused by underground excavation);
5. SC5 - details of finished floor levels in relationship to existing and proposed ground levels (Reason: to ensure the preservation of the appearance of the Conservation Area and the setting of the adjacent Listed Building);
6. Sc22 - No windows at first floor level in the south-east elevation of the development (Rc22);
7. During the period of construction, no power-operated machinery shall be operated on the premises before 08.00 am on weekdays and 08.00 am 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 adjacent residents);

8. The use of the garage, hereby permitted, shall be confined to domestic purposes incidental to the enjoyment of the dwellinghouse only and no business or trade shall be carried from the premises. (Reason: to protect the amenities of adjoining residents);
9. SC57 - No demolition, site clearance or building operations shall commence until the chestnut pale fencing (or any other type of fencing approved by the Local Planning Authority) of a height of not less than 1.3m shall have been erected around each tree or tree group to be retained on site. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. (Reason - to protect trees which are to be retained in order to enhance the development and the visual amenities of the area);
10. SC21 - Withdrawal of Permitted Development rights - Part 1 (Development within the curtilage of a dwellinghouse (Classes A, B and C). (Reason: to safeguard the character of the Caxton Conservation Area and the setting of the adjacent listed building, 1 Bourn Road);
11. SC5f - materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas. (Reason: to ensure the preservation and appearance of the Conservation Area and the setting of the adjacent listed building);
12. SC20(c) - The development shall not be occupied until space has been laid out within the site in accordance with Plan 0309:02 C franked 12 November 2004 attached hereto, for cars to be parked and for vehicles to turn so that they may enter the site in forward gear, and that area shall not thereafter be used for any other purpose other than the parking, loading and unloading or turning of vehicles. (RC20);
13. The gradient of the access shall not exceed 1 in 10 for a distance of 5m from the edge of the existing carriageway. (Reason: in the interest of highway safety);
14. Before the use is commenced, the access from the existing highway shall be laid out and constructed in accordance with Plan 0309:02 C franked 12 November 2004 attached hereto. (Reason: in the interest of highway safety);
15. Visibility splays shall be provided on both sides of the access in accordance with Plan 0309:02 C franked 12 November 2004 attached hereto, and shall be maintained free from any obstruction over a height of 600mm. (Reason: in the interest of highway safety);
16. SC51 - submission of scheme of landscaping. (Reason: to ensure the preservation and appearance of the Conservation Area and the setting of the adjacent listed building);
17. SC52 - implementation of landscaping scheme. (Reason: to ensure the preservation and appearance of the Conservation Area and 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), P5/5 (Homes in Rural Areas) and P7/6 (Historic Built Environment);

**South Cambridgeshire Local Plan 2004: SE5** (Development in Infill-Only Villages), **SE9** (Village Edges), **EN28** (Development within the Curtilage or Setting of a Listed Building) and **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:
  - Siting
  - Highway safety
  - Visual impact on the locality

#### **Other**

1. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach (SUD) to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
2. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
3. Further information on SUDS can be found in Planning Policy Guidance No. 25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the consultation draft Framework for Sustainable Drainage Systems (SUDS) in England and Wales. The framework consultation document provides advice on design, adoption and maintenance issues. This will form the basis of a Code of Practice on SUDS and is available electronically on both the Environment Agency's website at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's website at: [www.ciria.org.uk](http://www.ciria.org.uk).
4. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system and that they would be willing to accept any increases to flows.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Refs S/1100/04/F and S/0349/89/O

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/6276/04/RM Cambourne - 30 Dwellings and Associated Works at Area GC27,  
Jeavons Lane, Great Cambourne**

**Recommendation: Approval**  
**Date for Determination: 2<sup>nd</sup> February 2005**

**Site and Proposal**

1. This 2.36 acre (0.95 ha) site lies in the south western sector of Great Cambourne, with access off Jeavons Lane. The sites to the north and south of it have yet to be constructed, although planning permission has been granted for the one to the north (GC13). The site is relatively narrow, with the south western end overlooking the open land allocated for a golf course.
2. The application, submitted on 8<sup>th</sup> November 2004 and amended on 22<sup>nd</sup> December 2004, proposes 30 dwellings, 14 two-bed and 16 three-bed. The site is a “developer affordable” site, which means that the houses will be built by the developer and sold to a housing association for shared ownership use. That is why only 2 and 3 bedroom houses are proposed.
3. The amendments, as a result of negotiations with the officer, are the addition of chimneys, the finishing of the whole of plots 29 and 30 in weatherboard (not just one elevation) and, a change of surfacing to the road at the southern end of the site from block paving to tarmac with buff chippings.

**Planning History**

4. 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 1,590 dwellings being occupied to date.
5. On this site, planning permission was refused last year for 30 dwellings, mainly due to poor quality layout with no legibility or character, poor frontage to the golf course, insufficient attention to context, slope, views and landscaping; poor relation of car spaces to houses served by them; poor house design and detailing; no attention to energy efficiency or ecology; and exceeding the number allocated in the Masterplan (23). An appeal is outstanding.

**Planning Policy**

6. **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; and **Policy HG10** requires high quality design and layout with a mix of unit types and sizes reflecting local needs.

7. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) requires sustainable design in built development.

### Consultations

8. **Cambourne Parish Council** recommends refusal: “Application is refused due to non-compliance of legal agreements. Residential development of market dwellings beyond the infrastructure trigger points is contrary to the agreed Masterplan, as applications for approval of details of reserved matters in each tranche must be in accordance with the Masterplan”
9. I asked the Parish Council to confirm what their objection was, assuming it related to the “embargo” which does not apply to affordable housing. This is the reply from the new Acting Clerk: “So far as I am able to ascertain, the intention was to recommend refusal of this application on the grounds that it represented a substantial increase on the original number of dwellings scheduled for this site. I am not aware of any suggestion that the “embargo” was relevant, whilst it is recognised that an embargo would not in any event apply to low-cost dwellings. The reference to “trigger points” may well have been used to indicate the Parish Council’s general objection to development being approved in cases where community facilities have not been provided in accordance with the Masterplan.”
10. Regarding the amended plans: “No objection to the chimneys and weatherboarding, but the Council objects to the proposed change in road surfacing on the basis that it would be detrimental to children’s safety, and that a more compacted surface dressing would be more appropriate in this location.”
11. The Council’s **Environmental Health Officer** states that there are no significant impacts of the proposal in terms of noise and environmental pollution.
12. The **County Archaeologist** states that the site has already been subject to an archaeological evaluation and no further investigation is considered necessary.
13. The Council’s **Ecologist** is satisfied that measures to enhance biodiversity have been adequately provided.
14. The **Police Architectural Liaison Officer** is concerned that plot 19 cannot supervise its own parking space; planting areas near parking spaces should not prevent natural surveillance; main concern is plots 29 and 30 where the house frontages face the golf course so are not open to natural surveillance from neighbours or the street, exacerbated by the walkway between the two units and the low fence adjacent to the golf course which allows access and escape routes for offenders; vehicles at those plots also affected.
15. The Council’s **Landscape Design Officer** raises queries about detail, including location of trees, details of LAP and verges, more space needed in front of wall at plot 5 to allow sufficient room for hedge, and details of transition area to golf course.
16. The Council’s **General Works Manager** is concerned that the southern road is too narrow for refuse collection lorries to gain access to the plots there.
17. The **Environment Agency** has no objection in principle.

### Representations

18. None received.

### **Planning Comments - Key Issues**

19. The layout of the site has been much improved since the last refusal, especially at the southern end of the site, which now has a barn-style building facing the greenway, set in spacious surroundings to appear low-density. Overall, the layout fits in well with its context provided by the scheme approved on the adjacent site to the north, continuing the rows of houses from the adjacent site, and in particular continuing a line of frontage parking from the adjacent site. The site provides a good sense of form, and a change in character from medium density strong form to the north, to more rural low-density to the south. There are strong focal points in views along roads from adjacent sites, provided by the orientation of certain building and a large LAP (Local Area for Play).
20. The Parish Council has raised two issues: the number of dwellings and the surfacing of the road at the southern end of the site. In terms of the number of dwellings, the Masterplan allocates 23 units, yet 30 are proposed. However, this is one of the “developer affordable” sites which are allowed by the Cambourne outline planning permission to total 250 across the whole village. After this site, only 2 further developer affordable sites remain, and there is sufficient flexibility in these to reduce some numbers to ensure the 250 unit limit is not exceeded. In particular, area UC04 which is the very prominent first site at the entrance to Upper Cambourne, can take some reduction in numbers to present a less dense entrance to that part of the village. In terms of the road surfacing, which changed from block paving to tarmac, the Parish Council has misinterpreted the description of the surface “buff chip tarmac” as a gravel surface whereas it is simply tarmac with buff stone instead of black, which will still be a compact surface, and provide a more ‘rural’ appearance which I welcome.
21. The Police Architectural Liaison Officer’s comments are noted. The parking space for plot 19 is overlooked by other dwellings. Plots 29 and 30 do have rear windows that overlook the access to their plots and their parking areas. I shall add a condition to provide windows into the walk-through. Other than that, the dwellings have been specifically designed to face the golf course to comply with the requirement of the Briefing Plan to present a good frontage to it.
22. Additional plans have been requested to resolve the refuse collection issue, and this will be a condition.

### **Recommendation**

23. APPROVE, subject to a Section 106 Agreement for affordable housing, and to conditions requiring details of materials, parking, landscaping, ecological enhancements, removal of permitted development rights to the front gardens of plots 29 and 30 facing the golf course, windows to the walk-through of plots 29 and 30, and details of refuse collection.

### **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:**  
**SE2** (Development in Rural Growth Settlements),  
**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:

- Highway safety
- Visual impact on the locality
- Biodiversity
- Safety
- Landscaping
- Refuse collection
- Compliance with Cambourne Masterplan and Design Guide

**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/6276/04/RM

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2355/04/F - Castle Camps  
Extensions at 2 Bolts Hill for Mr & Mrs Gregory**

**Recommendation: Refusal  
Date for Determination: 19<sup>th</sup> January 2005**

**Site and Proposal**

1. No. 2 Bolts Hill forms one of a group of isolated dwellings that are situated in an area of undulating countryside approximately 1 mile to the south west of Castle Camps. It is a two-storey, semi-detached, pebble dash render and slate cottage that has been significantly extended over the past 30 years. A public footpath runs across open fields to the rear of the site.
2. The application, received on 19<sup>th</sup> November 2004, proposes the erection of a first floor over the existing single storey rear extension, a single storey covered walkway to the side and rear of the garage, an external timber staircase to the rear of the garage and various alterations to the external appearance of the existing building.

**Planning History**

3. Planning permission was granted in 1975 for a two-storey rear extension (**S/1221/74/F**) that increased the floor area of the original cottage by 35 square metres and the volume by 112 cubic metres (88%).
4. Planning permission was subsequently granted in 1980 for a two-storey detached garage with studio above (**S/1615/79/F**) that increased the floor area by an additional 32 square metres and the volume by 111 cubic metres (87%).
5. A further two-storey link extension between the house and garage was granted planning permission in 1994 (**S/0835/94/F**). This increased the floor area by approximately 17 square metres and the volume by 35 cubic metres (28%).
6. The house also has a single storey rear extension and porch that have not been granted planning permission, but add a further 14 square metres and 46 cubic metres (36%) to the floor area and volume of the original cottage.

**Planning Policy**

7. **Policy HG13** of the **South Cambridgeshire Local Plan 2004** states in part that extensions to dwellings in the countryside will only be permitted where the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling; and the proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling upon its surroundings. The aim of this policy is to minimise the impact of development upon the landscape and to prevent the gradual reduction in the stock of small and medium sized dwellings in the countryside.

### **Consultation**

8. **Castle Camps Parish Council** approves the application.

### **Representations**

#### **Applicant's Agent**

9. "We would like to stress that this extension is very much required for our client's growing family and to help improve the value of the property to help justify the other costly improvements.

The principal of the alterations is to make the house more cohesive and more in keeping with the properties nearby and we believe will generally improve the road as a whole."

### **Planning Comments - Key Issues**

#### ***Impact upon the Countryside***

10. The original cottage at No. 2 Bolts Hill was small in scale and measured just 46 square metres in floor area and 127 cubic metres in volume. The existing extensions have already increased both the floor area and volume by approximately 200% and substantially changed the impact of the dwelling upon its surroundings.
11. The proposed extension would add a further 30% to both the floor area and volume of the existing cottage, resulting in a total increase of approximately 230%. This is clearly over the 50% limit identified in part of the criteria to Policy HG13 of the Local Plan.
12. The rear elevation of No. 2 Bolts Hill is clearly visible over the boundary fence from the public footpath that runs across the open fields to the north of the site. The existing single storey lean-to extension to the rear of the cottage breaks up the mass of the rear elevation of both Nos. 1 and 2 Bolts Hill.
13. The proposed extension would raise the height of the roof to the same level as the adjacent property at No. 1 Bolts Hill and increase the bulk of the cottage when viewed from the public footpath. This would result in extensions that considerably change the scale and character of the cottage and materially increase its impact upon its surroundings to the detriment of the character and appearance of the area.

#### ***Other Matters***

14. I note the personal circumstances of the applicants and their need for additional space, but do not consider that these reasons outweigh the harm that the extension would have upon the surrounding countryside.

### **Recommendation**

15. Refusal
  1. The proposed extensions would result in a 230% cumulative increase in the size of the original cottage and materially enlarge the bulk and mass of the

rear elevation to the detriment of the character and appearance of the countryside when viewed from the public footpath to the north.

2. The proposal would therefore be contrary to Policy HG13 of the South Cambridgeshire Local Plan 2004 that states extensions in the countryside will only be permitted where the extension does not lead to a 50% increase or more in volume or gross internal floor area of the original dwelling and the proposed extension is in scale and character with the existing dwelling and would not materially change the impact of the dwelling on its surroundings.

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

- South Cambridgeshire Local Plan 2004
- File References S/1221/74/F, S/1615/79/F, S/0835/94/F and S/2355/04/F.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2359/04/LB - Castle Camps**  
**Alterations (Including Removal of Leans-to's and Extension) and Conversion of Barn to 4 Bedroomed Dwelling with New Lean to Forming Garages.**

**S/2360/04/F - Castle Camps**  
**Extension and Conversion of Barn into Dwelling and Erection of and Alterations to Boundary Walls.**

**Barn at Whitensmere Farm for Mr & Mrs G Ford**

**Recommendation: Approval**  
**Date of determination: 14<sup>th</sup> January 2005**

### Departure Application

#### Site and Proposal

1. The applications relate to a Grade II listed boarded and corrugated sheeting barn. The barn dates from the 17<sup>th</sup> century and is a three bay corn barn with an aisle on the northern side. The timber frame is complete. It is likely to have originally been thatched but now has a corrugated sheet roof. The barn was listed in 1991. Part two-storey, part single storey boarded and slate buildings and single storey red brick and slate buildings used as holiday accommodation lie to the north and are curtilage listed. Whitensmere Farmhouse, a two and a half storey render and plintile Grade II listed dwelling, is situated to the northwest. The barn and holiday accommodation are served by a single width access to the west. Whitensmere Farmhouse has a separate access. There are fields/paddocks to the south. Storage buildings, silos and a building used for the sawing of timber are located to the east of the site.
2. The full planning and listed building applications, registered on the 19<sup>th</sup> November 2004 and amended by plan and details of proposed sound insulation date stamped the 10<sup>th</sup> December 2004, propose to extend and convert the barn into a 4-bedroom dwelling. Existing single storey front and side elements would be removed. The single storey element being replaced by the proposed extension. Alterations to the existing boundary wall and new boundary walls are also proposed. A landscaping scheme was submitted as part of the application and the amended plans were submitted in response to the comments of the Landscape Design Officer and show the originally proposed new wall to the south of the barn replaced by a hedge.

#### Relevant Planning History

3. Applications submitted in January 2004 to convert the barn into a dwelling were withdrawn (**S/0030/04/LB and S/0095/04/F**).
4. Planning and listed building applications to convert the barn into a dwelling were refused under references **S/1174/00/LB** and **S/1175/00/F** on the grounds that the proposal would change and be detrimental to the internal structure and the simple

agricultural character of the listed barn, would thereby adversely affect the setting of the listed Whitensmere Farmhouse, and would not provide for acceptable living conditions for future occupiers of the dwelling as a result of the noise and disturbance generated from the use of the adjacent access road and parking area by occupiers of the adjacent holiday accommodation and activities generated by the adjacent farm buildings.

5. Planning and listed building applications to convert barns at Whitensmere Farm into four dwelling were refused under references **S/1231/90/F** and **S/1090/90/LB**.
6. Planning permission and listed building consent was granted for conversion of the adjacent barns into holiday cottages under references **S/0746/92/F** and **S/0299/93/LB**.

#### **Relevant Planning Policy**

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

These criteria should take account of:

- a) The potential impact on the countryside and landscapes and wildlife;
  - b) Specific local, economic and social needs and opportunities;
  - c) Settlement patterns and accessibility to service centres, markets and housing;
  - d) The suitability of different types of buildings, and of different scales, of re-use;
  - e) The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.
11. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
  12. Local Plan 2004 **Policy EN20** states that the District Council will refuse planning permission for extensions to listed buildings which: are not necessary to ensure the continuing use of the building; would dominate or detract from the listed building; would imply the loss of building fabric of architectural or historic interest; would damage archaeological remains of importance; or would harm the well-being or setting of adjacent listed buildings.

13. Local Plan 2004 **Policy EN26** relates to the conversion of listed buildings to new uses and states that, in judging applications for the change of use of listed buildings, the District Council will consider whether or not: the existing use can continue with reasonable utility or life expectancy; all other options for less damaging uses have been explored; the proposed use can take place without the necessity of extensive alterations or extensions which would be harmful to the fabric, character or setting of the building; the proposal would harm the setting and amenity of adjacent buildings.
14. Local Plan 2004 **Policy EN28** relates to development within the curtilage or setting of a listed building and states that the District Council will refuse applications which dominate a listed building; damage the setting, well-being or attractiveness of a listed building; or would harm the visual relationship between a listed building and its formal or natural landscape surroundings.

### **Consultation**

15. **Castle Camps Parish Council** recommends approval.
16. **Conservation Manager** states:
  17. The building is currently in a low-key storage use. It is no longer required for agricultural use.
  18. Listed building consent was refused for its conversion to a residential use in 2000 for two reasons:
    - The proposed internal and external alterations would be detrimental to the character of the building
    - The change from a simple agricultural building to a dwelling would adversely affect the setting of the farmhouse
  19. Since this refusal a new Local Plan has been adopted. The relevant Policy in relation to the conversion of listed buildings is EN26 which sets out the key tests in considering such conversions:
    - a) The existing use can continue with reasonable utility

The building is weather tight but has no secure long-term use. The agricultural use has ceased for over 12 years - the farmland is no longer in the same ownership of the farmhouse.
    - b) Other options for a less damaging use have been explored

The supporting statement with the application shows that two options of further holiday accommodation and a B1 business use have been considered.

The holiday letting option would necessitate a similar residential conversion as is being proposed. The current units on site do not enjoy a high occupancy rate and this has fallen since their conversion in 1993 following the growing availability of cheap flights, and the events of 9/11 and following the foot and mouth outbreak all of which have had an impact on the British tourism industry. A further letting unit or units are not seen as being viable.

Any alternative commercial use would need to operate without any detriment to the residential use of the farmhouse or the holiday let units. Such a use is

not considered to be compatible with the local road network or the existing uses on site.

On this basis, unless the barn continues to be used for a storage use, the only viable option is considered to be a residential use.

c) The level of alterations

The scheme has been revised externally since the 2000 refusal to seek to reduce the amount of new openings to be formed for the fenestration. A total of five windows have been deleted. Two roof lights are now included in the new proposals. The principle windows to the northern and southern elevations are contained within the original door openings. All other windows will be inserted between the studs to ensure their retention. The roof would be recovered in slate, which would replace the existing corrugated iron and better harmonise with the roof covering to the holiday let buildings, although contrasting with the peg tile roof of the main farm. This could be achieved without any significant structural interventions to the building.

The main alterations will be to the internal void of the building. The barn currently is one large space - this would be dissected by a new floor with only a full height void being retained to the main central area to the living room. Concern has been focused on the internal treatment of the timber frame. Given the quality of the frame, a key planning objective must be for as much of this as possible to remain exposed.

In order to meet the sound attenuation levels required, sound proofing measures are needed to the building. Details of an infill boarding system have been included as part of the proposals which would enable the main timber members and studs to be exposed but achieve the required acoustic/fireproofing and thermal standards.

d) Setting of the adjacent buildings

Details of how the vehicles are to be accommodated and the means of enclosing the site have been detailed on the current application. On the 2000 application parking was proposed to be on the hard surfacing to the front (southern) elevation of the barn. As part of the measures to buffer the site from the operations of the adjacent saw mill a new lean to garage structure is proposed - replacing an existing structure in this location.

The amenity area is to the north of the barn so that the domestic curtilage will not spread out into the adjacent farmland. This is to be defined by a hedge with new walling to the eastern boundary. The walls will be a mix of flint and brick reflecting the character of the existing boundary treatments to the site. By using hedging to enclose the existing courtyard to the north of the barn this retains a soft boundary preserving the relationship between the existing buildings on the site. The visual appearance of the other outbuildings has been altered as part of the conversion to holiday lets. The changes in the external appearance of the barn currently proposed are not considered to harm the harmony of this group of buildings.

20. In conclusion, the proposal overcomes the difficulties presented by the earlier scheme and addresses listed building concerns. It is therefore considered to be appropriate.

21. **Landscape Design Officer** raises no objections to the scheme as amended but expresses some concern in relation to the practicality of planting the proposed trees in terms of their proximity to the boundary wall.
22. **Chief Environmental Health Officer** raises no objections to the planning application but recommends that a condition requiring a site investigation relating to possible ground contamination and appropriate remedial works be attached to any approval.
23. **Environment Agency** states that the District Council is required to consider the planning application in respect of flood risk and surface water drainage in light of the published standing advice. Nonetheless, it makes advisory comments and recommends that Anglian Water be consulted.
24. **Anglian Water** has been consulted on the planning application and any comments received will be reported verbally at the meeting.

### **Representations**

25. None received.

### **Planning Comments - Key Issues**

26. The key issues in relation to this application are:
  - a) Whether there are any material considerations which outweigh the presumption against residential development in the countryside;
  - b) Whether the proposal would retain the character and appearance of this listed building and not adversely affect the setting of Whitensmere Farmhouse, also a listed building; and
  - c) Whether the future occupiers of the dwelling can be adequately safeguarded against noise and disturbance generated by the use of the adjacent access, parking area and farm activities, including the sawmill.
27. At this Committee, Members will recall approving applications for the conversion of vernacular buildings in the countryside to dwellings where the planning benefits in terms of matters such as finding an appropriate use for a historic and/or vernacular building outweigh the harm of allowing a dwelling away from settlements and local facilities. Applications have also been refused where the benefits do not outweigh the harm. In this instance, I consider that the conversion of the barn to a dwelling may be acceptable if it would ensure the future of this listed building.
28. In this regard, the Conservation Manager states that the building has been mothballed for the last 12 years. An agricultural use is no longer viable and other commercial uses are either unviable or incompatible. The scheme has been revised from the previous refusal to limit the number of new openings to the exterior and to provide additional information on how the interior frame would be treated with regard to the acoustic requirements. The Conservation Manager is satisfied that the proposed sound insulation would not detract from the timber framing of the barn, which is a fundamental element of its special character. It is my view that the proposal would retain the character and appearance of this listed building and would not adversely affect the setting of Whitensmere Farmhouse.

29. The Chief Environmental Health Officer has carefully considered the proposed insulation scheme and proposed boundary treatments and is satisfied that they would adequately safeguard the occupiers of the dwelling in terms of noise and disturbance generated by the use of the adjacent access, parking area and farm activities, including the sawmill.
30. Whilst the existing access which serves the holiday units and the site is only single width and visibility from the access is restricted, particularly to the west, I consider that its use to serve the proposal would be acceptable in view of the Conservation Manager's comments that the proposal would secure the future of the building.
31. The proposal would not unduly affect the amenity of occupiers of neighbouring properties.
32. Approval of the scheme would not significantly prejudice the implementation of the development plan's policies and proposals. If Members are minded to approve the application, it would not therefore be necessary to refer it to the Secretary of State.

### **Recommendation**

33. Listed Building Application - S/2359/04/LB (as amended)

#### Approval

1. Standard time condition - LBC1;
2. Defining the consent LBC2: Drawings number 1,2,3c,4,5c, 6 and 7, illustration No 3 and supporting statement;
3. Full specification/schedule of works to be submitted - LBC3;
4. Site meeting to discuss conditions - LBC4;
5. Protection measures - LBC5;
6. Full recording of building - LBC11;
7. Detailed drawings at a scale of at least 1:20 shall be submitted for the prior written approval of the LPA for all new windows, roof lights, external and internal doors. The proposed windows and doors shall be of timber construction and without trickle vents. The details shall show sections, opening arrangements, the exact stain colour finish, the door furniture and how the windows will be fitted in relation to the existing timber frame.  
(Reason: To ensure fenestration and detailing appropriate to this listed building);
8. The proposed replacement weather boarding shall be feather edged and of the same width boards to match the existing cladding and stained black  
(Reason: To ensure a traditional finish to the weather boarding);
9. Details of hard surfacing - LBC 20;
10. The boundary details shown on drawings number 5c, 6 and 7 shall be fully implemented before the dwelling hereby permitted is first occupied  
(Reason: To ensure an appropriate setting to the Listed Building);
11. Details of rainwater goods - LBC 32;
12. The proposed roof lights shall be of a conservation format, the exact details of which shall be submitted to and agreed in writing with the LPA before works commence. The roof lights shall be fitted with a flush detail in accordance with the approved details  
(Reason: To safeguard the appearance of the Listed Building);
13. The roof of the barn shall be covered in natural quarried blue/grey Welsh slate, a sample of which shall be submitted for the prior written approval of the

- LPA before works commence. The roof shall be covered in the agreed material (Reason: To safeguard the appearance of the Listed Building);
14. Details to be submitted - LBC 28
    - The details and position of all external flues, soil vent pipes, ducts or vents;
    - The details of the heating system for the building;
    - Floor surfaces and wall finishes for all rooms in the building;
    - Details of the eaves and verges of the roofs;
    - Details of the new floor construction to the first floor and how this will be supported in relation to the existing timber frame;
    - Detailed drawings at 1:20 of the new internal staircase and gallery and how this will relate to the existing timber frame;
    - Details of how the services are to be routed around the building showing how these will relate to the timber frame.
  15. The internal timber frame shall at no time be sand blasted. Any works to the frame including any chemical treatments or cleaning shall first be agreed in writing with the LPA (Reason: To protect the fabric of the Listed Building);
  16. No part of the timber frame to be removed - LBC 47;
  17. Prior to the commencement of development a schedule of repairs shall be produced for the timber frame. Any repairs or replacements of the timber frame shall be fully justified with a structural engineers report. The repairs shall be undertaken in green oak of a similar size and section to the existing property and the means of joining the new timber to the existing frame shall be agreed in writing with the LPA including the type of joint to be used if applicable  
(Reason: To secure the works are in keeping with the listed building);
  18. No external lighting shall be installed to the exterior of the building unless first being agree in writing with the LPA  
(Reason: To protect the external appearance of the Listed Building);
  19. Use of lime mortars and plasters - LBC 29;
  20. Before the development commences a detailed specification for the acoustic/thermal and fire prevention measures for the building - following the preliminary submission contained in illustration 3 - shall be submitted to and agreed in writing with the LPA. These details shall show in detail how such measures will be fixed to the existing timber frame of the barn. The works shall be implemented solely in accordance with the approved details.
34. Planning Application - S/2360/04/F
- Approval (as amended by drawing no. 5c date stamped 10.12.04)
1. Standard time condition A - RCA;
  2. Prior to the commencement of development, an investigation of the site shall be undertaken to establish the nature and extent of any contamination and any remedial works to deal with contamination. This shall initially consist of a desktop study, which shall include details of the site history, development of a site conceptual model and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by the initial study, a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing shall be included. Details of the site investigation and any necessary remediation strategy shall be submitted to and approved in writing by the Local Planning Authority before development commences. Remedial work shall be carried out in accordance with the

approved details before the dwelling is first occupied - RC To protect future occupiers of the hereby permitted dwellings from possible contamination of the site;

3. Standard condition 52 'Implementation of landscaping scheme - RC52;
4. The boundary walls shown on drawing nos. 5c, 6 and 7 shall be in place before the dwelling hereby permitted is first occupied - RC To ensure the satisfactory appearance of the development and to protect future occupiers from noise and disturbance generated by the use of the adjacent access, parking area and farm activities, including the sawmill;
5. Before development commences, precise details of a scheme of sound insulation of the building shall be submitted to and approved in writing by the Local Planning Authority, the approved scheme shall be implemented before the use commences - RC To protect future occupiers from noise and disturbance generated by the use of the adjacent access, parking area and farm activities, including the sawmill;
6. As recommended by Conservation Manager.

### Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal represents a suitable new use for this listed building and thereby ensure its future.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/2** (Environmental Restrictions on Development) and  
**P7/6** (Historic Built Environment)
  - **South Cambridgeshire Local Plan 2004:**  
**EN20** (Extensions to Listed Buildings)  
**EN26** (Conversion of Listed Buildings to New Uses) and  
**EN28** (Development Within the Curtilage or Setting of a Listed Building)
3. The proposed works will not adversely affect the special character or appearance of the Listed Building.
4. The proposed works will not result in any significant loss or harm to the historic fabric.
5. The proposed works would not have any adverse impact on the setting and appearance of the group of historic buildings on the site.

### Informatives

A guidance document on the procedures for dealing with potential land contamination is available from the District Council's Environmental Health Department.

Environment Agency's advisory comments.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Policy Statement 7 'Sustainable Development in Rural Area' 2004
- Planning file Refs: S/2360/04/F, S/2359/04/LB, S/0095/04/F, S/0030/04/LB, S/1175/00/F, S/1174/00/LB, S/1231/90/F, S/1090/90/LB, S/0299/93/LB and S/0746/92/F.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2548/04/F - Cottenham**  
**Erection of House with Car Ports and Garage for Existing Dwelling, 322 High Street for Mrs E Smith and Mrs M Hardy**

**Recommendation: Refusal**  
**Date for Determination: 10<sup>th</sup> February 2005**  
**Conservation Area**

**Site and Proposal**

1. No. 322 High Street faces the northern tip of The Green opposite the entrance to Cottenham Village College and comprises a 1½-storey property gable to the road. The walls are rendered under a pan-tiled roof; it has a jettied first floor and was built in the mid 1980's.
2. To the north-east are Nos. 318 and 316, both double-fronted villas, whilst to the south-west is a red brick farmhouse. All three properties are Listed Buildings.
3. The full application, received 16<sup>th</sup> December 2004, proposes the erection of a 3/4 - bedroomed property with double garage/car port, plus a single garage for No. 322 itself. The density inclusive of the existing house No. 322, equates to 18 dph.
4. Access would be via the present gravel driveway between Nos. 318 and 322, which serves both properties at present.
5. The plot widens to the rear of No. 318 and the proposal is to erect a dwelling, linear in plan form, along the north-eastern boundary of the plot, backing on to the garden of No. 316 next door. The building will be 26.3m in length, the centre section being 1½ - storey with ridge heights of 6.8m and 7.1m, with single storey sections each end. The building will be weather-boarded under a plain-tile roof.

**Planning History**

6. No. 322 was approved in 1983 and was a replacement, I believe, for two cottages on site.
7. On the adjacent site, No. 316, Members may recall refusing a similar scheme to that now proposed following a visit to the site - August 2002 Committee, item 28.
8. A revised application, which overcame some of the objections relating to lack of garden to the existing house, was refused under delegated powers in June 2004 for the reasons:
  1. "The long garden of No. 316 High Street, together with its range of outbuildings, is typical of the character of development along High Street. The sub-division and development of this plot in the manner proposed will be detrimental to this character and will be contrary to Policies P1/3 and

P7/6 of the Cambridgeshire and Peterborough Structure Plan (2003) and Policies EN28, EN30 and HG11 (1) and (4) of the South Cambridgeshire Local Plan (2004). The proposal is also contrary to the aims of the "BUILDINGS" section of the Cottenham Village Design Statement (1994) pages 22 and 23, in that the simple traditional form of buildings to the rear of frontage dwellings is neither maintained nor reflected.

As such the building is too large in mass and footprint resulting in a visually dominant element which would adversely affect the setting of No. 316 High Street, a Grade II Listed Building, would be contrary to the simple character of traditional buildings in the High Street and, as such, would neither preserve nor enhance the character of the Cottenham Conservation Area.

2. The access for the proposed dwelling is between Nos. 316 and 318 High Street. Both these properties lie in close proximity to the highway which results in the access being unable to achieve adequate pedestrian to vehicle visibility splays for vehicles leaving the application site; consequently the proposal is contrary to Policy HG11 (3) of the South Cambridgeshire Local Plan (2004)."

### **Planning Policy**

#### **Cambridgeshire and Peterborough Structure Plan (2003):**

**Policy P1/3** (Sustainable Design in Built Development) seeks to ensure new development responds to the local character of the built environment.

**Policy P7/6** (Historic Built Environment) looks to protect and enhance the quality and distinctiveness of the historic built environment.

#### **South Cambridgeshire Local Plan (2004):**

**Policy EN28** (Development within the curtilage or setting of a Listed Building) seeks to protect a Listed Building from development which would dominate and/or damage its setting.

**Policy EN30** (Development in Conservation Areas) seeks to protect the character of a Conservation Area and to retain or enhance its appearance and character.

**Policy HG11** (Backland Development) only permits development to the rear of existing properties if it will not be detrimental for reasons of overbearing and overlooking, noise and disturbance, highway dangers or out of character with the pattern of development in the vicinity.

#### **Policy SE2 (Rural Growth Settlements):**

"Residential development and redevelopment will be permitted on unallocated land within village frameworks of RGS 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 should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.”

**The Cottenham Village Design Statement (1994):**

“**Buildings**” looks to ensure that the simple traditional form of buildings to the rear of frontage dwellings is either maintained or reflected in new development.

**Consultations**

9. **Cottenham Parish Council** whilst approving the application, has concerns with regards to the access to High Street and its width.
10. **The Chief Environmental Health Officer** asks for a restriction on machinery use outside of certain hours and details of construction details if pile driven foundations are to be used.
11. The comments of the **Building Regulation Officer**, together with those of the **Conservation Manager** will be reported verbally.

**Representations**

12. The consultation period expires on 1<sup>st</sup> February 2005; any comments received will be reported verbally.

**Planning Comments - Key Issues**

13. The main issues with this proposal are the effect on the Listed Building/Conservation Area, highway safety/access and effect on immediate neighbours.

**Listed Building/Conservation Area:**

14. With the exception of the bottom (north west end 7.0m depth) all of the site lies within the Conservation Area. The three properties to the front, Nos. 316, 318 and 324, are all Listed Buildings.
15. Whilst many of the High Street properties have (former) agricultural buildings to the rear, such is not the case with Nos. 318 and 322. There is a smaller range behind No. 316 and an extensive range, used as a gym, behind No. 324.
16. The erection of a new building, with an overall length of 26.3m, would introduce an alien element into this area of back gardens. It would affect the setting of the adjacent Listed Buildings and would neither protect nor enhance the character of the Conservation Area. As such it would be contrary to Policies P1/3, P7/6, EN28 and EN30.

**Highway safety/access:**

17. The present access is gravelled with a width of 4.0m. 5.0m into the site it narrows to 3.5m for a short distance before widening again. 15.0m back from the front boundary is a pair of gates providing vehicular access to No. 318 (Nos. 318 and 322 were, I believe, previously in one ownership with a right-of-way being granted when No. 318 was sold).

18. The access is similar in width to that at No. 316, see refusal in "HISTORY" above, and is not really adequate for the two dwellings it already serves although visibility is achievable. Two vehicles can, at a pinch, pass in a 4.0m wide gap but it should not be encouraged. To permit a third dwelling would increase noise and disturbance to both neighbours through vehicle manoeuvring and, at the same time, increase the risk of vehicles having to give way and reversing out onto the High Street. At the apex of The Green is a min-roundabout; situated on a Y-shaped junction, as opposed to the more common T-shape; traffic speeds tends to be slightly faster, coupled with an element of confusion by drivers. Reversing out onto such a junction would result in increased highway danger.
19. Notwithstanding this fundamental objection the parking and garaging proposals for the new dwelling, plus the existing, are rather contrived. The parking space for No. 322 could, with care, work satisfactorily but the garage can only be used if reversed into, - and only then if no cars are parked outside the new property. Likewise, it would be difficult to exit from the double car port if other cars were parked in connection with the existing property, No. 322.

### **Impact on Neighbours**

20. As described, above the erection of a third dwelling would increase noise and disturbance to the occupiers of both Nos. 318 and 322 because of the increased manoeuvring of vehicles in a confined area. Additionally the length and massing of the proposed dwelling would dominate, and appear overbearing, when viewed from the rear garden of No. 316 High Street

### **Recommendation**

Refuse for the following reasons:

1. The long gardens of No. 322, and previously No. 318 High Street are typical of the character of development along High Street. The sub-division and development of this plot in the manner proposed will be detrimental to this character and will be contrary to Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan (2003) and Policies EN28, EN30, SE2 and HG11 (1) and (4) of the South Cambridgeshire Local Plan (2004). The proposal is also contrary to the aims of the "BUILDINGS" section of the Cottenham Village Design Statement (1994) pages 22 and 23, in that the simple traditional form of buildings to the rear of frontage dwellings is neither maintained nor reflected.
2. As such the building is too large in mass and footprint resulting in a visually dominant element which would adversely affect the setting of Nos. 316 and 318 High Street, both Grade II Listed Buildings, would be contrary to the simple character of traditional buildings in the High Street and, as such, would neither preserve nor enhance the character of the Cottenham Conservation Area.
3. The present access, only 4.0m in width at its widest, is inadequate to serve the proposed new dwelling. Any increase in use of the current driveway is likely to result in more occasions when a vehicle has to reverse out onto the High Street, in close proximity to the mini-roundabout adjacent, resulting in increased danger to users of the highway.

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

- Cottenham Village Design Statement 1994

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2548/04/F, S/0908/04/F and S/1254/02/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2575/04/F - Oakington**  
**Extension to form annex and double garage**  
**At 13 Station Road Oakington**

**Recommendation: Refusal**  
**Date for Determination: 15<sup>th</sup> February 2005**

**Site and Proposal**

1. No.13 Station Road is the first dwelling visible on entering the village from the north, from Westwick and is situated on the outside of a left-hand bend. The site is within the Village Framework and is outside but overlooks Green Belt land to the east. The land to the side and rear forms land owned by the Ministry Of Defence (MoD).
2. No.13 forms a 1940's semi detached property with a two storey front projecting gable. The curtilage of the dwelling is approximately 15m wide and 75m deep with the existing dwelling set marginally higher than the highway. The attached semi to the south has previously been extended by way of a two-storey rear extension 6.4m deep, with a pitched roof garage further back within the site.
3. This application, received on 21<sup>st</sup> December 2004 seeks full planning permission for a two-storey side and rear extension to form an annex; with a separate detached garage sited further back within the site. The width of the proposed side extension would be 5.4m with an overall depth of 11.8m projecting 6.4m past the existing rear of the property. The roof would be set back from the front gable but appear as a continuation of the existing side hip with matching roof height. Located 5m beyond the rear of the proposed extension would be the new pitched roof double garage 6m square; a new access would run along the northern boundary past the proposed side and rear extension to the double garage.
4. Internally the ground floor of the extension would provide a new kitchen/dining room to the front with a living room to the back, separated by a new hall and staircase. At first floor would be a new bedroom and separate bathroom to the front and a further master bedroom with en-suite to the rear.

**Planning History**

5. There is no planning history for the site.

**Planning Policy**

6. **Policy P1/3** 'Sustainable Design in Built Development' of the Cambridgeshire and Peterborough Structure Plan 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.
7. **Policy HG12** Extensions and Alterations to Dwellings within Frameworks of the South Cambridgeshire Local Plan 2004 sets out the requirements that must be met in order

for proposals to extend or alter dwellings within village frameworks to be considered for approval.

8. **Policy SE9** Village Edges of South Cambridgeshire Local Plan 2004 states that development on village edges should be designed and landscaped to minimise the impact of development on the countryside.
9. **Paragraph 74.15** of South Cambridgeshire Local Plan 2004 Part 2 Village Policies and Proposal Maps, restricts the development of long rear gardens on the Western side of Station Road, north of Mill Road.

#### **Consultation**

10. **Oakington Parish Council** recommends Approval

#### **Representations**

11. None received at the time of writing this report. The period for public comment expires on 31<sup>st</sup> January 2005; any representation will be reported verbally to the Committee on 2<sup>nd</sup> February 2005.

#### **Planning Comments - Key Issues**

12. The key issues to consider in respect of this application are the impact on the approach to the village from the north, the impact on the street scene and the scale of the proposed development.
13. Policy HG12 of South Cambridgeshire Local Plan 2004 specifically states that planning permission for the extension and alteration of dwellings will not be permitted where, amongst others, there would be an unacceptable visual impact upon the street scene. Policy SE9 of the Local Plan states that the development on village edges should be designed and landscaped to minimise the impact on the countryside.
14. There is limited screening to the immediate front and side of the plot adjacent with the MoD land which leaves the north facing elevation of the proposal site clearly visible on the approach to the Village from the small hamlet of Westwick
15. The resultant two-storey side and rear extension would be viewed as an 11.8m span of built development. I am of the opinion that this addition would provide a harsh boundary where the urban and rural environments begin to meet; this would reduce the countryside element present on entering the village, which Policy SE9 seeks to avoid. This conflict is largely due to the scale of the proposed annex, which in my opinion is comparable to a separate dwelling given the internal living space to be created. The present dwelling has a floor area of 96m<sup>2</sup>, whilst the proposed 'annex' is 127m<sup>2</sup>. As a result, and given that there has been no justification for such a large scale addition, I take the view that this span of development would be significantly detrimental to the approach to the village and as such would not form a positive contribution to the village edge.
16. The attached semi No.11 has previously been extended at the rear by a depth of 6.4m including a detached garage sited further back within the plot. This extension was approved in 2000 under planning Ref S/0165/00/F and although is of similar depth at the rear does not significantly extend to the side and is not a prominent feature when viewed from the street scene. I take the view that the overall width and depth of the proposal would result in an unduly prominent addition to the host

dwelling and would further spoil the character and appearance of the street scene and erode the element of width present within the pattern of these semi's.

17. I would recommend that the proposal be refused and that a significant reduction to the overall scale and massing of the extension be sought.

**Recommendation**

18. **Refusal**

- 1) The proposed side and rear extension, by reason of the scale of development, would be an unduly prominent feature on the approach to the Village of Oakington from the north to the detriment of the countryside appearance of village edge. The application is therefore contrary to the aims of Policy SE9 of South Cambridgeshire Local Plan 2005.
- 2) The proposed side and rear extension, by reason of the matching roof heights and the proposed dimensions to the front and side, would result in a disproportionate and cumbersome addition to the detriment of the character and appearance of the street scene. The application is therefore contrary to policy HG12 of South Cambridgeshire Local Plan 2004.

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

- Application file Ref S/0165/00/F and S/2575/04/F
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/1946/04/O - Foxton**  
**Erection of 13 Houses and 1 Bungalow, Land at Moores Farm, Fowlmere Road,**  
**for Mr P Mead**

**Recommendation: Delegated Approval**  
**Date for Determination: 17<sup>th</sup> December 2004**

**Site and Proposal**

1. This application, registered on 17<sup>th</sup> September 2004, seeks outline consent for the erection of 13 houses and 1 bungalow on a 0.8215ha area of land at Moores Farm, to the rear (east) of existing properties in Fowlmere Road, Foxton.
2. The site is a former farmyard and comprises a collection of agricultural buildings and hardstandings located mainly in the northern part of the site. The southern part of the site contains more open grassed areas and a swimming pool belonging to No 49 Fowlmere Road.
3. To the north of the site are the rear gardens of properties in Fowlmere Road. There is existing planting on this boundary. To the south the site abuts the rear boundary of a property in Fowlmere Road and again there is planting on the boundary. To the rear the site is bordered by hedgerow planting beyond which is open countryside.
4. All matters are reserved. However an indicative layout suggests how 14 units could be accommodated on the site. The proposal includes extending the gardens of two existing bungalows in Fowlmere Road, which currently have gardens that are only 6m deep. The scheme includes 7 affordable dwellings.
5. Vehicular access to the site is proposed between existing dwellings at No 45 and No 49 Fowlmere Road
6. The site is within the village framework, which runs along the north-east boundary. This boundary also represents the edge of the Cambridge Green Belt.
7. The density of the scheme, using the site area quoted in the application, is 17 dph. However I have queried the site area quoted as I calculate it to be smaller and will update Members verbally.

**Planning History**

8. In 2001 outline consent was refused for residential development on the northern part of the site on the grounds that it was contrary to settlement policies of the Deposit Local Plan 1999 in that it comprised part of a larger area of land which would result in a scale of development in excess of the eight dwellings permitted, and that the site was in an Area of Restraint.

## Planning Policy

9. **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Foxton as a group village where residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village framework provided that:
  - (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
10. Development may exceptionally consist of up to 15 dwelling, if this would make the best use of a brownfield site.
11. All development should provide an appropriate mix of dwelling size, type and affordability.
12. **Policy SE6** of the Local Plan defines the Area of Restraint South of Cambridge. This precludes housing allocations outside the built up areas of villages.
13. **Policy SE9** of the Local Plan states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development in the countryside.
14. **Policy HG7** of the Local Plan sets out the District Councils policy in respect of affordable housing on sites within village frameworks. In villages such as Foxton, where the population is below 3000, such provision should represent up to 50% of the total number of dwellings for which planning permission may be given, dependant upon the level of clearly identified local need, although higher or lower percentages may be agreed in the light of such factors as proximity to local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case.
15. **Policy HG10** of the Local Plan states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes and affordability, making the best use of the site and promoting a sense of community which reflects local needs.
16. **Policy P5/5** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) permits small scale housing developments in villages taking into account: the need for affordable rural housing; character of the village and its setting; and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.

## Consultations

17. **Foxton Parish Council** recommends approval “The Council agrees in principle providing that there is proper planning for vehicular access and drainage/sewage.

18. The **Chief Environmental Health Officer** requests conditions restricting the hours of operation of power driven machinery during the period of construction and requiring an investigation of the site for possible contamination. He also comments in respect of the use of driven pile foundations and the burning of waste. He also points out that a Demolition Notice will be required in respect of the existing properties
19. The **Environment Agency** originally objected to the application on the grounds that inadequate information had been submitted in respect of foul and surface water drainage to allow a full assessment of the application to be made.
20. The applicant has now undertaken a flood risk assessment and the Environment Agency has withdrawn its objection although it still requests that a condition is attached to any consent requiring the submission of a scheme for surface water drainage, along with a number of informatives.
21. The **Local Highway Authority** has no objections to the granting of outline consent, subject to conditions, but recommends that the indicative layout be excluded from any consent as the internal arrangement is not of a standard that would be considered for adoption.
22. The **Architectural Liaison Officer, Cambridgeshire Constabulary** makes several comments in respect of the indicative layout.
23. The **Development Manager** confirms that there is a clearly identified local need to support the affordable housing proposed.

### **Representations**

24. The occupier of 37 Fowlmere Road, objects to the application on the grounds of loss of privacy from overlooking and inevitable noise from additional development and traffic. There is also concern about the effects of so many houses being crammed in to the space available and the effect on sewage, water etc. There is a big concern about the siting of another access road between Hillfield and Illingworth Way which it is believed will be potentially dangerous given the amount and speed of traffic along Fowlmere Road.
25. The occupier of 39 Fowlmere Road is concerned that the drawings do not show an existing conservatory which would be close to the proposed bungalow and that trees are shown on the other side of the wall, which could block light or damage foundations on either side. There is concern that an established rear boundary wall, which supports mature shrubs, might be removed or changed. There would be strong reservations should a two storey dwelling be built close to the boundary rather than the bungalow currently shown.
26. The occupiers of 43 Fowlmere Road state that as relatives of the applicant they are well aware of the proposal to develop Moores Farm. The letter points out that the plan shows the existing shallow rear gardens of 43 and 45 Fowlmere Road are to be extended by 10 metres. Provided this forms part of the approval it should negate any problems of overlooking from the proposed development. It is believed that the visibility splay for the proposed access will include a small strip of land at the front of No 45, which would be provided to satisfy the requirements of the Local Highways Authority. The letter states that it would be the intention to occupy one of the new properties and therefore the application is supported.

### **Applicant's Representations**

27. In a supporting statement submitted with the application the applicant's agent puts forward the view that owing to the location of the site behind existing residential properties on the edge of the village, together with the existence of derelict farm buildings, the site is not thought to significantly contribute in any way to the character of the village. The application proposes the use of a former pig farm and farmyard which was clearly undesirable in such close proximity to existing residential properties and the re- establishment of this use would clearly be undesirable. It is argued therefore that the site is a previously developed site to which Policy SE4 refers as an exception site.
28. It is acknowledged that 50% of the proposed dwellings should be affordable units and the applicant is prepared to enter into a Section 106 Agreement to that effect. The County Archaeological Office was consulted prior to the submission of the application and it has been confirmed that no investigation work is required.
29. The indicative layout has been prepared to take into account planning policies, identified features on the site and the characteristics of the surrounding area, together with the requirements of the application.
30. The applicant owns No 49 Fowlmere Road and the remainder of the development site. Until his recent death his father lived at No 49. The applicant's sister currently lives in No 43 and owns No 45 Fowlmere Road. These personal circumstances are considered relevant to the planning submission. Both the applicant and his sister wish to relocate to the proposed housing plots to the rear on No 49, hence the two slightly larger plots shown in that location. This will lead to both Nos 43 and 45 Fowlmere Road being marketed.

### **Planning Comments – Key Issues**

31. The key issues to consider with this outline application are whether development of this site complies with the criteria set out in Policies SE4 and HG7 of the Local Plan.
32. The site is a former farmyard set behind existing dwellings in Fowlmere Road. It is within the village framework. I do not consider that the retention of the site in its present form is essential to the character of the village.
33. The application is submitted in outline only with all matters reserved. I am of the view that the illustrative plan demonstrates that 14 dwellings could be accommodated on this site in a manner which is sensitive to the character of the village, local features of landscape and the amenities of neighbours. There are a number of issues with the existing layout that would need to be adjusted at the reserved matters stage in order to ensure that these objectives are met, in particular to ensure a satisfactory relationship with adjacent properties and to minimise the impact on the adjacent countryside. The illustrative drawing does not comprise part of the application. Therefore these reservations can be highlighted by an Informative on the Decision Notice.
34. Although agricultural land is not brownfield by definition I am of the view that this site is one where development of up to 15 dwellings under Policy SE4 can be considered. Given the location of the site close to the rear and side boundaries of existing properties in Fowlmere Road, and at the edge of the village framework and Cambridge Green Belt, and the limitation on numbers of dwellings in a group village

a density 30 dph will not be achieved, although this is not a direct requirement of Policy SE4.

35. The applicant has addressed issues raised by the Environment Agency. The Local Highway Authority has confirmed that a safe and satisfactory vehicular access to the site can be achieved in principle. Visibility splays are required over third party land and should be secured through a Section 106 Agreement.
36. The Development Manage has supported the provision of 7 affordable dwellings, which should be secured by a Section 106 Agreement in the usual way.
37. Matters raised by neighbours and the Architectural Liaison Officer concerning the illustrative layout are not directly relevant to the consideration of this outline application but can be incorporated in the Informative.

### **Recommendation**

38. That the applicant be invited to enter into a Section 106 Agreement securing the provision of affordable housing and visibility splays. Subject to the prior signing of this agreement that delegated powers be granted to issue outline consent with all matters reserved.

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **County Structure Plan 2003: P5/5**
  - **South Cambridgeshire Local Plan 2004: SE4; SE9; HG7**
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
  - Highway safety
  - Drainage issue

**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/1946/04/O & S/0551/01/O

**Contact Officer:** Paul Sexton – Area Planning Officer  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2461/04/O - Gamlingay  
Erection of Dwelling to Replace Existing Living Accommodation (2 Units),  
4 & 5 Little Heath, for Mr and Mrs R Halpin**

**Recommendation: Refusal  
Date for Determination: 28<sup>th</sup> January 2005**

**Departure Application**

Members will visit this site on Monday 31<sup>st</sup> January 2005.

**Site and Proposal**

1. This outline application, registered on 3rd December 2004, proposes the replacement of two existing mobile homes in Little Heath with a single dwelling and garage.
2. The mobile homes are located on the east side of Little Heath and are immediately to the north of a third unit which is covered by the same planning consents (see History below) but does not form part of this application. There is a large Oak tree towards the front of the site.
3. To the north of the site is a chalet bungalow, beyond which are two single storey dwellings. Directly opposite the site and to the rear is agricultural land.
4. No reserved matters are included for consideration at the outline stage, although the application is accompanied by an illustrative layout plan which show a detached dwelling and double garage. The site extends to the rear of the existing curtilage of the mobile homes to provide an enlarged garden area.

**Planning History**

5. Planning consent was originally granted for the use of the site for the stationing of mobile homes in 1966 (**Ref: SC/0022/66**) the site being described as horticultural land. The site was then the series of temporary and personal planning consents until 1980 when consent was granted for the permanent retention of 3 caravans (**Ref: S/1075/87/F**). This consent was not made personal to the applicant but a condition was imposed stating that the consent was to relate to the existing mobile homes on the site and upon their removal the land should revert to its former use.

**Planning Policy**

6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") restricts development in the countryside to that which is essential in a particular rural location.

7. **Policy SE8** of the South Cambridgeshire Local Plan 2004 ("The Local Plan) states that residential development outside village frameworks will not be permitted.
8. **Policy HG14** of the Local Plan states that the replacement of a caravan or other mobile home in the countryside with a permanent dwelling will not be permitted. The text to the policy states that caravans and mobile homes are distinct from permanent dwellings since they can be removed.

### **Consultations**

9. **Gamlingay Parish Council** recommends approval.
10. 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. He also points out that a Demolition Notice will be required in respect of the existing properties
11. The **Environment Agency** requests a condition in respect of foul water drainage and sets out a number of informatives.
12. The **Trees and Landscapes Officer** notes that it is intended to retain the existing Oak tree. Whilst the existing footprint shown will accommodate the tree and meets the criteria of BS 5837:1991 it would be preferable to move it further away. Particular care will be required over the construction of the driveway. The site is exposed to east and a landscaping condition should be attached to any consent.

### **Representations**

13. Letters have been received from the occupiers of five properties in Little Heath in support of the application and expressing the view that the proposal will improve the area.

### **Applicant's Representations**

14. A copy of a letter submitted by the applicant's agent in support of the application is attached as Appendix 1.

### **Planning Comments - Key Issues**

15. The key issues to be judged in determining this application is whether there is any justification in this case to replace the existing mobile homes in the countryside with a permanent dwelling given the policy presumption against such development.
16. Although the existing mobile homes are not the subject of a temporary consent, which would require a renewal to be sought periodically, there is a condition attached to the most recent consent that restricts the permission to the existing mobile homes on the site and therefore these units could not be replaced once they have become uninhabitable. In this respect the site differs from the majority of mobile homes sites where the consent relates to the land rather than specific units which would allow replacement of an existing mobile home with another unit.
17. Policy HG14 of the Local Plan prohibits the replacement of caravan or other mobile home in the countryside with permanent dwellings. These units remain mobile homes by definition. The text to the policy states that mobile homes differ from

permanent dwellings in that they can be removed. The planning consent for these units does not allow for their replacement once the existing units become uninhabitable. Therefore I do not consider that replacement by a permanent dwelling is justified in this case.

18. Policy P1/2 of the County Structure Plan states that development in the countryside will be restricted to that which is essential in a particular rural location. I note the local comment that the replacement of the two existing mobile homes on the site will improve the area visually. However I do not consider that this proposal can be viewed as being essential.

**Recommendation**

19. That the application be refused.

The site lies in the countryside where Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 restricts development to that which is essential in a particular rural location. Policy SE8 of the South Cambridgeshire Local Plan 2004 states that residential development outside village frameworks will not be permitted. Policy HG14 of the Local Plan states that the replacement of a caravan or other mobile home in the countryside with a permanent dwelling will not be permitted. The proposed replacement of two existing mobile homes in the countryside with a permanent dwelling is unacceptable being contrary to the aims of the above policies and the proposal has not been demonstrated to be essential in this 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 files Ref. SC/0022/66; S/1075/87/F and S/2461/04/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2385/04/F - Girton  
Erection of Ten Stables for Livery Use  
at Beckbrook Equestrian Centre, Oakington Road  
for Mr. S. Brown**

**Recommendation: Delegated Approval  
Date for Determination: 19<sup>th</sup> January 2005**

**Site and Proposal**

1. This site lies at the northern end of Girton village on the Oakington Road. The site lies in flat open countryside that is within the Green Belt and is identified as having a high flood risk by the Environment Agency. It is adjacent to the Beck Brook and comprises 10 hectares of paddocks, including existing ménage, lunge pit, 21 stables, barn, house and access. The site is operating on a full livery basis, although D.I.Y. livery has operated on the site until the current owners purchased the land last year. The buildings on site are all sited in a complex at the southern end of the site, set back from the road and partially screened by a tree plantation to the road frontage. Buildings at the southern end of the site are visible heading north out of the village, and are partially screened by a 2m high timber fence. The western boundary, to the road frontage, is marked with a high hedge, blocking views into the site from the road and north. The access point crosses a footpath and cycle path. It is within a 40mph zone, with good visibility in both directions.
2. The full application received on 24<sup>th</sup> November 2004, proposes to erect ten additional stables and associated hardstanding areas. These are to be of a traditional design with a low ridge height of 3 metres. They will be located in three areas of the site. Three stables will extend an existing block of stables in the southern part of the site. Two blocks on an area currently laid out as a lunge pit are proposed, comprising a smaller block of two stables to the south and five stable in a block to the east. The application also includes car parking proposals within the site.

**Planning History**

3. Planning permission for equestrian use of the land was first granted in 1992. Since that time the business has developed with a number of planning applications for additional stabling facilities, living accommodation, exercise yard and improved access. More recently planning permission was granted for a partial change of use from equestrian use to incorporate a D1 use, allowing the site to also be used as a riding school (ref. **S/1935/03/F**). The current owners then applied last year for ten additional stables for livery (ref. **S/1138/04/F**). The application was withdrawn to enable the owners to commission a Flood Risk Assessment, which is now required and to prepare a detailed car parking and access arrangement, as the plan submitted was not sufficiently detailed. The current application was submitted with this information and is otherwise identical.

### Planning Policy

4. **Policy GB2 (General principles)** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) sets out what is considered by the Council to be appropriate development in the Green Belt. It includes buildings providing essential facilities for outdoor sports and recreation. **Policy GB3 (The location of development)** goes on to state that where development ‘is not inappropriate it will be located within or adjoining existing complexes...in order to protect the rural nature and openness of the Green Belt’.
5. **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.
6. **Policy CS5 (Flood Protection)** of the Local Plan restricts development where it is likely to increase the risk of flooding unless it can be demonstrated that the effects can be overcome by appropriate alleviation and mitigation measures. This requirement is also found in policy **P/6/3 – Flood Defence** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The Structure Plan”)
7. **Policy P1/2 (Environmental Restrictions on Development)** of the Structure Plan restricts development in the countryside to that which ‘can be demonstrated to be essential in a particular rural location’.
8. **Policy P9/2a (Green Belt)** of the County Structure Plan sets out the aims of maintaining a Green Belt around Cambridge and limits all new development within the Green Belt unless required for ‘agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to the Green Belt’.
9. **Planning Policy Guidance 2 “Green Belts”** states that the construction of new buildings inside a Green belt is inappropriate unless it is for, amongst others, essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt.

### Consultations

10. **Girton Parish Council** recommends refusal on the basis that it doubts that there will be a reduction in traffic (the traffic calculation fails to take account of visits by farriers, vets, staff, deliveries etc.) and is concerned about poor visibility of the road and lack of manoeuvrability on site. In view of the fact that the entrance is crossed by a cycle track, if the application is granted, consideration should also be given for proper street lighting around the entrance.
11. **The Environment Agency** has confirmed that, having considered the Flood Risk Assessment and application, it has no objection in principle to the development, subject to conditions on surface water drainage and pollution control. The site is above the highest recorded/modelled flood level.
12. **Local Highways Authority** – following the submission of a revised car parking layout, comments have been received stating that it is satisfied with the arrangement now proposed, which maintains the access road free from vehicles. Minor alterations to the layout of the car parking are recommended and amended drawings are due to be submitted by the applicant.

13. **Chief Environmental Health Officer** – the proposal has no significant impacts in terms of noise and environmental pollution.

#### **Representations**

14. The occupier of The Orchard, Oakington Road opposite the access to the site has objected to the proposals on grounds of traffic movements, manoeuvring in a confined area, insufficient car parking, road safety concerns, loss of views from their property, noise and traffic pollution. They are concerned that the scale of development now proposed is contrary to Green Belt restrictions, resulting in a loss of amenity and over-development. They are aware of two accidents having occurred on this stretch of road.

#### **Planning Comments – Key Issues**

15. Three issues to be considered in determining this planning application are the impact on the Green Belt, noise disturbance and pollution to neighbouring dwellings and highways matters.

#### ***Green Belt***

16. The equestrian use of this site is, in my opinion, appropriate development in the Green Belt, providing essential facilities for outdoor recreation. The proposed stables are well related to the existing complex and are modest in size and height. They will not have a significant impact on the openness of the Green Belt and will not detract from the appearance or character of it.

#### ***Neighbouring Amenities***

17. The site is not directly adjoined by residential properties, although there are dwellings set back on the opposite side of the road. The site is well screened from these by tree and hedge plantations. The Chief Environmental Health Officer has not raised concerns regarding noise or pollution and as such is reasonable to conclude that there will not be a significant reduction in the amenities of nearby dwellings. The buildings proposed will be screened from residential dwellings by existing buildings on the site and as such will not have a direct impact. Loss of views is not a material planning consideration.

#### ***Highways***

18. The site benefits from an existing access onto Oakington Road. There is good visibility to both directions and the access is now located within a forty mile an hour speed restriction area. The applicant has demonstrated to the satisfaction of the Local Highways Authority that adequate car parking and access arrangements can be achieved. The additional stables are unlikely to result in a significant increase in traffic hazards and therefore insufficient grounds for refusal on this basis exist.

#### **Recommendation**

19. Subject to the receipt of amended plans to the Local Highways Authority requirements, delegated powers are sought to approve the application, as amended by plans date stamped 4<sup>th</sup> February 2004, subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A);
  2. Sc51 – Landscaping (Rc51);
  4. Sc52 – Implementation of landscaping (Rc52);
  5. Sc60 – Details of boundary treatment (Rc60);
  6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
  7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage, shall be submitted to and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.  
REASON: To ensure a satisfactory method of surface water drainage.
  8. 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 to and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.  
REASON: To ensure a satisfactory method of pollution control.
  9. There shall be no storage of any materials including soil or raising of ground levels within that part of the site liable to flood, as delineated on the attached plan.  
REASON: To ensure that there will be no increased risk of flooding to other land/properties due to impedece of flood flows and/or reduction of flood storage capacity.
- + any conditions required by the Local Highways Authority.

### **Informatives**

1. The Environment Agency will be pleased to assist in the assessment of proposals submitted by the applicant to meet these conditions.
2. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 9.00 metres of the top of the bank of the main river (Beck Brook).
3. **The granting of planning permission must not be taken to imply that consent has been given in respect of the above.**
4. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
5. If soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum depth acceptable for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
6. Only clean, uncontaminated surface water, should be discharged to any soakaway, watercourse or surface water sewer.

7. No foul sewage or effluent, including run-off from contaminated yards, manure heaps, stable washing and hay soaking, should be discharged to any surface water drainage system.
8. Liquid and solid animal/vegetable wastes and associated contaminated waters shall be stored and disposed of in a manner that will not lead to pollution of surface or underground waters.
9. Manure heaps should not be located within 10m of any ditch or watercourse or within 50m of a well, borehole or spring.
10. The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

### **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), **P/6/3** (Flood Defence) and **P9/2a** (Green Belt).
  - **South Cambridgeshire Local Plan 2004: GB2** (General principles), **GB3** (The location of development) **TP1 (Planning for More Sustainable Travel)** and **CS5** (Flood Protection).
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
  - Highway safety
  - Visual impact on the Green Belt

**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/2385/04/F, S/1138/04/F and S/1935/03/F

**Contact Officer:** Melissa Reynolds – Senior Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      2<sup>nd</sup> February 2005  
**AUTHOR/S:** Director of Development Services

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**S/2374/04/F - Great Shelford**  
**Extension to Dwelling and Change of Use of Amenity Land to Garden Land at**  
**72 Chaston Road and Land Adjoining for Mrs Taylor**

**Recommendation: Approval**  
**Date for determination: 18<sup>th</sup> January 2005**

**Site and Proposal**

1. The application relates to a two-storey brick and tile end of terrace house and the adjacent amenity land which is currently enclosed by a 1m high approximately fence.
2. This full application, registered on the 23<sup>rd</sup> November 2004, proposes the erection of a part two-storey, part single storey front and side extension. The two-storey element measures 8.5m x 3.9m and would be located to the side of the existing house, albeit 1.5m of it would extend beyond the rear of the existing rear elevation. The single storey lean-to element measures 7.8m x 1.25m and would be attached to the front of the existing house and proposed two-storey extension. The proposal would result in the loss of a tree on the amenity land.

**Planning History**

3. An application for the extension to the dwelling and an extension of the brick boundary wall to enclose part of the adjacent amenity land was withdrawn (**S/1791/04/F**).
4. Planning permission for the erection of old persons' residence, warden's accommodation, houses and flats was granted in 1975 (**S/0835/74/D**).

**Planning Policy**

5. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which provides a sense of place.
6. Local Plan 2004 **Policy HG12** states that planning permission for the extension and alteration of dwellings will not be permitted where: the design and materials would not be in keeping with local characteristics; the proposal would seriously harm the amenities of neighbours; there would be an unacceptable loss of off-street parking or garden space; there would be an unacceptable visual impact upon the street scene; and/or boundary treatment would provide an unacceptable standard of privacy and visual amenity.

**Consultation**

7. **Great Shelford Parish Council** recommends refusal stating: "We would prefer to see the amenity land kept as such to retain visibility on this corner. The design of the building is identical to S/1791/04/F and therefore our previous comments apply. The

rear 2 storey part of the extension would be visually intrusive on the street scene and it, together with the front porch and study/dining room extension would destroy the harmony of the terrace. We would prefer to see the porch to remain in keeping with those on adjoining properties.”

### **Representations**

8. None received.

### **Planning Comments – Key Issues**

9. The key issue in relation to the application is the impact of the proposal on the character and appearance of the area.
10. By virtue of its two–storey rear projection and single storey front projection, the proposed extension to the dwelling would change the appearance of this terrace when viewed from Chaston Road. However, being at the end of the terrace and with the projections measuring only 1.25-1.5 metres deep, it would not in my opinion harm the appearance of the terrace or have an unacceptable impact upon the street scene. At the other end of the terrace is a three-storey block which stands forward of the front of Nos. 72-80 even.
11. Although part of the extension would be built on the amenity land with the remainder used as garden, the existing 1 metre high approximately fence would be retained around the remaining part of this land. Any higher means of enclosure adjacent to Chaston Road would require a further application for planning permission. Recommended condition 3 would also ensure that no higher means of enclosure could be erected within or along the front/northeast boundary of the site without a further application for permission. The openness of the retained area would therefore be preserved. In my opinion, the change of use of this land to garden would not therefore seriously detract from the character or appearance of the area.
12. The proposal would not seriously affect the amenity of neighbours.

### **Recommendation**

13. Approval
  1. Standard Condition A – Time limited permission (Reason A).
  2. Standard Condition 19 ‘Matching materials’ (Reason 19).
  3. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), no means of enclosure exceeding 1 metre in height shall be erected within or on the boundary of the additional garden land hereby permitted (the area annotated as ‘garden’ on drawing SF04 020.1.A). (Reason - To protect the character and appearance of the area).

### **Informatives**

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable Design in Built Development);
  - **South Cambridgeshire Local Plan 2004: HG12** (Extensions and Alterations to Dwellings Within Frameworks)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: Impact upon street scene and character of the area.

**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/0835/74/D, S/1791/04/F and S/2374/04/F

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**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION****TOWN AND COUNTRY PLANNING ACT 1990**

1. 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 of interest.
2. Statistics for the last quarter and the whole of last year are set out overleaf.
3. 139 appeals were received last year. This is less than the previous year (where a very high number of traveller appeals were received) but still more than any other year since 1991. The increase nationally over the previous year was about 10%
4. The total number of planning and listed building appeals dismissed was 80%. This compares with 75% and 69% for the previous two years. The latest available figures show the national average to be around 64%. Our performance is therefore well above the national average and the 64% target (BV204) set out in the Council's 2004 Performance Plan.
5. Some 48% of all appeal decisions last year were dealt with by way of written representations. 20% were dealt with by hearings, and 32% followed a public inquiry. This is a somewhat skewed result, as the public inquiry at Sandy Park, Chesterton Fen involved 29 separate appeals.

**1. Decisions Notified By The Secretary of State**

<b>Ref. No.</b>	<b>Details</b>	<b>Decision and Date</b>
S/2089/03/F	Heddon Management Ltd 12 Pieces Lane <b>Waterbeach</b> 8 Houses (Officer Recommendation to Refuse)	Dismissed 13/12/2004
S/2276/03/F	S Vanstone 1 Honey Hill <b>Gamlingay</b> Extension (Delegated Refusal)	Allowed 15/12/2004
S/0158/04/O	Mr D Wakefield Adj Willoughby House, Maynards <b>Whittlesford</b> Dwelling & garage (Delegated Refusal)	Dismissed 11/01/2005
S/0220/04/O	Mr J Swanson Barons Farm, 7 Angle Lane <b>Shepreth</b> Dwelling and Garage (Officer Recommendation to Refuse)	Dismissed 11/01/2005

S/0333/04/F	Dr & Mrs Sutcliffe 22 The Lane <b>Hauxton</b> Extensions (Delegated Refusal)	Allowed 11/01/2005
S/0389/04/F	Corrinne Hibbert 46 Streetly End <b>West Wickham</b> Extension (Delegated Refusal)	Dismissed 11/01/2005
S/0388/04/LB	Corrinne Hibbert 46 Streetly End <b>West Wickham</b> Internal and external alterations including replacement of front door by window, replacement of window in gable wall by door (Delegated Refusal)	Dismissed 11/01/2005
S/0492/04/F	Dr C Russo & Ms P Gillespie 34 Woodlands Park <b>Girton</b> Extension (Delegated Refusal)	Dismissed 12/01/2005
S/0581/04/F	Miss O MacDonald 7 Barrons Green <b>Shepreth</b> Extension to provide additional dwelling and extension to existing dwelling. (Officer Recommendation to Refuse)	Allowed 13/01/2005
S/0230/04/LB	Mr M Derham Hinxton Grange, <b>Hinxton</b> Installation of new fibrous plaster pre made dome for light fitting in kitchen ceiling (retrospective application). (Delegated Refusal)	Dismissed 14/01/2005
S/0877/04/F	Mr & Mrs Ford 3 Woodlands Close <b>Great Shelford</b> Extensions and outbuilding (Delegated Refusal)	Dismissed 14/01/2005

**2. Summaries of recent decisions of interest**

**C Hibbert – Single storey extension and alterations to existing building – 46 Streetly End, West Wickham – Appeals dismissed.**

1. These appeals followed the refusal of planning permission and listed building consent. The building is a two-storey semi-detached cottage and listed grade II. The appeal was determined by way of written representations.

2. There were two main issues to be considered. These were the impact on the listed building and the surrounding conservation area and the effect on the daylight and outlook for the adjoining semi (no. 44).
3. On the first issue, the inspector noted that the extension would add considerably to the amount of living accommodation. This would alter the character of the building and detract from its historical interest. The inspector noted that other cottages nearby are well cared for and that they are quite large enough to provide viable homes. There was no overriding need to extend the appeal cottage in order to ensure its survival. The proposed extension would dominate and indeed largely obscure the rear elevation of the building and this would radically alter its simple vernacular form. The extension would therefore fail to preserve the architectural or historic interest of the building.
4. The extension would be a prominent feature when viewed from the open countryside to the north. To that extent, it would detract directly from the character and appearance of the conservation area.
5. The extension would protrude 5.5 metres from the rear wall of the cottage and would be between 4.5 metres and 5 metres from the property boundary. The unusual layout of the pair of cottages is such that the rear window of no. 44 looks out directly onto the garden of no. 46. This would result in the gable wall of the extension having an overbearing and oppressive impact on the outlook from that window.
6. The inspector (like many inspectors) did not accept that approval would lead to an unwelcome precedent leading to further erosion of the character of the cottages. In his words "Planning decisions do not set precedents. Regardless of the outcome of these appeals any future proposal would have to be considered on its own merits and in the light of the planning policies and any other material considerations pertaining at the time".

**Miss O MacDonald – Erection of house and extension to existing property – 7 Barrons Green, Shepreth – Appeal allowed**

1. The main issue in this appeal was the impact of the proposal on the character and appearance of the area. It was considered under the written representations procedure.
2. The site is part of a garden of a semi-detached house and occupies a corner plot. The proposal was to replace an existing garage and single-storey kitchen extension with a three bedroom house attached to the side of the existing dwelling and a new kitchen extension for no. 7.
3. The Council had argued that the openness of the area was an important feature. The inspector did not agree. He considered that although the site is in a rural location, the area has an "urban" quality. He found the site to have a strong sense of enclosure and that the gap created by the appeal site is a weak visual point in the composition of various buildings around the end of the cul-de-sac. It does not therefore make a positive contribution to the character of the estate.
4. He found the garden features are not particularly attractive features of what is a prominent site. The appeal proposal would match the existing development in appearance and could not be described as being oppressive or a visually dominant feature of the street scene. Neither would it detract from the pair of existing properties.

5. It was also concluded that government objectives, as set out in PPG3, to make more efficient use of land and to provide a better mix of house sizes, types and locations would be met in this instance. The proposal would not therefore harm the character or appearance of the area.
6. While it was not part of the Council's reasons for refusal, local residents also raised matters relating to privacy, outlook and car parking. The inspector did not consider that any of these issues were sufficient to dismiss the appeal.
7. The appeal was therefore allowed subject to conditions regarding the submission of sample materials and the provision and retention of car parking spaces.

**3. Appeals received**

<b>Ref. No.</b>	<b>Details</b>	<b>Date</b>
S/1579/04/F	Orange PCS Ltd Land Northwest of Whitehouse Lane, off Huntingdon Road <b>Girton</b> 25m high telecommunications mast to replace existing mast and associated development. (Delegated Refusal)	17/12/2004
E489A	Mr & Mrs Brown The Arches, Schole Road <b>Willingham</b> Enforcement against use of the land fore residential caravans	21/12/2004
S/1385/04/F	Mr & Mrs Russell Land R/O 22 Town Street <b>Newton</b> Detached Bungalow & Garage (Officer Recommendation to Approve)	10/01/2005
E493	Miss Lovitt & Mr Scrafton 6 Honey Hill <b>Gamlingay</b> Enforcement for removal of 5-bar gate and gate posts	06/01/2005
S/1569/04/F	Mr M Hegerty Land off Victoria View, Smithy Fen <b>Cottenham</b> Siting of 4 gypsy caravans (Delegated Refusal)	12/01/2005
S/1589/04/F	M Quilligan Land off Water Lane, Smithy Fen <b>Cottenham</b> Siting of 2 gypsy caravans (Delegated Refusal)	12/01/2005

S/1767/04/F Cambridge Cottage Housing Association 12/01/2005  
 Adj 82 High Street  
**Great Abington**  
 Dwelling  
 (Delegated Refusal)

4. **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 2<sup>nd</sup> March 2005**

**None**

5. **Appeals withdrawn or postponed**

**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 <b>Hardwick</b> 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 <b>Weston Colville</b> 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 <b>Gamlingay</b> 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 <b>Cambourne</b> 54 Dwellings (Local Inquiry)	02/08/2005 Confirmed
S/0629/04/F	Mr and Mrs Noyes 22 North Brook End <b>Steeple Morden</b> Extension (Informal Hearing)	04/10/2005 Confirmed

S/0628/04/LB	Mr and Mrs Noyes 22 North Brook End <b>Steeple Morden</b> 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 <b>Croydon</b> 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) <b>Toft</b> Erection of B1 offices (Informal Hearing)	09/11/2005 Confirmed
S/0761/04/F	B Gemmil, A Sheridan, E Sheridan & K Sheridan Plots 1-11 Victoria View, off Orchard Drive Smithy Fen <b>Cottenham</b> Use of land for gypsy caravan site, (11 pitches) part retrospective (Local Inquiry to sit for 8 days)	10/01/2006 Offered/

<b>SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING APPEAL STATISTICS</b>
---

<b>FROM 1<sup>ST</sup> OCTOBER TO 31<sup>ST</sup> DECEMBER 2004</b>
---

<b>Total Number of Appeals Received</b>	<b>32</b>
---	-----------

Appeals Against Planning Decisions and Non-Determination	Written Representations	22
	Informal Hearings	4
	Local Inquiries	1
Appeals Against Enforcement Notices	Written Representations	3
	Informal Hearings	2
	Local Inquiries	0

<b>Total Number of Decisions Received</b>	<b>21</b>
---	-----------

Appeals Against Planning Decisions and Non-Determination	Written Representations	16
	Informal Hearings	3
	Local Inquiries	1
Appeals Against Enforcement Notices	Written Representations	0
	Informal Hearings	0
	Local Inquiries	0

<b>Number and % of Decisions Received Dismissed</b>	<b>18</b>	<b>86%</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	13	81%
	Informal Hearings	3	100%
	Local Inquiries	2	100%
Appeals Against Enforcement Notices	Written Representations	0	-
	Informal Hearings	0	-
	Local Inquiries	0	-

<b>Number and % of Decisions Received Allowed</b>	<b>3</b>	<b>14%</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	3	19%
	Informal Hearings	0	0%
	Local Inquiries	0	0%
Appeals Against Enforcement Notices	Written Representations	0	-
	Informal Hearings	0	-
	Local Inquiries	0	-

<b>Total Number of Appeals Withdrawn</b>	<b>4</b>
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<b>SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING APPEAL STATISTICS</b>
---

<b>FROM 1<sup>ST</sup> JANUARY 2004 TO 31<sup>ST</sup> DECEMBER 2004</b>
--

<b>Total Number of Appeals Received</b>	<b>139</b>
---	------------

Appeals Against Planning Decisions and Non-Determination	Written Representations	88
	Informal Hearings	25
	Local Inquiries	8
Appeals Against Enforcement Notices	Written Representations	7
	Informal Hearings	7
	Local Inquiries	4

<b>Total Number of Decisions Received</b>	<b>132</b>
---	------------

Appeals Against Planning Decisions and Non-Determination	Written Representations	63
	Informal Hearings	25
	Local Inquiries	41
Appeals Against Enforcement Notices	Written Representations	1
	Informal Hearings	1
	Local Inquiries	1

<b>Number and % of Decisions Received Dismissed</b>	<b>106</b>	<b>80%</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	49	78%
	Informal Hearings	17	68%
	Local Inquiries	39	95%
Appeals Against Enforcement Notices	Written Representations	1	100%
	Informal Hearings	0	0%
	Local Inquiries	0	0%

<b>Number and % of Decisions Received Allowed</b>	<b>26</b>	<b>20%</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	14	22%
	Informal Hearings	8	32%
	Local Inquiries	2	5%
Appeals Against Enforcement Notices	Written Representations	0	0%
	Informal Hearings	1	100%
	Local Inquiries	1	100%

<b>Total Number of Appeals Withdrawn</b>	<b>14</b>
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**PERFORMANCE CRITERIA****QUARTERLY STATISTICS**

In the third quarter of 2004 the number of applications received by South Cambridgeshire increased by 6.2% over the corresponding period in 2003. In England there was a 1% increase.

The percentage of all decisions taken within the eight week period in the District was 79% compared with 78% in England. The equivalent figure for householder development was 90% compared with the national figure of 86%.

The percentage of decisions delegated to officers in this quarter was 92%. There is no equivalent national figure but in Cambridgeshire the average figure was 91%. The Government has set a target of 90%.

The new Government targets are included in the Statistical Release. On the "excluding major and minor applications" where the Government target is 80% in eight weeks the Council achieved 86% whilst on the "minor" category where we are urged to decide 65% in eight weeks the Council achieved 64%. The more difficult target is the Government's 60% in thirteen weeks for major applications i.e. things like the Wellcome Trust or the Northern Fringe! Here the Council achieved 40%.

The graphs, which accompany this report, illustrate the picture in Cambridgeshire for each of these development types during the year ending 30<sup>th</sup> September 2004 and the quarter July to September 2004.

**RETROSPECTIVE APPLICATIONS**

In response to a recommendation from Scrutiny Committee (17<sup>th</sup> April 2003), the number of retrospective applications are to be recorded.

Thus in the third quarter of 2004, the number of retrospective applications submitted was 18. This represented 2.7% of all applications submitted during that quarter. Of the 17 retrospective applications which have been determined, (one was withdrawn) 59% have been approved and 41% refused. During the quarter 86% of all applications were approved.

**ENFORCEMENT STATISTICS (Quarter ending September 2004)**

Statistics for the previous quarter are in brackets.

Enforcement Notices	4	(2)
Stop Notices	1	(1)
Planning Contravention Notices	10	(0)
Breach of Condition Notices	0	(1)
Amenity Notices	0	(0)
Number of Complaints	78	(96)
Prosecutions	0	(2)
Injunctions	1	(2)

TREES AND LANDSCAPING STATISTICS (Quarter ending September 2004.)

Statistics for the previous quarter are in brackets.

Applications for work on Statutorily Protected Trees

(Tree Preservation Orders and Conservation Areas)

Number of applications – Received	140	(99)
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Landscaping

Number of landscaping conditions received from D.C.	96	(72)
---	----	------

Number of weekly actions	852	(593)
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Number of schemes submitted	92	(79)
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Number of schemes finalised and approved	36	(24)
--	----	------

Number of landscaping conditions currently active	832	(984)
---	-----	-------

(excluding Cambourne work)

Number of breach of condition notices requested	3	(8)
---	---	-----

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1986

Background papers in respect of this report for the purposes of the above Act are available for inspections in accordance with the provision of that Act:

- a) Any planning application, including plans and any accompanying letter or document from the applicant.
- b) Any letter or representation received in connection with a matter reported.
- c) Any Structure Plan, Local Plan or Policy Document referred to in a report.
- d) Any agenda, report or minutes of a meeting of the Council referred to in a report.
- e) Any other publication, document or report referred to in the report.

Files on individual items on the agenda are available as required from the following individuals:

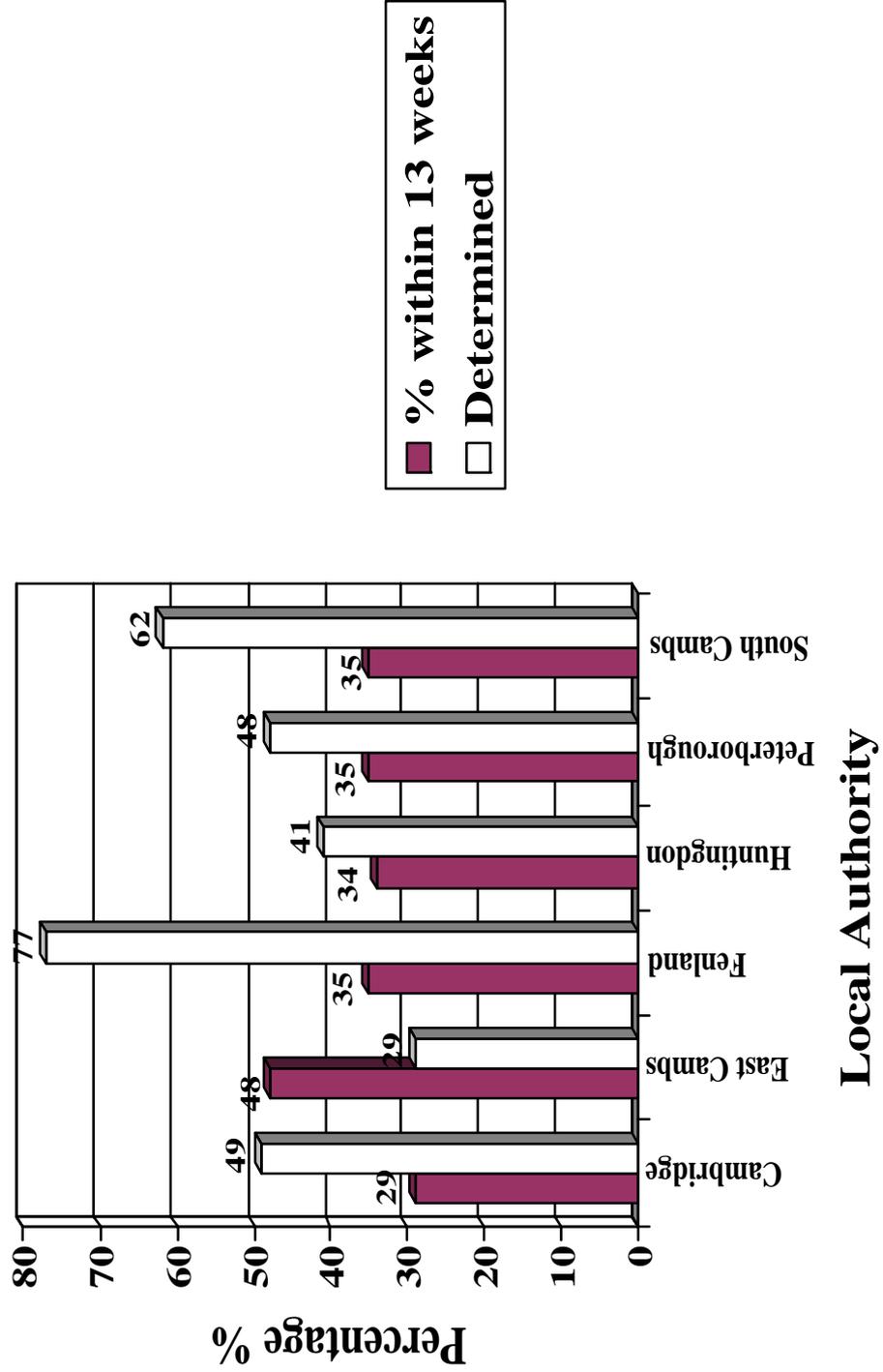
Mr J Belcham	(01954) 713252
Mr A Moffat	(01954) 713169
Mr S Anderson	(01954) 713165
Mr D Rush	(01954) 713153
Mr P Sexton	(01954) 713255

D B HUSSELL  
Development Services Director

Planning decisions by development type and speed of evaluation.

**Major Decisions, year ending 30<sup>th</sup> September 2004**

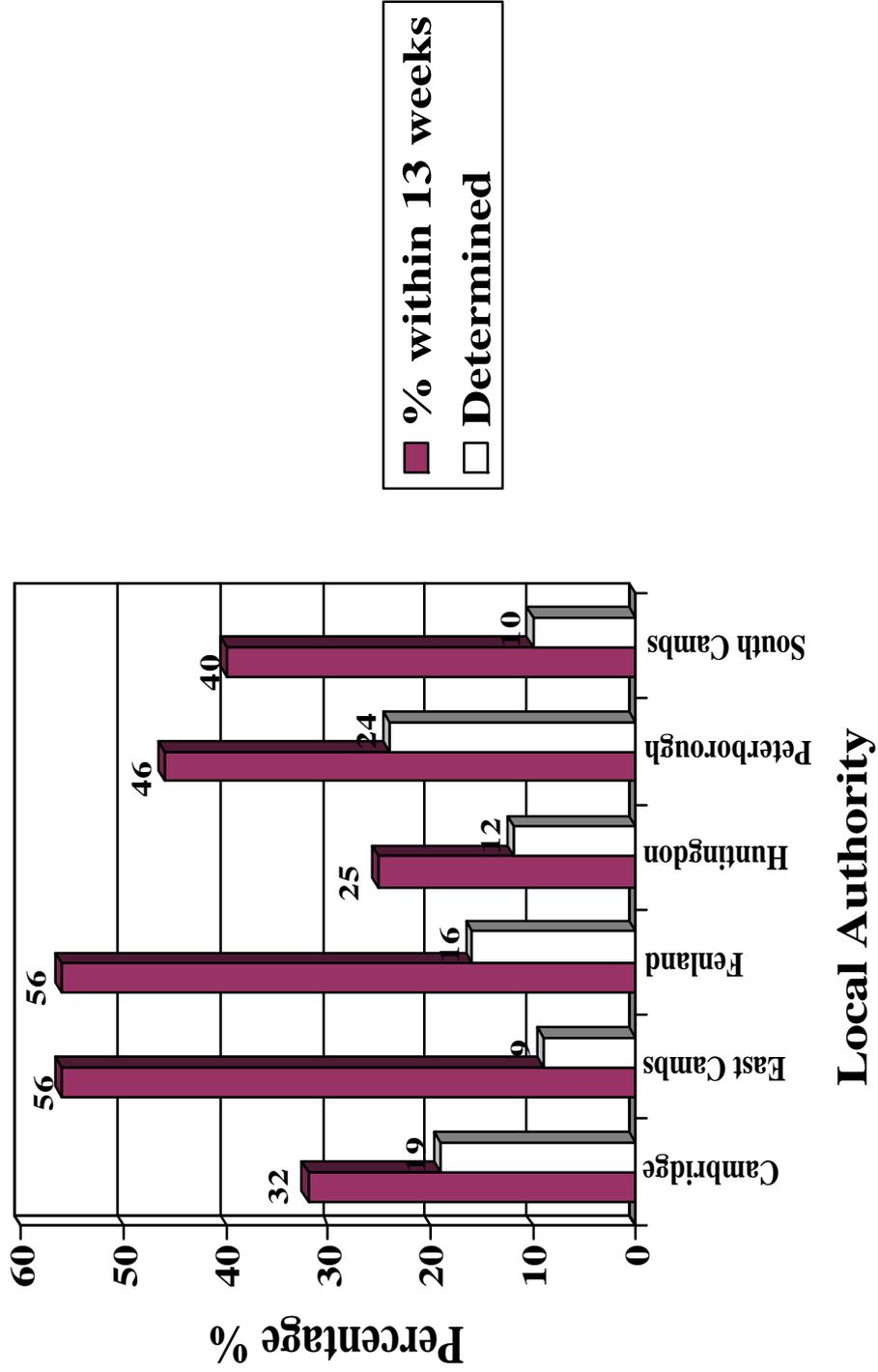
(Govt target 60% within 13 weeks)



Planning decisions by development type and speed of evaluation.

**Major Decisions for Quarter, July – September 2004**

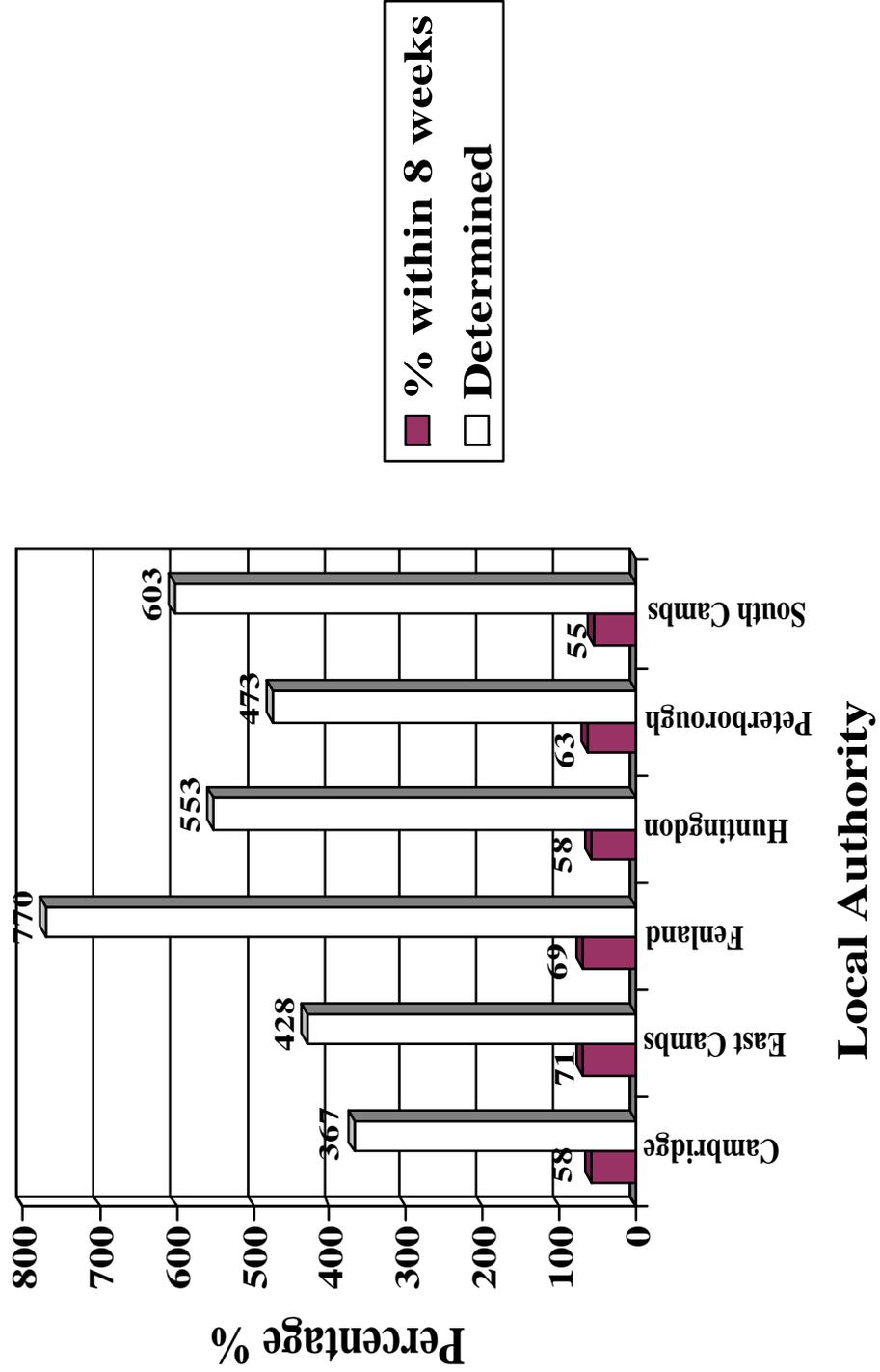
(In England 61% were determined within 13 weeks)



Planning decisions by development type and speed of evaluation.

**Minor Decisions, year ending 30<sup>th</sup> September 2004**

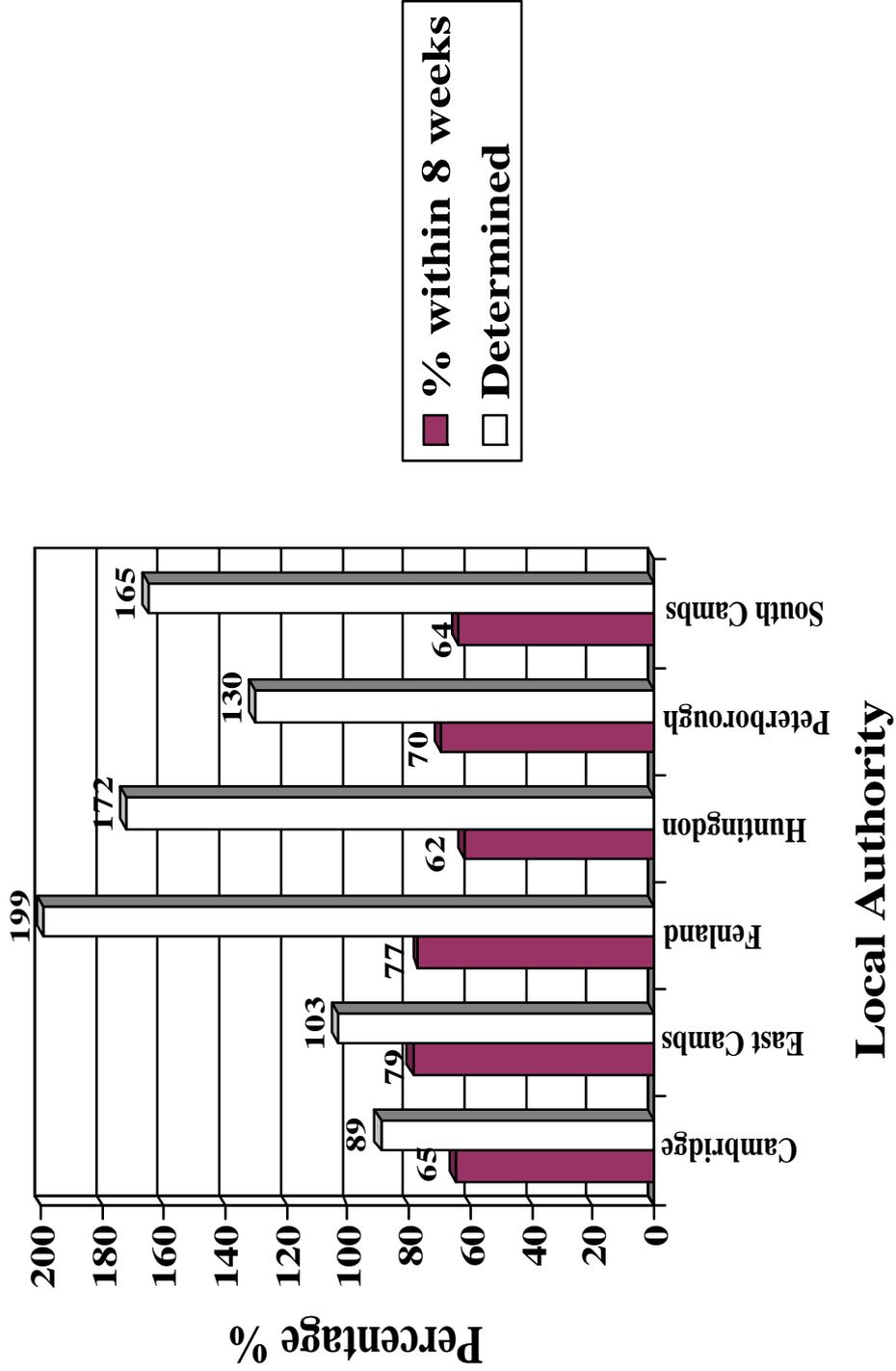
(Govt target 65% within 8 weeks)



Planning decisions by development type and speed of evaluation.

**Minor Decisions for Quarter, July - September 2004**

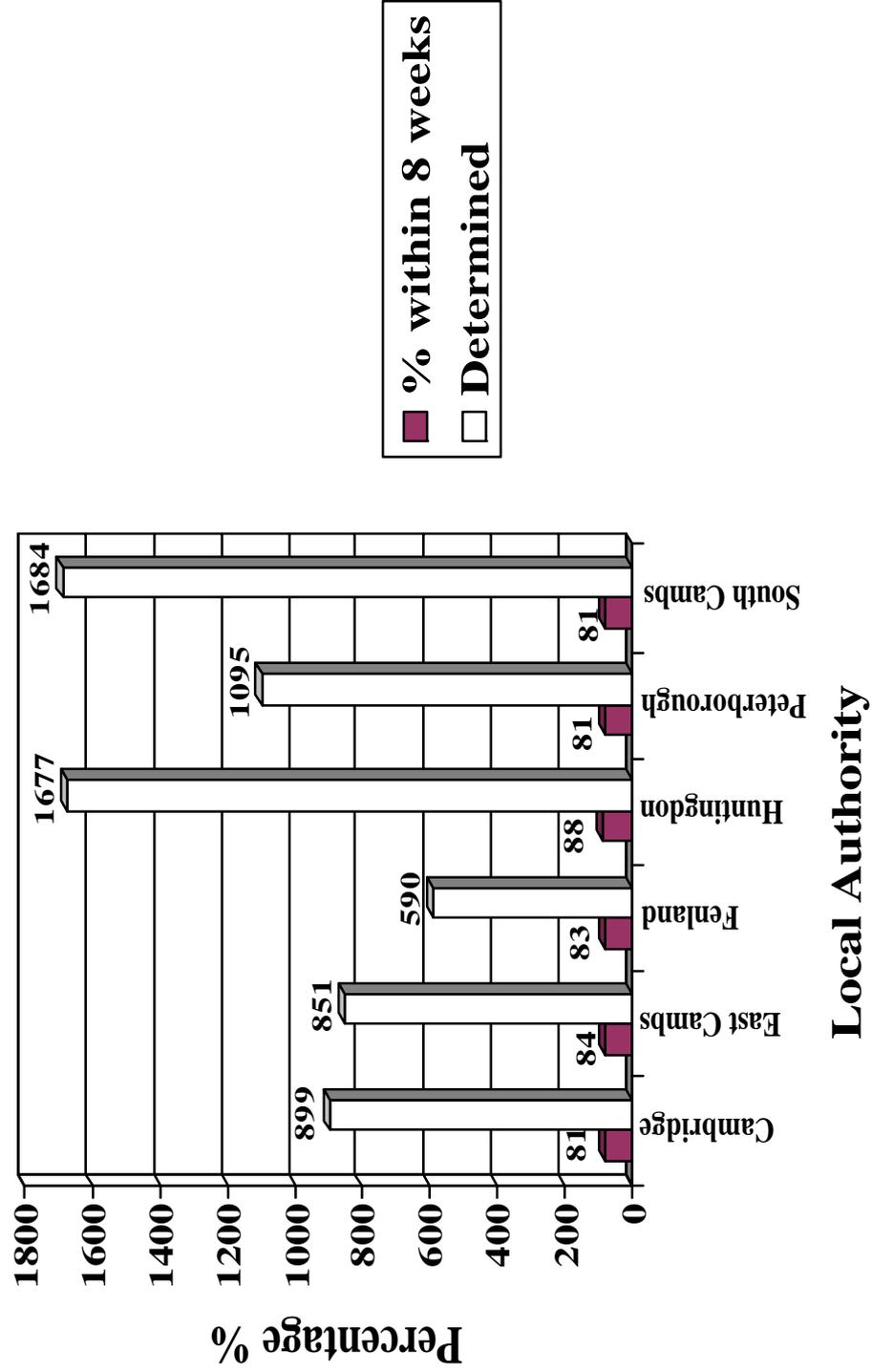
(In England 68% were determined within 8 weeks)



Planning decisions by development type and speed of evaluation.

**Other Decisions, year ending 30<sup>th</sup> September 2004**

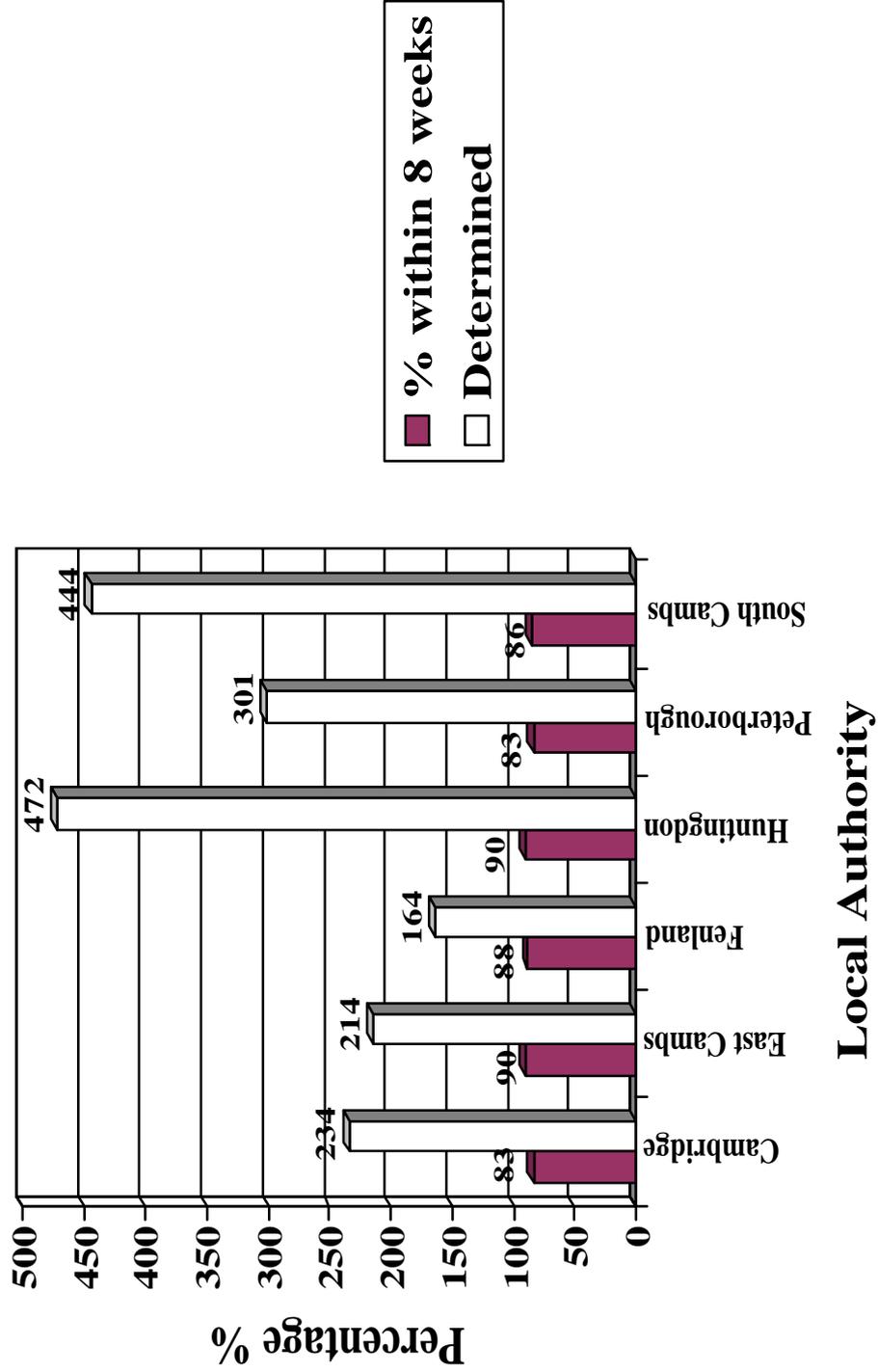
(Govt target 80% within 8 weeks)



Planning decisions by development type and speed of evaluation.

**Other Decisions for Quarter, July - September 2004**

(In England 83% were determined within 8 weeks)

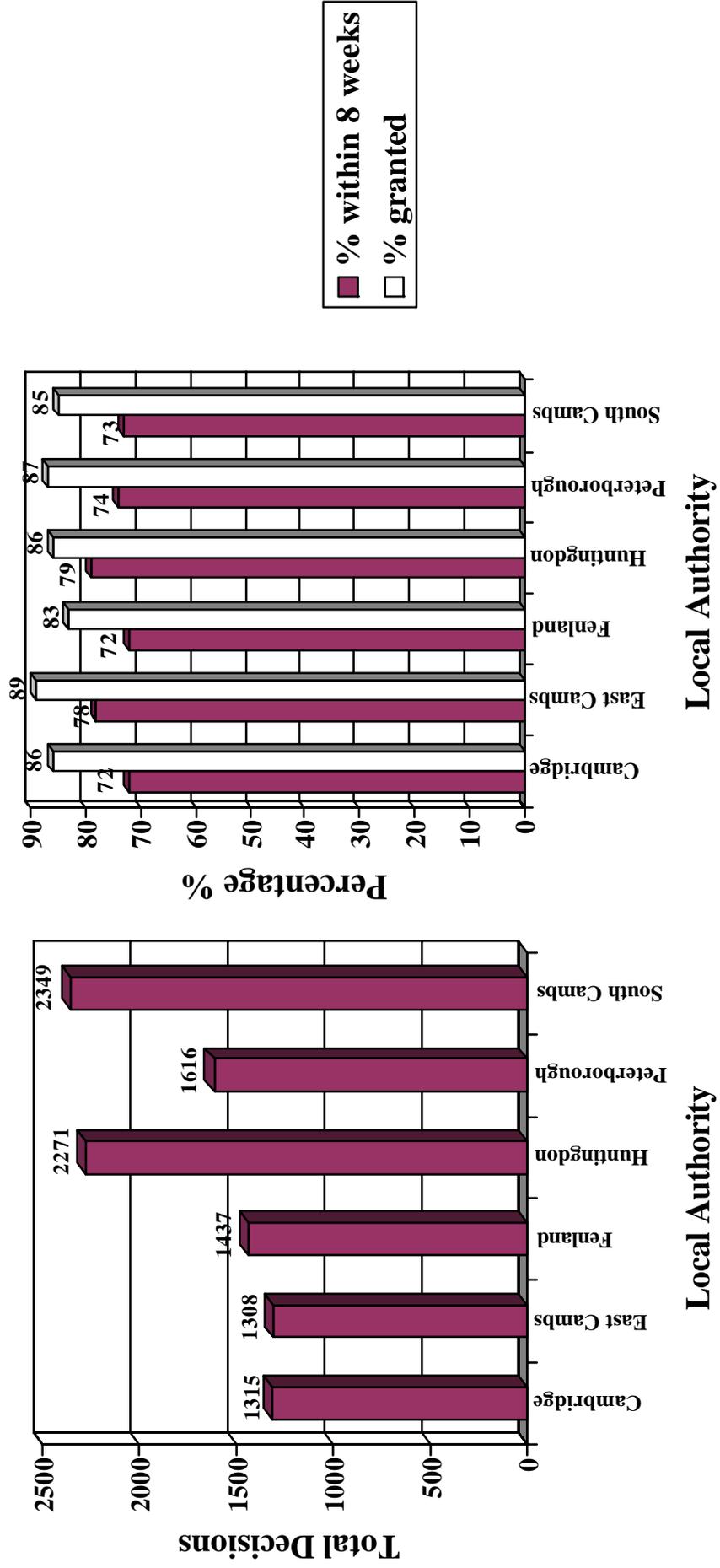




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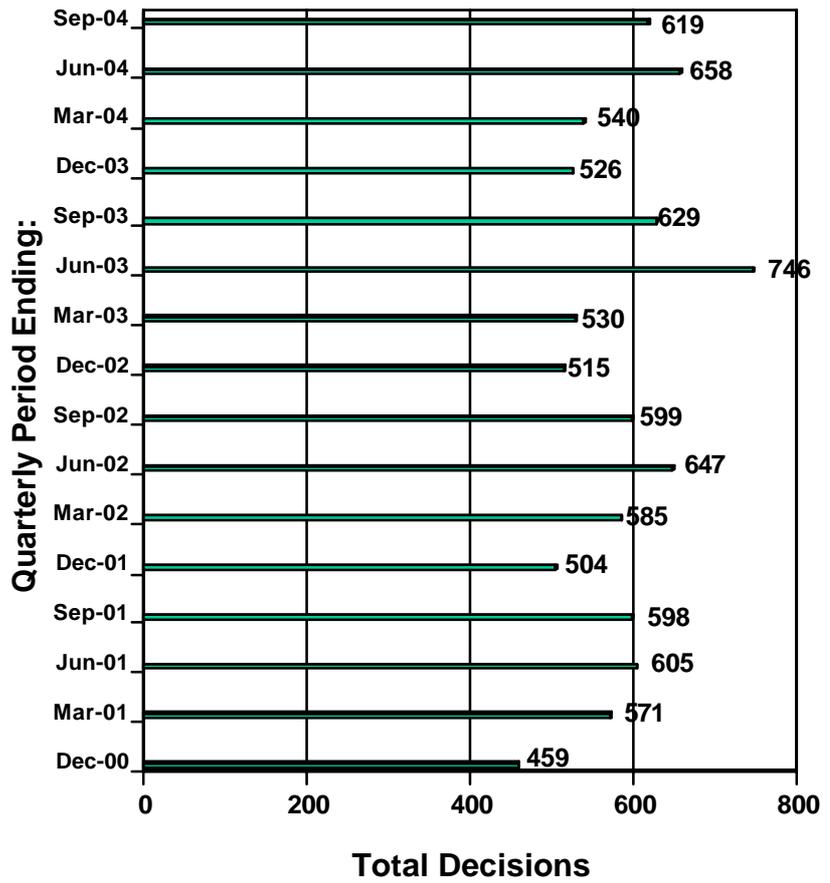
# Planning Decisions for the year ending 30<sup>th</sup> September 2004

## England – 78% within 8 weeks

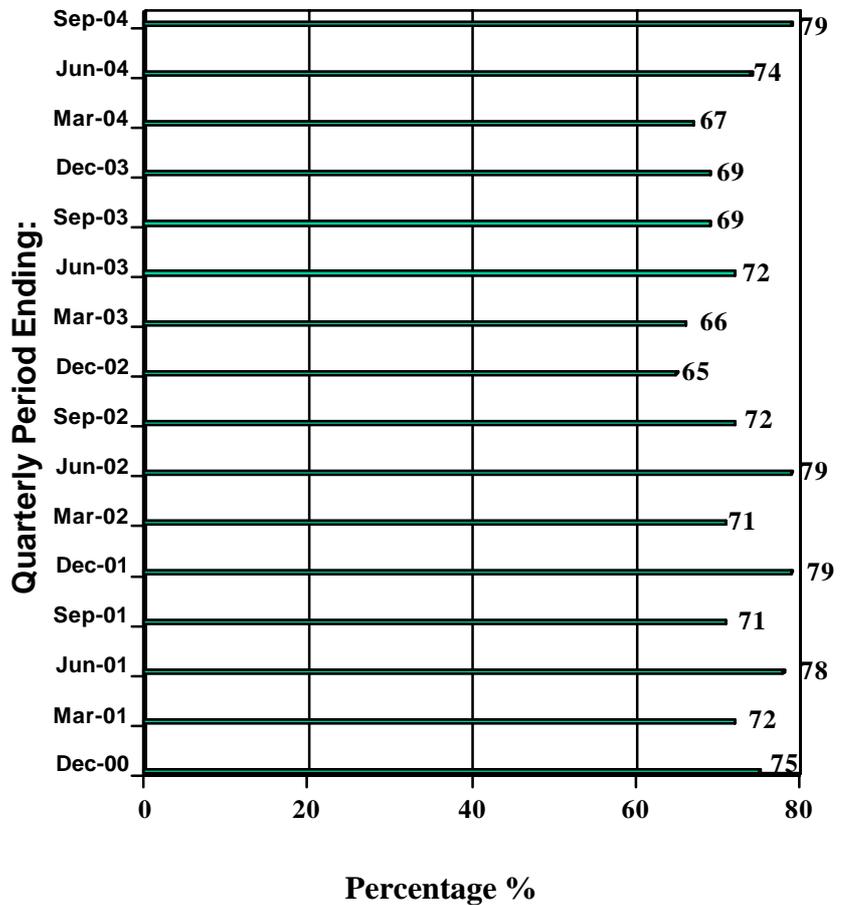


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**Total Decisions  
issued Quarterly  
by South Cambs**



**% of all  
Applications  
Determined  
Within 8 Weeks**



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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation  
Control Committee

2<sup>nd</sup> February 2005

**AUTHOR/S:** Finance and Resources Director

**Tree Preservation Order – Gamlingay**

**Recommendation: To make an Order**

**Purpose**

1. To seek the Committee's authority to make and serve a Tree Preservation Order in respect of land at Rosehaven, 110 Cinques Road, Gamlingay.

**Effect on Corporate Objectives**

1.	Quality, Accessible Services	Not applicable
	Village Life	The presence and protection of the natural environment enhances the quality of village life.
	Sustainability	The presence and protection of trees helps to control pollution levels, and therefore contributes to the Council's commitment to the climate change agenda. Trees provide an important micro habitat for both flora and fauna.
	Partnership	Not applicable

**Background**

3. Local planning authorities may make Tree Preservation Orders if it appears to them to be, "expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area." (Town and Country Planning Act 1990, section 198(1)).
4. The Act does not define the word "amenity", nor does it set out the circumstances in which it is the interests of amenity to make a Tree Preservation Order. However, the Secretary of State takes the view that TPOs should be used to protect selected trees and woodlands if their removal would be likely to have a significant impact on the local environment and on the general public's enjoyment of that environment. Local authorities should be able to demonstrate a degree of public benefit before they make a Tree Preservation Order. For example, the tree should be visible from the Highway or some other public place.
5. Local planning authorities should be prepared to explain to landowners why their trees or woodlands have been made the subject of a Tree Preservation Order. Factors, which the LPA might take into account, include:
  - visibility from a public place
  - individual impact of the tree – its size, form, future potential, rarity and so on
  - wider impact of the tree, given its suitability in its particular location and the presence of other trees in the vicinity

6. Even if a Tree Preservation Order is desirable on amenity grounds, it may still not be expedient to make it if, for example, the tree or woodland, is under good arboricultural management. However, it may be expedient to make an Order if, say, it is likely that the tree would be cut down, or otherwise pruned in such a way as to have a significant impact on the amenity of the area.

### **Considerations**

7. The land in question is at Rosehaven, 110 Cinques Road in Gamlingay. A plan of the area is attached at **Appendix 1**.
8. A schedule of trees is attached at **Appendix 2**.
9. The Trees and Landscape Officer considers that the Council should make an Order in this case because the individual trees and several groups of trees located in the grounds provide environmental enhancement and a diversity to the existing flora to the surrounding smallholding. They also provide a visual buffer from the main road and protect the visual aspect provided by the trees from loss through possible development.

### **Options**

10. The Development and Conservation Control Committee must determine whether or not to impose a Tree Preservation Order in this instance.

### **Financial Implications**

11. The Council has made budget provision for Tree Preservation Orders.

### **Legal Implications**

12. The landowner is Mrs Eleanor Hodges, who lives in Rosehaven. The District Council would serve an Order and Notice on Mrs Hodges and send copies to other "interested parties", including utilities.
- 13.. If made, the Order would take effect, provisionally, upon due service of it, and remain in force as such for six months or until confirmed, whichever is the sooner, Following service, those affected would have a period of not fewer than four weeks during which they could object to the Order. Such objections must be in writing and can be made for any reason, including:
  - to challenge the LPA's view that it is expedient in the interests of amenity to make the Order
  - to claim that a tree included in the Order is either dead, dying or dangerous
  - to claim that a tree is causing damage to property
  - to point out errors in, or uncertainties with, the Order
  - to claim procedural irregularities
14. If an objection is received within the stated period, the Council must carry out a site visit. Members must take into account all objections and other representations before deciding whether or not to confirm the Order. The Council can either:
  - confirm the Order, having not received any objections

- confirm the Order, without modification, having considered objections but rejected them
- confirm the Order, subject to such modifications it deems expedient
- decide not to confirm the Order

15.. There is no right of appeal to the Secretary of State against the making or confirmation of a Tree Preservation Order. Once the Order has been confirmed though, an aggrieved, interested party may, within six weeks of the date of confirmation, apply to the High Court to have the decision reviewed

#### **Staffing Implications**

16. None.

#### **Risk Management Implications**

17. None.

#### **Consultations**

18. **Councillor Mrs A Elsby** (local Member) has been consulted.

19. **Councillor SGM Kindersley** (local Member) supports the making of this TPO.

#### **Recommendations**

20. It is **recommended** that the Committee authorise officers to make and serve a Tree Preservation Order in respect of trees at Rosehaven, 110 Cinques Road, Gamlingay and, subject to there being no formal objection, which is not withdrawn and which therefore triggers a site visit, to confirm the Order in due course.

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

- Tree Preservation Orders – A Guide to the Law and Good Practice, Department of the Environment, Transport and the Regions 2000
- Documentation relating to this proposed Tree Preservation Order on a file maintained by the Trees and Landscape Section

**Contact Officer:** Ian Senior – Democratic Services Officer  
Telephone: (01954) 713028

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**APPENDIX 2**

**First Schedule**  
01/05/SC - Gamlingay

<b><u>N° on Map</u></b>	<b><u>Description</u></b>	<b><u>Situation</u></b>
<b><u>Individual Trees</u></b> (Circled in black on the map)		
T1	Ash	Situated in the Northern boundary of Rosehaven, 110 Cinqes Road, Gamlingay
T2	Sweet Chestnut	Situated in the Northern boundary of Rosehaven, 110 Cinqes Road, Gamlingay
T3	Sweet Chestnut	Situated in the Northern boundary of Rosehaven, 110 Cinqes Road, Gamlingay
T4	Sweet Chestnut	Situated in the Northern boundary of Rosehaven, 110 Cinqes Road, Gamlingay
T5	Rowan	Situated in the Northern boundary of Rosehaven, 110 Cinqes Road, Gamlingay
T6	Rowan	Situated on the Eastern boundary of Rosehaven, adjacent to North Lane, Gamlingay
T7	Rowan	Situated on the Eastern boundary of Rosehaven, adjacent to North Lane and opposite lamp post SC39

**APPENDIX 2****Groups of Trees**

(Within a broken black line on the map)

G1	2 Oak 2 Hazel 1 Rowan	Situated in the North West corner of Rosehaven, 110 Cinques Road, Gamlingay
G2	1 Ash 1 Crack Willow 2 Field Maple 3 Oak 1 Goat Willow 3 Hazel 1 Scots Pine	Situated on the Northern boundary, adjacent to Drove Road on the property of Rosehaven, 110 Cinques Road, Gamlingay
G3	1 Field Maple 2 Ash 2 Oak 3 Hazel	Situated on the North Eastern boundary of Rosehaven, 110 Cinques Road, Gamlingay
G4	13 Crack Willow 21 Hawthorn 13 Oak 8 Hazel 11 Holly 17 Birch 20 Goat Willow 6 Field Maple 2 Scots Pine 2 Pine 2 Larch 2 Mountain Pine 1 Alder 2 Ash 2 Rowan	Situated running from the Northern boundary to the Southern boundary of Rosehaven, through the centre of the smallholding.
G5	2 Beech 2 Silver Birch 2 Willow	Situated on the Southern boundary of Rosehaven adjacent to Cinques Road, Gamlingay.

**Areas of Trees**

(Within a dotted black line on the map)

**NONE**

**Woodland**

(Within a solid black line on the map)

**NONE**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation  
Control Committee

2<sup>nd</sup> February 2005

**AUTHOR/S:** Finance and Resources Director

**Tree Preservation Order – Longstanton**

**Recommendation: To make an Order**

**Purpose**

1. To seek the Committee's authority to make and serve a Tree Preservation Order in respect of land at Pole Barn Farm, Woodside, Longstanton.

**Effect on Corporate Objectives**

1.	Quality, Accessible Services	Not applicable
	Village Life	The presence and protection of the natural environment enhances the quality of village life.
	Sustainability	The presence and protection of trees helps to control pollution levels, and therefore contributes to the Council's commitment to the climate change agenda. Trees provide an important micro habitat for both flora and fauna.
	Partnership	Not applicable

**Background**

3. Local planning authorities may make Tree Preservation Orders if it appears to them to be, "expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area." (Town and Country Planning Act 1990, section 198(1)).
4. The Act does not define the word "amenity", nor does it set out the circumstances in which it is the interests of amenity to make a Tree Preservation Order. However, the Secretary of State takes the view that TPOs should be used to protect selected trees and woodlands if their removal would be likely to have a significant impact on the local environment and on the general public's enjoyment of that environment. Local authorities should be able to demonstrate a degree of public benefit before they make a Tree Preservation Order. For example, the tree should be visible from the Highway or some other public place.
5. Local planning authorities should be prepared to explain to landowners why their trees or woodlands have been made the subject of a Tree Preservation Order. Factors, which the LPA might take into account, include:
  - visibility from a public place
  - individual impact of the tree – its size, form, future potential, rarity and so on
  - wider impact of the tree, given its suitability in its particular location and the presence of other trees in the vicinity

6. Even if a Tree Preservation Order is desirable on amenity grounds, it may still not be expedient to make it if, for example, the tree or woodland, is under good arboricultural management. However, it may be expedient to make an Order if, say, it is likely that the tree would be cut down, or otherwise pruned in such a way as to have a significant impact on the amenity of the area.

### **Considerations**

7. The land in question is at Pole Barn Farm, Woodside in Longstanton. A plan of the area is attached at **Appendix 1**.
8. A schedule of trees is attached at **Appendix 2**.
9. Following a change of land ownership, the Trees and Landscape Officer considers it appropriate to protect the groups of young trees that were planted by the owner of Pole Barn Farm approximately 25 years ago. The groups of trees provide a visual buffer to Pole Barn Farm, while contributing to the local environment visually and environmentally

### **Options**

10. The Development and Conservation Control Committee must determine whether or not to impose a Tree Preservation Order in this instance.

### **Financial Implications**

11. The Council has made budget provision for Tree Preservation Orders.

### **Legal Implications**

12. The landowner is Mr Colin Hicks of The Retreat, Fews Lane, Longstanton. The District Council would serve an Order and Notice on Mr Hicks and send copies to other "interested parties", including neighbours and utilities.
- 13.. If made, the Order would take effect, provisionally, upon due service of it, and remain in force as such for six months or until confirmed, whichever is the sooner, Following service, those affected would have a period of not fewer than four weeks during which they could object to the Order. Such objections must be in writing and can be made for any reason, including:
  - to challenge the LPA's view that it is expedient in the interests of amenity to make the Order
  - to claim that a tree included in the Order is either dead, dying or dangerous
  - to claim that a tree is causing damage to property
  - to point out errors in, or uncertainties with, the Order
  - to claim procedural irregularities
14. If an objection is received within the stated period, the Council must carry out a site visit. Members must take into account all objections and other representations before deciding whether or not to confirm the Order. The Council can either:
  - confirm the Order, having not received any objections
  - confirm the Order, without modification, having considered objections but rejected them

- confirm the Order, subject to such modifications it deems expedient
- decide not to confirm the Order

15.. There is no right of appeal to the Secretary of State against the making or confirmation of a Tree Preservation Order. Once the Order has been confirmed though, an aggrieved, interested party may, within six weeks of the date of confirmation, apply to the High Court to have the decision reviewed

#### **Staffing Implications**

16. None.

#### **Risk Management Implications**

17. None.

#### **Consultations**

18. **Councillor A Riley** (local Member) has been consulted.

#### **Recommendations**

19. It is **recommended** that the Committee authorise officers to make and serve a Tree Preservation Order in respect of trees at Pole Barn Farm, Woodside, Longstanton and, subject to there being no formal objection, which is not withdrawn and which therefore triggers a site visit, to confirm the Order in due course.

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

- Tree Preservation Orders – A Guide to the Law and Good Practice, Department of the Environment, Transport and the Regions 2000
- Documentation relating to this proposed Tree Preservation Order on a file maintained by the Trees and Landscape Section

**Contact Officer:** Ian Senior – Democratic Services Officer  
Telephone: (01954) 713028

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**First Schedule**02/05/SC -  
Longstanton

<b><u>N° on Map</u></b>	<b><u>Description</u></b>	<b><u>Situation</u></b>
<b><u>Groups of Trees</u></b> (Within a broken black line on the map)		
G1	7 Silver Birch, 3 Horse Chestnut, 3 Norway Maple, 2 Alder, 8 Ash, 4 Field Maple, 2 Walnut and 1 Lime	Situated on the South East boundary of Pole Barn Farm, Longstanton
G2	2 Ash, 1 Horse Chestnut, 2 Norway Maple	Situated within the farmyard of Pole Barn Farm, in the Eastern corner.

**Individual Trees**

(Circled in black on the map)

NONE

**Areas of Trees**

(Within a dotted black line on the map)

NONE

**Woodland**

(Within a solid black line on the map)

NONE

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation  
Control Committee

2nd February 2005

**AUTHOR/S:** Finance and Resources Director

**Tree Preservation Order – Longstanton**

**Recommendation: To confirm without modification**

**Purpose**

1. To review Tree Preservation Order no.08/04/SC, made under delegated powers at Rampton Drift, Longstanton..

**Effect on Corporate Objectives**

2. Quality, Accessible Services	Not applicable
Village Life	The presence and protection of the natural environment enhances the quality of village life
Sustainability	The presence and protection of trees helps to control pollution levels, and therefore contributes to the Council's commitment to the climate change agenda. Trees provide an important micro habitat for both flora and fauna.
Partnership	Not applicable

**Background**

3. Once made, Tree Preservation Orders remain in force for a provisional period of six months, but can be confirmed at any time.

**Considerations**

4. Tree Preservation Order 08/04/SC was made on 25th October 2004. A plan is attached at **Appendix 1** and the Schedule at **Appendix 2**.
5. The Council made the Tree Preservation Order because provision was made for the retention of the trees within the recent planning permission for the development of this site. The trees located on the site are considered important as they provide a visual buffer to the front of the site
6. The statutory period for the registering of objections to the Order ended on 24<sup>th</sup> November 2004.. There were no objections.
7. **Longstanton Parish Council** supports this Tree Preservation Order.

**Options**

8. Under the legislation, the Council can confirm a Tree Preservation Order, confirm it subject to modification, or decide not to confirm it.

**Financial Implications**

9. There are no financial implications.

**Legal Implications**

10. There are no legal implications.

**Staffing Implications**

11. There are no staffing implications.

**Risk Management Implications**

12. There are no risk management implications.

**Conclusion**

13. TPO number 08/94/SC remains provisionally in force until 24th April 2005.. By confirming it now, the Council will ensure that the Tree Preservation Order remains in force beyond that date.

**Recommendations**

14. It is **recommended** that Tree Preservation Order 08/04/SC in Longstanton be confirmed without modification..

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

- Tree Preservation Order no. 08/04/SC In Longstanton and the relevant file maintained by the Trees and Landscape Section
- Letter dated 8th November 2004 from Longstanton Parish Council

**Contact Officer:** Ian Senior – Democratic Services Officer  
Telephone: (01954) 713028

**First Schedule**

<b><u>N° on Map</u></b>	<b><u>Description</u></b>	<b><u>Situation</u></b>
<b><u>Individual Trees</u></b> (Circled in black on the map)		
T1	Lime	Situated in the Eastern corner of the site located at Rampton Drift
T2	Whitebeam	Situated in the Eastern corner of the site located at Rampton Drift
T3	Horse Chestnut	Situated on the Northern edge of the site at Rampton Drift, running parallel with Rampton Road
T4	Horse Chestnut	Situated on the Northern edge of the site at Rampton Drift, running parallel with Rampton Road

**Areas of Trees**

(Within a dotted black line on the map)

**NONE****Groups of Trees**

(Within a broken black line on the map)

**NONE****Woodland**

(Within a solid black line on the map)

**NONE**

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