

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Development and Conservation Control Committee held on
Friday, 13 May 2005 at 9.30 a.m.

PRESENT: Councillor Dr JPR Orme – Chairman
Councillor NIC Wright – Vice-Chairman

Councillors:	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	SM Edwards
	R Hall	Mrs SA Hatton
	Mrs JM Healey	Mrs EM Heazell
	Mrs CA Hunt	SGM Kindersley
	MJ Mason	Mrs CAED Murfitt
	CR Nightingale	EJ Pateman
	JA Quinlan	Mrs DSK Spink MBE
	JH Stewart	JF Williams
	Dr JR Williamson	SS Ziaian-Gillan

Councillor JA Hockney was in attendance, by invitation.

Apologies for absence were received from Councillors Mrs A Elsby, HC Hurrell, Mrs JA Muncey, A Riley, Mrs DP Roberts, RJ Turner and TJ Wotherspoon.

1. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as correct records, the Minutes of the meetings held on 2nd March 2005 and 6th March 2005.

2. ,S/0530/05/F - HASLINGFIELD

APPROVAL, as amended by plan no. SF.04./10/A date-stamped 25th April 2005, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, expanded to require the provision sufficient space to allow vehicular access to and from the site, and turning thereon.

3. S/2379/01/O - IMPINGTON

Report **NOTED** pending the presentation of a full report to the Development and Conservation Control Committee in July 2005.

Councillor JP Chatfield (a local Member) sent apologies for absence.

4. S/2604/04/F - IMPINGTON

DEFERRED to enable further discussions to take place between the Local Planning Authority and applicant in connection with noise attenuation, design and road issues. Members asked officers to tell the applicant that this represented a final opportunity for it to present non-noise sensitive uses acceptable to the Local Planning Authority.

Councillor JP Chatfield (a local Member) sent apologies for absence.

5. S/0520/05/F - LINTON

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement covering the financial contribution to cover the cost of providing two additional places at Linton Village College and the Conditions referred to in the report, with an additional informative that the Local Planning Authority would consider this as the first part of any future development adjoining the site so as to secure an element of affordable housing and open space at that time.

6. S/2445/03/F - LINTON

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

7. S/0475/05/O - LONGSTANTON

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

8. S/0200/05/F - MELBOURN

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the prior completion of a Section 106 Legal Agreement revoking consent for the remainder of the works approved under consent Ref: S/0073/99/F.

Councillor JA Quinlan declared a prejudicial interest (and withdrew from the Chamber) by virtue of having acted in the past on behalf of the applicants in a professional capacity.

9. S/0402/05/F - MELBOURN

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

10. S/0588/05/F - GT & LT CHISHILL

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

11. S/0587/05/F - ORWELL

APPROVAL, contrary to the recommendation contained in the report from the Director of Development Services,, with Members voting not to request a site visit beforehand. Members felt that the spacious nature of the site and its relationship to adjacent properties did not contravene Policy HG/12 of the South Cambridgeshire Local Plan 2004.

12. S/0538/05/F - PAPWORTH EVERARD

APPROVAL, contrary to the recommendation contained in the report from the Director of Development Services. Members felt that the variety brought about by the development would improve the street scene and would not contravene Policy HG/12 of the South Cambridgeshire Local Plan 2004. The two car parking spaces adjacent should be retained.

13. S/0306/05/F - SAWSTON

DELEGATED APPROVAL / DELEGATED REFUSAL. Approval if the application is amended so that the rear of the two-storey part of the extension projects no further back than the rear of No.10. Refusal if it is not so amended on the grounds that the development would lead to a loss of light to and be overbearing to No.10. Approval would

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

14. S/0393/05/F - SAWSTON

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the prior receipt of a unilateral undertaking that there will not be any deliveries of vehicles to, or collection of vehicles from, the site by Heavy Goods Vehicles or low-loaders.

Cllr Dr DR Bard declared a personal interest as a family member had recently been a customer of the applicant.

15. S/0313/05/F - TEVERSHAM

APPROVAL, as amended by e-mail dated 8th April 2005, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein.

16. S/0620/05/F - TEVERSHAM

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

17. S/0615/05/F - GT WILBRAHAM

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

18. S/0562/05/F - LT WILBRAHAM

APPROVAL in line with the amended recommendation contained in the report from the Director of Development Services.

19. S/0455/05/O - STOW-CUM-QUY

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

20. S/0524/05/F - LANDBEACH

REFUSED for the reasons set out in the report from the Director of Development Services and an additional reason relating to the increase in traffic, resulting from the proposal, seeking to access a busy stretch of the A10.

21. S/0391/05/F - WATERBEACH

DEFERRED for a site visit.

22. S/0462/05/F - WATERBEACH

REFUSED contrary to the recommendation contained in the report from the Director of Development Services.. Members considered the proposed layout to be poor in the context of the one on the adjacent site, that it was overbearing on the existing properties to the west, and that it did not represent the best use of land.

Councillor SGM Kindersley declared a prejudicial interest by virtue of being related to some of the Directors of the applicant company, and withdrew from the Chamber.

23. S/0497/05/F - THRILOW

On behalf of South Cambridgeshire District Council as a statutory consultee, the Committee **RESOLVED** to respond to consultation by Cambridgeshire County Council, by expressing serious concerns in relation to the adverse health impacts of the site, and particularly dioxin emissions, but making no other specific comments on this application. It was suggested that any permission should be conditional upon a reduction in the total tonnage of waste that can be processed each year at the site. The concerns raised by Councillor JA Quinlan (local Member) and local residents would also be conveyed to the County Council.

24. S/0438/05/F - SHEPRETH

APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Members felt that the proposal would not harm the viability of nearby stores or have an adverse impact on the area. There was adequate on-site parking. Access was reasonable. Members requested that Conditions be imposed restricting the consent to the first occupier of the premises and the property's use to that of furniture / soft furnishing retail.

25. S/0543/05/F - BASSINGBOURN

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

26. S/0516/05/F - ELTISLEY

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and an informative drawing attention to the public drain in the immediate vicinity of the proposal.

Councillor Mrs DSK Spink declared personal interests as an adjacent landowner and member of Eltisley Parish Council, although she had not contributed to the debate when that Parish Council had considered this application.

27. S/6227/03/RM - GT CAMBOURNE

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to Conditions relating, among other things, to those issues referred to therein.

28. S/0483/05/F - CASTLE CAMPS

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to the receipt of a landscaping scheme acceptable to the Local Planning Authority, to the Conditions referred to in the report, and to agreement over the species of trees to be planted.

29. S/0551/05/F - COMBERTON

APPROVAL for the reasons set out in the report from the Director of Development

Services, subject to the Conditions referred to therein, Condition 2 being expanded to require details of design and the extent of the hardstanding.

Councillor Dr SA Harangozo (the local Member) sent apologies for absence.

30. S/0552/05/F - COMBERTON

APPROVED for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein with Condition 2 being expanded to cover materials for the parking area.

Councillor Dr SA Harangozo (the local Member) sent apologies for absence.

31. APPROVED AS REPORT.S/2412/04/F - COTTENHAM

APPROVAL, as amended by letter and Flood Risk Assessment dated 14th March 2005 and referenced FRA02/3_jed., for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

32. S/0467/05/RM - DUXFORD

Members noted that this application had been **WITHDRAWN**.

33. S/1154/04/F- FULBOURN

APPROVAL as amended by letter and Traffic Analysis dated 1st February 2005, and letter and Drawing No. 6799/SK002/A, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein..

34. S/2194/01/F- GAMLINGAY

REFUSED in line with officers' revised recommendation on the grounds of the unacceptable impact on the rural character of the countryside by virtue of removing the hedge, absence of an Environmental Impact Statement, the effect of aircraft noise, and adverse effect on views as people enter the village from Little Gransden and Hatley.

35. S/2193/01/F - GAMLINGAY

REFUSED contrary to officer recommendation.

36. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

- Decisions notified by the Secretary of State
- Appeals received
- Local Inquiry and Hearing dates scheduled before the next meeting on 1st June 2005
- Advance notification of future local inquiry and informal Hearing dates (subject to postponement or cancellation)

37. APPEAL STATISTICS

The Committee **NOTED** planning appeal statistics for the period from 1st January 2005 to

31st March 2005.

38. ANTI-SOCIAL BEHAVIOUR ACT: 2003 - IMPLEMENTATION OF HIGH HEDGES PROVISIONS

The Committee considered a report on the implications of the enactment of Section 8 of the Anti-Social Behaviour Act relating to high hedges' control and enforcement, and outlining a protocol for dealing with such complaints, until the full resource implications had been determined. The Council would not expect there to be any applications until at least September 2005, thus allowing individuals a three-month period in which to assess the implications of involving the Authority in such matters.

The Conservation Manager said that Section 8 should be seen as a last resort, with the Council encouraging the private resolution of neighbour disputes arising out of the presence of high hedges.

Members requested that parish councils be kept informed of any issues flowing from this part of the Act, short of formal consultation.

Members discussed the extent to which the legislation could be enforced, and concluded that it was not relevant in the case of root systems.

The Head of Legal Services commented on specific aspects of the proposed scheme of delegation.

It was **RESOLVED**

- (1) that the protocol for dealing with complaints about High Hedges, under Section 8 of the Anti-Social Behaviour Act 2003, as outlined in the report from the Director of Development Services, be endorsed;
- (2) that the scheme of delegation of powers to officers, as set out in Appendix 1 to the report be approved, subject to the removal of all references to the Head of Legal Services and Solicitors who, in the usual way, would be instructed by the Director of Development Services, if required; and
- (3) That a full refund be given of the fee paid where a Tree Preservation Order is place on the hedge in question; and

It was **RECOMMENDED** that Cabinet

- (1) Sets a fee of £450 (to be reviewed annually) in respect of complaints under these provisions if there has been no formal mediation;
- (2) That, in the event of the number of received cases exceeding the equivalent of one day a week, assessed during an initial three-month period, a new post of a High Hedges Enforcement Officer be established, financed by the receipt of fees; and
- (3) That, In the event that formal mediation has been undertaken, there should be a reduction in the fee, equivalent to the costs incurred by attempting formal mediation, up to a maximum reduction of £150, subject to there being evidence of such formal mediation and the cost thereof.

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

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

The Committee had lifted the “embargo” on issuing planning permissions for market housing at Cambourne at the March meeting, in order for the developers’ consortium to progress the legal matters associated with the provision of the trailer park. The Head of Legal Services reported verbally that construction of the trailer park was underway, and that ongoing negotiations were proving to be positive. He was confident that completion should take place by the end of June 2005.

It was **RESOLVED**

- (1) that the Council should not re-impose the embargo at this stage, but reaffirm its stance in relation to seeking substantial compliance with the Section 106 Legal Agreement dated 20th April 1994
- (2) that the situation be reviewed at the Committee’s meeting in August 2005.

The Meeting ended at 3.15 p.m.

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GALLAGHER

ESTATES

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REPLY TO: 

REPLY TO: 

5th April 2005

Our ref: AJ/jms/ge778/04

David Hussell
Director of Development Services
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge CB3 6EA

For the attention of John Pym

Dear John

ARBURY CAMP, CAMBRIDGE – REMOVAL OF HEDGEROWS, MARCH 2005

I refer to your letter dated 31st March 2005 in connection with the work that has been done to the hedges on the Arbury Camp site at Kings Hedges Road. Our Project Engineer, Steve Riley, wrote to you about this on 30th March 2005 to explain the circumstances.

Steve tells me that initial contact was made with your Council by letter dated 17th January 2005 with a view to cutting and trimming hedges where this was required to implement the accesses from Kings Hedges Road, for which full Planning Permission was granted last year. Quotations were sought from contractors at this time. An initial site meeting with Officers from your Council, the County Council and our landscaping and ecology consultants took place on 4th February 2005. The scope of works was discussed and as a result the extent of hedge cutting on the site was reduced and a revised plan submitted to your Council.

Gallagher appointed contractors in mid-February and a second site meeting took place on 23rd February 2005 with the same people as before and with the contractor in attendance, who was to start work as soon as possible after the meeting.

The earliest the contractor could mobilise to start work following this second meeting late in February was the week commencing 7th March 2005 and the intention was to finish during the week commencing 21st March 2005. He was told that no further cutting was to take place after the 25th March. The field hedge cutting was carried out first and completed during the first week with the cutting and shredding of the conifers following quickly after. The work to the remaining hedges was completed by 21st March, although the shredding of the arisings has continued since the Easter break.

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The contractor tells us that he has flayed the hedges which has left them in an untidy state, and that he would normally go back over the work and tidy it with a tractor mounted saw. However, due to the adverse reaction to the work, Steve Riley has instructed the contractor not to undertake any further trimming. Steve will be inspecting the site tomorrow, Wednesday 6th April.

The latest version of the Biodiversity and Ecological Management Plan was produced by CPM consultants on 23rd February 2005 and will be submitted for approval under the requirements of a Condition to be attached to the Outline Planning Permission when issued. Details of landscaping for the accesses were submitted to you on 1st March 2005 for discharge under the Conditions attached to the Planning Permissions (S/1956/02/F and S/0352/03/F).

Your letter refers to grass cutting in the Management Plan but the document confirms that only a limited range of common birds were found to utilise the site's hedges and eastern rough grassland areas for nesting and that nesting usually occurs between March and the end of July. Although the hedge cutting work took place during early to mid-March at the beginning of the nesting season, the exceptionally cold weather at that time will have minimised any disturbance to birdlife.

As you will see from the account given above every reasonable effort was made by our contract engineer to involve our ecological and landscaping consultants and the Council's specialist officers prior to the work being carried out, which was unfortunately thereafter delayed following the second meeting which could not be held until late February. The works were however carried out as soon as possible in March to minimise any disturbance to birdlife.

However, please accept my reassurance that in future our consultants will continue to be made aware of the requirements of the Management Plan, and other strategies and documents, which have been prepared for this site.

Yours sincerely

Alan Joyner, FRICS; Dip TP, FRTPI. DPA
Projects Director
E-mail: alan.joyner@jigallagher.co.uk

cc. Steve Riley
Andy Lawson

4. S/2445/03/F - LINTON
DEMOLITION OF EXISTING DWELLINGS AND ERECTION OF 10 FLATS AT 6-8
CAMBRIDGE ROAD FOR MOORE ASSOCIATES

SITE AND PROPOSAL

1. The application site is a 0.39 acre (0.16 hectare) area of land sited on the north side of Cambridge Road, approximately 65 metres west of its junction with the High Street. The site comprises a pair of extended flint cottages situated towards the frontage of the plot and fronting Cambridge Road. The existing point of vehicular access is at the eastern edge of the site. To the north is a terrace of 4 dwellings that are accessed by a road that lies beyond the western edge of the site. Beyond this access to the west is the Cambridge Van Centre whilst to the east is a bungalow.
2. The full application, submitted on 1st December 2003, and amended on 4th February 2004, seeks consent for the erection of 10 2 bedroom flats on the site following the demolition of the existing dwellings. The scheme comprises a terrace of 5 gables fronting onto Cambridge Road resulting in a 'saw-tooth' profile. The dwellings would be 2 storey, 8 metre high properties containing 2 flats per gable and comprising brick and light stained timber boarded walls and slate roofs. The existing access at the eastern edge of the site would be closed off with access to the site being gained via the driveway serving Nos. 12-18 Cambridge Road to the north/rear. The dwellings would be served by a rear driveway running along the northern boundary of the site and providing access to 15 parking spaces. The density of the scheme equates to 62 dwellings/hectare.
3. Covering letters submitted with the original application and amended plans state that the scheme has been arranged as a series of gabled and half gabled ends onto the street to provide a terrace to the street front. This gable treatment breaks down the overall scale of the proposal and clearly identifies each pair of flats. A bin collecting area and cycle park are provided to the rear and ample amenity space is arranged between the access points to the flats and the parking layout to the rear.

HISTORY

4. S/1218/02/F – An application to erect 2 bungalows on the site, 1 on either side of the existing pair of flint cottages, was refused as their design was considered to be incongruous and out of keeping with the character of the existing cottages to the detriment of the street scene. In addition, the bungalows were considered to affect the outlook from the existing cottages whilst proposed parking and turning areas adversely affected the amenities of occupiers of adjacent properties.

POLICY

5. The site lies within the village framework. Linton is identified within Policy SE2 of the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement. In such locations, the policy states that residential development and redevelopment will be permitted on unallocated land providing:

- The retention of the site in its present form is not essential to the character of the village;
 - The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - The village has the necessary infrastructure capacity.
6. In addition, the policy 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 dwellings per hectare unless there are strong design grounds for not doing so.
 7. Policy HG7 of the Local Plan requires affordable housing to be provided at a rate of up to 30% on sites within village frameworks with a population in excess of 3000 and where the proposal involves the erection of 10 or more houses.
 8. Policy HG10 of the Local Plan requires residential developments to contain a mix of units providing accommodation in a range of types, sizes and affordability, making 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 should achieve high quality design and distinctiveness.
 9. The site lies just beyond the western edge of the village Conservation Area. Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 requires development to protect and enhance the quality of the historic built environment whilst Policy EN30 of the Local Plan states that development in Conservation Areas or affecting their setting will be expected to preserve or enhance the special character and appearance of the area especially in terms of their scale, massing and materials.
 10. Policy P1/3 of the County Structure Plan generally stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

CONSULTATIONS

11. The comments of Linton Parish Council in respect of the amended plans will be reported verbally at the Committee meeting. However, objections were raised to the original application for the following reasons:
 - The two dwellings to be demolished are original flint cottages circa 1840's and should be conserved;
 - The proposed redevelopment is for EIGHT metre high dwellings and totally destroys the street scene on the approach to the best Conservation Area in the District;

- The access road shown as to be utilised by the developers is owned by the County Council – have they been advised and/or given permission for it to be used?;
 - County Highways should be approached immediately for comments on the proposed access of upwards of 20 car movements twice daily from this extremely dangerous side track onto the A1307;
 - Councillors agree that should any development on this site be agreed, then Highways should insist on a minimum of a 'left turn only' out of the development;
 - Councillors are aware of objections from the residents (4 only at present) who have to use this access road to the proposed increase in cars;
 - Councillors strongly object to the design of the dwellings, not at all compatible with the surroundings.
12. The Conservation Manager raises no objections to the amended plans, stating that they go a long way towards addressing concerns raised in respect of the original plans. The layout has been revised as requested to produce a simpler form to the development with a central range of 3 identical units, and a cross ridge has been introduced with projecting gables at either end. The demolition of the pair of flint cottages is regrettable but, if they are to be lost, they should be replaced with a building of some architectural merit.
The revised proposals are considered to be of sufficient merit for the scheme to be approved especially given the increased site density achieved by the redevelopment.
13. The Chief Environmental Health Officer expresses concern that problems could arise from noise. Limited noise readings indicate that noise levels would fall within Noise Exposure Category B or C for road traffic noise and the applicant should therefore determine which category applies and take appropriate measures to protect the properties from the noise source. In addition, it is recommended that a condition be applied to any consent restricting the hours of use of power operated machinery and requiring details of driven pile foundations if proposed.
14. The Environment Agency raises no objections in principle but notes that the application does not consider sufficiently issues of surface water drainage and therefore recommends that a condition requiring such details be applied to any planning consent.
15. Anglian Water raises no objections, stating that foul water flows from the development can be accommodated within the existing system. Details would need to be conditioned as part of any planning consent.
16. The comments of the Local Highways Authority will be reported verbally at the Committee meeting.

REPRESENTATIONS

17. Letters of objection have been received from 4 local residents, Nos. 8, 12 and 18 Cambridge Road and No. 17 Joiners Road. The main points raised are:

- The development would be out of character with the area and would adversely affect the street scene;
- The limited access onto the A1307 is inadequate for the number of traffic movements proposed;
- The bulky nature of the development will adversely affect the amenities of the neighbouring properties;
- The two historically valuable flint cottages are being sacrificed for development of little architectural value;
- The driveway splays encroach onto the driveway serving Nos. 12-18 Cambridge Road to the north;
- There is a busy pedestrian/cycle path across the driveway giving access to pupils commuting to and from the Village College;
- The residents of Nos. 12-18 maintain the driveway and do not wish to see access onto this road. Access should be on the eastern side of the site;
- Where will overspill vehicles park?
- The proximity of the parking area to Nos. 12-18 could result in noise disturbance to the occupiers of these properties;
- The dwellings would overlook gardens to the rear/north;

PLANNING COMMENTS

Key Issues – Impact upon street scene/character of Conservation Area Residential Amenity Highway Safety Affordable Housing

Impact upon street scene/character of Conservation Area

18. The site comprises a pair of traditional flint cottages that lie just beyond the western edge of the village Conservation Area. Concerns have been raised by the Parish Council and local residents to the loss of these cottages. However, whilst the Conservation Manager considers their loss to be regrettable, he also acknowledges that it would not be possible to achieve the density of development proposed on the site whilst retaining the cottages. On balance, he considers the amended scheme to be of sufficient architectural merit and a sufficient enhancement to the character of the street scene and of the adjacent Conservation Area to warrant approving the application.
19. The Parish Council has expressed concern about the height and scale of the dwellings and their subsequent impact upon the street scene and character of the area. There are two storey dwellings in the immediate vicinity of the site and, indeed, on the site itself at present. I therefore do not consider a refusal could be substantiated on the basis of the height of the dwellings, particularly in light of the lack of objection from the Conservation Manager.

Residential Amenity

20. Concerns have been expressed by local residents on the basis that the proposed scheme would result in overlooking of their private garden areas. The existing pair of cottages has one first floor rear/north facing window. The proposed development extends deeper into the site than the existing cottages

and comprises a number of first floor bedroom windows in the rear elevation. However, these windows are sited in excess of 20 metres away from the south side elevation of No. 12 Cambridge Road thereby avoiding any undue overlooking between the existing and proposed properties.

21. No first floor windows are shown facing eastwards towards the bungalow at No. 2 Cambridge Road. I am concerned that any windows inserted in this elevation at a later date would adversely affect the privacies of this neighbour and, should Members be minded to grant consent for the scheme, it would be necessary to apply a condition preventing any first floor windows being added to this elevation at a later date without planning permission.
22. With respect to the proposed parking and driveway areas at the rear of the site, I am generally satisfied that these can be provided without unduly affecting the amenities of neighbouring properties. The shared driveway has been set approximately 1 metre off the boundary with No. 12 Cambridge Road in order to allow some space for screening whilst the parking areas have been sited between the driveway and garden areas thereby minimising the number of vehicular movements occurring directly adjacent to the boundary. I am concerned, however, that if shingle/gravel were to be used for the surfacing of the driveway and parking areas, this could result in undue noise and disturbance to immediate neighbours. I would therefore recommend that any consent be conditional upon the provision of satisfactory details of these hard surfaced areas.
22. This Council's Environmental Health Officer has expressed concern about the amenities of future residents of the proposed flats due to the proximity of the development to road traffic noise from the A1307. Noise exposure categories B and C relate to situations where noise mitigation measures may be required in order to ensure that development is acceptable. Should Members be minded to grant consent for the scheme, it would be necessary to apply a condition requiring an assessment of noise exposure together with the implementation of appropriate mitigation measures prior to the commencement of any development.

Highway Safety

23. The comments of the Local Highways Authority are awaited and will be reported verbally at the Committee meeting. Prior to the application being submitted, Planning and Highways Officers met the applicant's agent on site in order to discuss the highway safety implications of the proposal. The use of the existing access to serve development of the scale proposed was considered to be unacceptable due to the proximity of this access to a bus stop/layby and to the junction of Cambridge Road with the High Street. The Highways Officer was generally satisfied that the existing access serving Nos. 12-18 Cambridge Road could be utilised without compromising highway safety although stipulated that the site must only accommodate a maximum of 10 dwellings.
24. This Authority's parking standards require an average of 1.5 spaces to be provided per dwelling. The proposal involves the erection of 10 flats and the provision of 15 parking spaces and the scheme therefore complies with the requirements of the Local Plan. Given that the flats are all small 2 bedroom units and in light of the proximity of the site to the centre of the village, I am

satisfied that the level of parking provided is satisfactory to accommodate the needs of residents as well as visitors to the site.

Affordable Housing

25. Linton has a population in excess of 3000 people. The proposed development represents a net gain of 8 dwellings and there would therefore not be a requirement for affordable housing in this instance.

RECOMMENDATION

26. Subject to no objections being received from the Local Highways Authority, delegated powers are sought to approve the application, as amended by plans date stamped 4th February 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 (Rc5aii);
3. Sc51 – Landscaping (Rc51);
4. Sc52 – Implementation of landscaping (Rc52);
5. Sc60 – Details of boundary treatment (Rc60);
6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
7. Sc22 – No windows at first floor level in the east elevation of the development (Rc22);
8. Surface water drainage details;
9. Foul water drainage details;
10. Restriction of hours of use of power operated machinery;
11. Assessment of noise exposure together with appropriate mitigation measures;

+ any conditions required by the Local Highways Authority

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: P1/3 (Sustainable design in built development) and P7/6 (Historic Built Environment);

- b) South Cambridgeshire Local Plan 2004: SE2 (Development in Rural Growth Settlements),
 - c) HG10 (Housing Mix and Design) and EN30 (Development in/adjacent to 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:
- Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
- 3) All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	7 th July 2004
AUTHOR/S:	Director of Development Services	

**S/2194/01/F – Gamlingay
Erection of Egg Production Unit and Storage Building together with Access,
Land at Station Road, for Mr I Quince**

Recommendation: Delegated Approval

Members will visit this site on Monday 5th July 2004

Site and Proposal

1. This full application, submitted on 19th November 2001, proposes the erection of an egg production unit and associated storage building within a 20ha area of agricultural land to the north of Station Road, Gamlingay. An Environmental Impact Assessment (EIA) was submitted on 25th September 2003 and can be viewed as part of the background papers.
2. The majority of the site is to the north of the former route of the Cambridge to Bedford Railway line. It is bounded to the north by Millbridge Brook with agricultural land beyond extending to Long Lane. To the west of the site is Merton Grange and a dwelling fronting Station Road, and to the east agricultural land. The site is 1.6km from Gamlingay Wood and 1.5km from Potton Wood, both of which are designated Sites of Special Scientific Interest (SSSI)
3. The proposed egg production building is to be located 100m to the north of the former railway line, 130m from the boundary with Merton Farm. The building measures 77.7m x 15.85m (1230m²) with a ridge height of 6.9m (1.8m to eaves) and straddles an existing field boundary. Materials are to be agreed.
4. The storage building, which measures 20.5m x 14.5m (300m²) and has a ridge height of 8m (5m to eaves), is located 60m to the south of the main building, 20 metres to the north of the former railway line. It is a steel framed building with green box profiled sheeting are profiled.
5. A new vehicular access into the site is proposed from Station Road, which has to cross the former track bed.
6. An area of land varying in depth between 65m and 95m to the south of Millbridge is shown as being within the indicative flood plain
7. A report and additional supplementary information submitted in support of the application is attached as Appendix 1.

Planning Policy

8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location; where there is an unacceptable risk to the quality of ground or surface water and; where there could be damage, destruction or loss to areas that should be retained for their biodiversity, historic, archaeological, architectural and recreational, value.
9. **Policy CS3** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that development of sites where drainage to a public sewer is not feasible will not be permitted if proposed alternative facilities are considered inadequate and would pose an unacceptable risk to the quality or quantity of ground or surface water, pollution of local ditches, watercourses or sites of ecological importance.
10. **Policy CS4** of the Local Plan states that development will not be permitted which poses an unacceptable risk to the quality of the underlying groundwater.
11. **Policy CS5** of the Local Plan states that planning consent 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 by materially impeding the flow or storage of flood water; increase flood risk in areas downstream due to additional surface water runoff or; increase the number of people or properties at risk.
12. **Policy EN1** of the Local Plan 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.
13. **Policy EN3** of the Local Plan states that in those cases where development is permitted in the countryside the Council will require that the scale, design and layout of the scheme, the materials used and landscaping works are all appropriate to the particular Landscape Character Area.
14. **Policy EN5** of the Local Plan requires trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.
15. **Policy EN9** of the Local Plan states that development proposals within or near to SSSIs will be subjected to special scrutiny and particularly account will be taken of any direct or indirect effects on the particular features giving rise to the designation.

Consultation

16. **Gamlingay Parish Council** recommends refusal. In respect of the original submission it commented. "Opposed on the grounds of the environmental impact of the unit, pollution of the water, noise from six thousand chickens, the dangerous access to the premises, the impact of the heavy vehicular traffic that would visit the site and the lack of an ADAS report justifying the application. Concern was also expressed that the building would be prominent from most accesses to the village".

17. In respect of consultation on the EIA the Parish Council commented as follows:
18. "Members are concerned that many issues appear to have been overlooked such as the impact of noisy, low flying acrobatic aircraft from Fullers Hill Airfield on the birds and what provisions would be in place for the removal of potentially large numbers of dead birds as a result.

In addition, many details remain vague such as how large amounts of chicken manure would be disposed of and how measures could be established to prevent any contamination of the water system. Details relating to storage for chicken feed which would necessarily involve a significant quantity of large silos have not been elaborated upon. Any large silos could not effectively be screened for many years until any hedging had matured. Concern was expressed over the potential for pest infestation as a result of the storage of such large quantities of food.

19. In particular, Council members remain concerned about the safety implications of accessing this site off a small road and at a point where the sight lines are restricted. It is felt that these safety implications and the impact of heavy vehicular traffic on this road have not been addressed.
20. Overall it was felt by the Council's Planning Committee members that this report raises more questions than it answers and that does very little to alleviate the concern expressed by this Council in its original recommendation of 12 December 2001. Planning Committee members continue to feel much disquiet over the long-term impact of such an operation - with its adjacent health, safety and environmental implications - would have on this community and trust these concerns will be taken into consideration by South Cambridgeshire District Council."
21. The **Local Highway Authority** states that access as shown is acceptable subject to conditions.
22. The comments of the **Chief Environmental Health Officer** in the form of two memorandums are attached as Appendix 2.
23. A subsequent memorandum from the Chief Environmental Health Officer states that the main concern previously expressed about how the disposal of carcasses would be conducted has now been addressed. Having visited the site again there is concern that if the conditions previously suggested are not followed there is potential, given the previous history at other similar sites, that complaints may occur resulting from odour and/or the presence of pests such as flies. Given the scale of the proposed business it is likely that any lapses in management are likely to cause concern to those occupying nearby residential dwellings.
24. **The Environment Agency** commenting in respect of the original submission recommends conditions requiring the submission of a scheme for foul and surface water drainage and pollution control. It also required further information in respect of the maximum number of birds to be kept on site at anyone time and the area of land they would occupy; the proposed method of manure storage and disposal; the proposed method of building clean-out procedure and the disposal of dead birds. It puts forward safeguarding comments.

25. In respect of the EIA it comments that the site is within Bedfordshire and River Ivel Drainage Board's area, and the Drainage Board should be consulted regarding surface water drainage 'quantitative proposals. It points out that any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting and its Consent for such works will not normally be granted except as a means of access.
26. The EIA states that there will be no impact from ammonia deposition on the SSSI's, however there is no data or analysis to back this up presented. There is no indication of prevailing winds or a footprint of the likely locations or concentrations of depositions. It is stated that there will be no impacts on Great Crested Newts as there are no ponds in the proposal area however a pond is marked both on the location map provided and the OS map.
27. In the planning application it indicates that trees are to be lopped/topped or felled. This is not referred to in the EIA. If trees are to be managed they should be checked for bats prior to work commencing and work should be timed to avoid the bird-breeding season. Both bats and nesting birds are protected under the Wildlife and Countryside Act 1981 as amended. Any tree planting should be of native species preferably of local source to increase the biodiversity benefits of the planting.
28. The assumption appears to have been made that dirty water storage can be restricted to that likely to be generated in a 24 hour period, presumably on the assumption that the effluent can be spread on surrounding farmland without causing pollution. A contingency plan needs to be in place to cover periods when this may not be possible due to climatic conditions.
29. There is no reference to storage, use and disposal of disinfectants, veterinary medicines etc.
30. The fuel for the generator is unclear. If it is diesel then the tank will need to be bunded in accordance with best practice.
31. Further information is required on surface water disposal from the site. Properly designed and maintained swales would be preferable. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
32. In response to the additional information received the Environment Agency notes the replies and comments in respect of Ammonia that if the building is to house more than 40,000 birds it will require registration with the Agency.
33. In respect of foul water drainage/pollution prevention it comments that foul drainage from the development may be discharged to a septic tank and soakaway system designed to meet BS standard BS6297:1983 provided that there is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10 metres of any ditch or watercourse, or within 50 metres of a well, borehole or spring. Porosity tests should be carried out to demonstrate that suitable subsoil and land area is available for the soakaway.

34. All washdown and disinfectant waters from cleaning of the henhouses should be contained within a sealed vessel and disposed of off-site. Waste from the development and running of the site must be re-used, recycled or otherwise disposed of in accordance with waste management legislation.
35. The **Bedfordshire and River Ivel Internal Drainage Board** notes that the proposed method of storm water disposal is by way of soakaways. It is essential that soakaways be investigated and, if ground conditions are found satisfactory, constructed in accordance with the latest Building Research Establishment Digest. In the event soakaways are found not to be suitable any direct discharge to the nearby watercourse will require the Board's prior consent.
36. In respect of the EIA the Board draws attention to certain issues of interest to it.
37. To the south of the site, the soil is fairly heavy where it overlays gault clay, there is evidence of poor drainage.
38. To the north, towards the Board's watercourse the soil is lighter, overlaying greensand.
39. The applicant has indicated that surface water from the roof of the building is to be discharged to a soakaway or drainage ditch. This should not be an issue in the area of greensand, however the soakaway or drainage trench should be designed to BRE 365.
40. The Environment Agency has set out the measures required to ensure only clean surface water is discharged to the soakaway. The Board supports this view. The arrangement, however, of diverting the flow from the concrete service pad to either the clean soakaway or to the dirty water tank is unacceptable, due to the risk of effluent entering the soakaway and rendering it inoperable.
41. A low hawthorn hedge to the north of the site forms the boundary with the Board's watercourse. Ranging areas for the chickens will be fenced with electric fencing. The applicant should note that, in accordance with the Board's byelaws, no development should take place within 7 metres of the bank top, without the Board's prior consent, this includes planting, fencing or other landscaping.
42. The Board would support the Environment Agency's requirement that the field storage heaps of chicken manure etc be at least 10 metres from any ditch or field drain, including the watercourse at the north of the site which is under the statutory control of the Board. In addition, the stockpiles should not be in an area, which is at flood risk because of the possibility of migration into the watercourse and the potential for blockage of the stream.
43. In respect of the additional information it confirms that it has no objection subject to conditions but that it is essential that arisings from the unit are not stored or stock piled in a location which could contribute to flooding in the event that the arisings migrate into the watercourse.
44. Two letters outlining the comments of the **Senior Farms Manager, Cambridgeshire County Council** are attached as Appendix 3.

45. The **Ecology Officer** initially requested the submission of an EIA. In response to the EIA he is of the view that it does not fulfil the requirements of the EIA Regs 1999 nor the ecological scoping areas requested. The application should be objected to on the grounds of a current lack of information supplied with respect to ecology.
46. A pond is shown as present within the development site, yet no mention is made of this in the EIA. What is the ecological status of this feature and does it provide a habitat for great crested newts?
47. A watercourse is shown at the bottom of the site. No detailed evaluation has been provided, photos and species lists should be presented as a minimum. The fact that the stream was dry at the time of visit should not be taken as to mean that it has a lower ecological value than one that is permanently wet.
48. The site is reported as consisting of 49.49 acres of grassland with birds having access to 30 acres. The EIA should contain information on the quality of this grassland, preferably to the National Vegetation Classification standard. At present a major component of the site does not appear to have been given adequate assessment.
49. The ecological value of the hedgerows should be assessed in terms of the ecological value.
50. The E IA states that advice in PPG7 is to “maintain or enhance the character of the countryside and conserve its natural resources, including the safeguarding of the distinctiveness of its landscapes, its beauty, the diversity of wildlife...” It is not clear how this application meets with these statements.
51. The Eversden and Wimpole Woods SSSI and candidate Special Area of Conservation (cSAC) is approximately 7.5km from the site. The main feature of the cSAC is the barbestelle bat. This species has been recorded at flying distances of up to 11 km from the woods and feeding along hedgerows, tree belts and grasslands. Bat surveys should be undertaken to establish whether any feeding or flight paths are likely to be affected. If the issue is considered significant then an appropriate assessment under the Habitats Regulations 1994 will be a requirement.
52. The Ecology Officer states that he is not totally assured that the application will not have any adverse effect upon the nearby watercourse. The building appears to be 270m from the watercourse, and the ranging area even nearer. Without the provision of any buffer zones adjacent to the watercourse it is considered highly likely that nutrient enrichment of the local watercourse will occur.
53. Concern is expressed that the level of survey with respect to various protected species has not been undertaken adequately. For example, it is stated: "no record breeding populations of great crested next occur". This fact should be borne out by field surveys, and not rely on historic records. No surveys appear to have been undertaken with respect to lizards. If they were found to be present on the site many hundreds of birds would quickly reduce the population (the same would apply to grass snakes).

54. Calculations should be provided with respect to the statement that "has no affect on the woodland". How far does air borne ammonia travel and what would be the quantities reaching the nearby SSSI ancient woodlands?
55. No actual means of mitigation, or enhancement, for ecology are provided within the report.
56. The comments of the Ecology Officer in respect of the additional information will be reported verbally.
57. **English Nature** states that there are no designated Sites of Special Scientific Interest within the specific area. The nearest SSSIs are Gamlingay Wood (1.6km) and Potton Wood (1.5km) and given the possibility of a large amount of organic waste being produced and any possible effects on legally protected species an EIA was requested.
58. In response to the EIA English Nature commented that there are no recorded breeding sites for great crested newts within the application site. However, there is a pond approximately 210m from the application site. If great crested newts are present in this pond during the summer they may be wintering on the application site. Such areas are also protected against damage, destruction or obstruction and it is an offence to intentionally disturb great crested newts that are occupying such sites. If present on the application site they will be adversely affected by construction activities.
59. Because of this potential threat it is advised that a condition be attached to any consent requiring the applicant to assess the site for the current and future presence of great crested newts. If it is felt that they will be adversely affected by the development, mitigation proposals should be with English Nature before construction commences.
60. The application gives no indication whether trees will be felled. If this is the case then bat roosts may be lost. English Nature has records of several bat roosts in the area and if trees are to be felled details of bat mitigation measures will be required.
61. English Nature concurs with the EIA that the proposal should not adversely affect the nature conservation interest of Gamlingay Wood SSSI or Potton Wood SSSI.
62. In response to the additional information English Nature comments that it withdraws its request for a further great crested newt survey to be undertaken however contractors working on the development should be made aware of the status of the species and work should cease immediately if any great crested newts are discovered during the course of development.
63. It notes that some, all be it minimal works to trees are proposed and should consent be granted a condition should be attached restricting the destruction and removal of vegetation or buildings during the months of March to August except if approved by the Local Planning Authority.

Representations

64. The occupiers of Merton Grange to the west of the site object to the application on the following grounds:

- The inevitable smell from the production unit and surrounding area would be intolerable particularly at certain times of the year. The new building will be less than 230 metres from two houses and only 280 metres from Merton Grange. This is too close for a large-scale poultry unit. There is concern about the 4-week cleaning period. Smell is unavoidable as odour will build up within the hen house due to build up of ammonia from the dung
- The unsightly buildings will be visible from all properties bordering the site and from the roads from Hatley and Gransden. The height of the building is not stated and the whole proposal will have a serious adverse impact on the local landscape and countryside. It will be an eyesore
- Ancillary buildings and installations are not part of this application or the EIA yet they will be required. Feed hoppers may be required but waste handling facilities are said to be needed. These should all be identified now so that the full effects of the proposed development can be considered now.
- There is already a problem with vermin which would only increase with the storage of food for the chickens.
- There is concern that children in two of the existing dwellings suffer from asthma and that chickens dust and their smell will aggravate their conditions
- The noise emitted by the proposed 12,000 chickens and the fans in the chicken house would be unacceptable and this noise will undoubtedly increase when the chickens were upset by the many small aircraft which practice aerobatics over the area.
- What will happen to the excrement? Will it be spread and used as fertiliser? What pollution of land and water will this cause?
- Concern about the constant light that will be needed to keep the hens laying and the sound of alarms. It will destroy the countryside environment
- The entrance to the property is dangerously close to the old railway bridge in Station Road and the proposed large vehicles entering and leaving the site would be a real danger to traffic leaving Gamlingay. While there is a 40mph speed limit in force, the average speed of vehicles, especially those leaving the village is much greater.
- The proposed enterprise is said to require on-site accommodation and a mobile home is proposed. There is concern that this is the first step towards a new home in the countryside. PPG7 states that where new accommodation is proposed to support a new farming enterprise, the business should be analysed to establish that it is financially viable, there is a functional need and that it is not possible for the person to live elsewhere and yet manage the business. There is no reason why electronic sensors and alarms should not be linked to a house in the village and allow the manager to run this business. Guidance again requires that the viability of a farm business is assessed to establish what size of house can be justified and this should be undertaken now. This assessment should also take account of the business plan so that it can be seen whether the applicant will be living and farming on this land or whether a manager will be employed. These issues are very relevant to the viability of the business and size of the new house that may be required.
- If the building must go ahead the building is too close to residential properties and should be moved elsewhere i.e. the north east corner of the site.
- It is understood that when the land was sold that there is a covenant that prohibits the keeping of any birds or animals on the site other than as domestic pets.
- The owner of Little Gransden Airfield stated that at the Airfield Inquiry in 1998 evidence was presented under oath by a Mrs Quince that low flying aircraft on the westerly departure route from the airfield had caused hens at her free range

production unit, on Gamlingay Road Waresley, distress leading to a loss of egg production and an increase in the mortality rate of the hens. An objection is therefore raised on the basis of potential loss of hens and egg production, as pilots are encouraged to depart the aerodrome to the south and then southwest in order to avoid Mrs Quince's farm. If this application is passed pilots will have to fly close to one or other of the farms. It is noted that the EIA makes no further reference to this matter.

- There was an active badger sett on this site which is understood still to be there. There are other active setts at Merton Grange.
- The EIA states that the disused railway line is an important habitat which will be destroyed if a road is built through it.
- The proposal will devalue existing properties in the area.

Applicant's Representations

65. A letter from the applicant dated 17th June 2004, commenting on some points raised, is attached as Appendix 4. This letter suggests the proposed resiting and reorientation of the main building although revised drawings have not yet been received.

Planning Comments – Key Issues

66. The key issues to be considered with this application are the visual impact of the development in the countryside; highway safety; and environmental impacts.
67. **Visual Impact.** The site is located to the east of the main village of Gamlingay. It is well screened from Station Road, although some existing planting will be removed to form the vehicular access and visibility splays. There are two rows of planting either side of the route of the old railway line which will screen the proposed buildings, which are to the north of this, from Station Road and the approach from Hatley.
68. The main building as currently proposed will be viewed from the west, where the closest residential properties are located. In his latest letter the applicant indicates that a 10-metre wide landscape strip will be provided on the west boundary of the site. This, if coupled with a repositioning of the main building as proposed will reduce the visual impact on these dwellings in the longer term.
69. The site is viewed from Long Lane, heading out of Gamlingay towards Little Gransden and I have been concerned that the visual impact of any building might be unacceptable, although any view from here is a long distance one. The applicant has erected poles on the site to demonstrate the proposed position and height of the main building, which Members will be able to view on the site visit. Having viewed the site again from Long Lane I am of the opinion that the building will be seen against the backdrop of existing planting beyond the site and provided it is clad in a dark rather than light colour, with additional planting, the visual impact will be acceptable.
70. **Access.** The Local Highway Authority has commented that the proposed access, to the southeast of the existing field access, is acceptable as detailed. In view of the local concern that has been expressed about this access I have asked the Local Highway Authority to confirm its position. The visibility splays

provided are below that which would normally be required in such a location, just outside the 40mph limit, but may have been agreed by the Highway Authority on the basis of an assessment of the level of proposed traffic movements submitted by the applicant.

71. **Odour.** The applicant states that there will be no discernible smell from the chickens shed unless a person is standing inside or extremely close to the building. The sheds will be mucked out once every 13 months, which is the only day, while muck is being removed from the site that any significant smell will be discernible. The applicant has stated that the muck cannot be spread on land to which the hens have access, so it will be removed and spread on arable land as fertiliser. The Chief Environmental Health Officer has set out controls for odour control which can be attached as conditions of any consent but has stressed that any lapses in site management could give rise to problems from nearby properties
72. **Noise.** The applicant states that there will be no noise from fans, as the buildings will be naturally ventilated. The Chief Environmental Health Officer has not raised any concerns on noise grounds but has requested that a condition be attached to any consent requiring prior approval of the location and type of any power driven equipment to be installed.
73. **Lighting.** A condition can be attached to any consent requiring the prior approval of any external lighting although it is stated in the application that the hen house will not be floodlit, although winter production may be encouraged by internal lighting which should not be visible externally.
74. **Dust.** The Chief Environmental Health Officer has offered advice on dust control. The EIA states that the main sources of dust are the birds, their food and litter. It concludes that in this case the dust would not cause a problem to nearby dwellings as the distances are in excess of 100m and prevailing winds are away from residential areas. It states that existing and proposed hedging and trees would form a biological screen that would trap many odour-carrying particles at the times of year when the risk of odours would be greatest.
75. **Ecology/Wildlife.** English Nature accepts the statements made in the EIA and has no objection subject to conditions which can be attached to any consent. The EIA states that no badger setts were found within the site. The Ecology Officer is to visit the site again prior to the meeting before being able to comment on whether his outstanding concerns have been addressed. His further comments will be reported at the meeting.
76. **Pollution Control.** The Environment Agency, River Ivel Internal Drainage Board and Chief Environmental Health Officer have no objections to the proposal in respect of pollution from dirty water runoff and clean water disposal subject to safeguarding conditions.
77. **Pest Control.** The EIA states that a full pest control programme will be implemented with careful use of chemicals to avoid damage to wildlife. In his letter dated 17th June 2004 the applicant states that any vermin will be controlled through a pest control company, which is a requirement of Deans Countryside who will collect, pack and market the eggs. The applicant states that any current vermin problems being experienced by local residents have nothing to do with the application and the cause should be investigated and dealt with. He states that the presence of the chicken shed will not increase

the rat population of the dwelling adjacent the site and the pest control company will include vermin control around the perimeter of the site to prevent vermin coming onto rather than off the site. The Chief Environmental Health officer has put forward mitigation measures for control of vermin.

78. **Impact of Aircraft.** In his letter dated 17th June 2004 the applicant states that the planting of conifers and fruit trees together with the outside field shelters will help to nullify any effect of disturbance by aircraft and is informed that the hens very quickly get used to frequent aircraft disturbance and that it is hang gliders and hot air balloons that concern the hens the most. I find it difficult to comment further on this concern.
79. In conclusion the statutory agencies have not raised objections to this application subject to the imposition of appropriate conditions although the Chief Environmental Health Officer has emphasised that any lapses in site management are likely to cause concern to those occupying nearby residential dwellings. The Ecology Officer will revisit the site to assess whether he feels that the EIA has now satisfactorily addressed all issues or whether further work is still required before a decision can be made.
80. I am of the view that the resiting of the building proposed by the applicant is necessary to reduce the visual impact on nearby properties. Amended drawings will hopefully be available at the site meeting.

Recommendations

81. Subject to the receipt of amended drawings resiting the main building to the southeast of the hedgerow and the reorientation through 90^o (and no materially new objections being received to the consultation process in respect of these drawings), and confirmation from the Ecology Officer that the further details submitted in respect of the EIA are acceptable, that delegated powers of approval be given.
82. Conditions to be imposed to include the requirements of the Local Highways Authority, Chief Environmental Health Officer, Drainage Bodies, English Nature and Ecology Officer.

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2**
 - **South Cambridgeshire Local Plan 2004: CS3; CS4; CS5; EN1; EN3; EN5; and EN9**
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
 - Visual impact on the locality
 - Environmental Issues
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

Application file S/2194/01/F (including EIA)
Cambridgeshire and Peterborough Structure Plan 2003
South Cambridgeshire Local Plan 2004

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	7 th July 2004
AUTHOR/S:	Director of Development Services	

**S/2193/01/F - Gamlingay
Agricultural Mobile Home and Access, Land at Station Road for Mr I Quince**

Recommendation: Delegated Approval

Members will visit this site on Monday 5th July 2004

Site and Proposal

1. This full application, submitted on 19th November 2001, proposes the stationing of a mobile home on the site of the proposed egg production unit the subject of the preceding item
2. The mobile home will be sited towards to southeast end of the site. Reference should be made to the preceding report for full details of the proposal.

Planning Policy

3. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location.
4. **Policy HG18** of the South Cambridgeshire Local Plan 2004 ("The Local Plan) states that if a new dwelling is essential to support a new enterprise whether on a new or recently created agricultural unit, it should normally be provided by temporary accommodation such as a caravan. The following criteria must also be demonstrated to the satisfaction of the District Council:
 - I. Clear evidence of a firm intention and ability to develop the enterprise concerned;
 - II. Functional need;
 - III. Clear evidence that the proposed enterprise has been planned on a sound financial basis;
 - IV. The functional need could not be fulfilled by another dwelling on the unit or other existing accommodation in the area which is suitable and available for occupation.
5. These criteria follow the advice in Planning Policy Guidance 7 (PPG7) "The Countryside – Environmental Quality and Economic and Social Development." Para I 14 states:

"If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally for the first three years be provided by caravan, a wooden structure which can be easily dismantled, or other temporary accommodation."

Consultation

6. Members should refer to the consultations reported in the preceding item and in particular the comments of the Senior Farms Manager at Appendix 3.

Representations

7. Members should refer to the representations reported in the preceding item although one paragraph which is of particular relevance to this application from the occupier of Merton Grange is reproduced below.
 - The proposed enterprise is said to require on-site accommodation and a mobile home is proposed. There is concern that this is the first step towards a new home in the countryside. PPG7 states that where new accommodation is proposed to support a new farming enterprise, the business should be analysed to establish that it is financially viable, there is a functional need and that it is not possible for the person to live elsewhere and yet manage the business. There is no reason why electronic sensors and alarms should not be linked to a house in the village and allow the manager to run this business. Guidance again requires that the viability of a farm business is assessed to establish what size of house can be justified and this should be undertaken now. This assessment should also take account of the business plan so that it can be seen whether the applicant will be living and farming on this land or whether a manager will be employed. These issues are very relevant to the viability of the business and size of the new house that may be required.

Planning Comments – Key Issues

8. The determination of this application is linked to the decision on the preceding item. If consent is granted for application S/2194/01/F then the key issues to be considered with this application are whether the criteria of Policy HG18 of the Local Plan are met and whether the siting chosen is appropriate.
9. The Senior Farms manager is of the view that the enterprise would require at least one person full-time and that preferably that person should live on site. He is also of the view that a unit such as this is sustainable in the longer term, assuming competent husbandry abilities and relevant business experience. In his letter dated 4th June 2004 he confirms that he is prepared to consider supporting the application provided the applicant demonstrates that arrangements/agreements are in place with firms/advisers to provide him with advice for at least the first laying period. It should also be demonstrated how any out of hours problems would be dealt with.
10. I note the comments from the occupier of Merton Grange and accept that there may be an application for a permanent dwelling on the site at a later date. Such an application would be judged on its merits at that time.
11. I am of the view that the siting of the mobile home is acceptable.
12. The applicant has responded to the comments of the Senior Farms Manager in paragraph 14 of his letter dated 17th June 2004. I have passed a copy of this letter to the Senior Farms Manager and will report any further comments.

13. Subject to the decision on the preceding application and any further comments of the Senior Farms Manager I will recommend that consent is granted for the mobile home for a temporary three year period.

Recommendations

Subject to approval the given in respect of the preceding application that consent with the following conditions:

1. SC69 - Temporary 3 years - RC69(b)
2. SC70 - Personal Mr I Quince – RC70
3. SC76 – Number of Caravans – One – RC76
4. SC6 – Agricultural Occupation – Mobile Home – RC6

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004: HG18** (Temporary Permission for Mobile Homes to support new agricultural units)
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
 - Visual impact on the locality
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

Application file S/2193/01/F

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

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