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5 May 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 **FRIDAY, 13 MAY 2005** at **9.30 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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### **EXCLUSION OF PRESS AND PUBLIC**

The following statement must be proposed, seconded and voted upon. The officer presenting to report will provide the paragraph number(s).

“I propose that the Press and public be excluded from the meeting during the consideration of the following item number ..... in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph ..... of Part 1 of Schedule 12A of the Act.”

### **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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<b>REPORT TO:</b>	Development and Conservation Control Committee	13 <sup>th</sup> May 2005
<b>AUTHOR/S:</b>	Director of Development Services	

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**S/0530/05/F - Haslingfield**

**Erection of bungalow following demolition of existing building, 29 Barton Road, Haslingfield for Mr and Mrs Loynes**

**Recommendation: Approve**  
**Date for Determination: 13<sup>th</sup> May 2005**

Members will visit the site on the 11<sup>th</sup> May 2005.

**Site and Proposal**

1. The 0.025 hectare site consists of a cottage (31) and an adjacent single storey workshop/office, sharing a single vehicular access. There is a hardstanding in front of the workshop used for parking, together with parking to the side of the cottage. To the south is a modern detached house set back further from the road.
2. The full application, received on the 18<sup>th</sup> March 2005, proposed the demolition of the existing workshop/office and its replacement with a 2 bedroom bungalow of similar footprint. The proposed bungalow is set back a further 1.5m, is a gable end onto the road unlike the workshop and has a ridge height of 4.9m. Four parking spaces are shown for the bungalow and the existing cottage, two of which would be in the existing front garden to the cottage.
3. Amended plans franked the 25<sup>th</sup> April 2005 show a shared turning area with No. 31 and the existing front boundary fence replaced by a 900mm high picket fence to match the fence in front of No 31.

**Planning History**

4. It is believed the workshop pre-dates planning legislation. It was renovated, along with the cottage, by the applicant approximately 28 years ago. The previous use had been for sewing machine repairs, but prior to acquisition it has been empty for some years.
5. The applicant ran a company from the premises supplying and maintaining gaming machines. In September 2003 the business was sold and the current occupiers have a lease which expires in September this year.
6. Planning permission to extend the cottage in 1993 tied the use of the workshop to the occupation of the cottage (31) and showed 5 parking spaces for the workshop and cottage.

**Planning Policy**

7. The use is within the village framework defined in the 2004 Local Plan.

8. **Policy P1/3** of the Countryside and Peterborough Structure Plan 2003 states a high standard of design and sustainability will be required for all new development, which responds to the local character of the built environment.
9. **Policy P5/5** states small scale housing developments will be permitted in villages only when appropriate, taking into account the character of the village and it's setting.
10. **Policy SE4** of the 2004 Local Plan lists Haslingfield as a Group Village; where development and redevelopment up to a maximum of 8 dwellings is permitted within village frameworks provided, inter alia:
  - (1) The retention of the site in its present form is not essential to the character of the village.
  - (2) The development is sensitive to the character of the village and the amenities of neighbours.
11. **Policy SE8** states there will be a general presumption in favour of residential development within village frameworks, subject to Policy SE4.

#### **Consultation**

12. **Haslingfield Parish Council** approves the application.
13. **The Chief Environment Health Officer** has no objections subject to a condition controlling the use of power operated machinery during the demolition and construction phases and informatives concerning driven pile foundations, bonfires and the requirements for a demolition notice.

#### **Representations**

14. No representations have been received.

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

15. The key issues to be considered in this application are the impact of the replacement bungalow on the street scene and the amenity of neighbouring properties.
16. The existing workshop/office is a basic single storey structure some 50 years old in the grounds of 31 Barton Road, with which it has always been associated and shared a vehicular access. The owner of the workshop/office and 31 Barton Road ran his business from the site for over 25 years before his retirement in September 2003 and the current user's lease expires this September.
17. The outbuilding is sandwiched between two storey dwelling with less than 1m separation from No 31.
18. The proposal involves the demolition of the existing outbuilding and its replacement with a modest 2-bedroom bungalow of similar footprint and with a 4.9m ridge height.
19. These are advantages for the street scene and the relationship to the adjoining dwellings with the proposal. Not only would a utilitarian structure be replaced by a purposes-built bungalow, the bungalow would be set back further 1.4m and the roof gable end on to the road which would allow more space between the neighbouring properties.

20. Concerns have been expressed by the District Councillor, primarily on the grounds of vehicular manoeuvring, ie reversing on to Barton Road. Amended plans have been received showing shared turning facilities with No 31.
21. Given the history of commercial use of the site and the level of traffic on Barton Road, turning within the site is not considered appropriate for a condition in this case.
22. A subsidiary concern expressed is an unauthorised 1.8m fence on the front boundary. This is shown on the amended plans as replaced by a picket fence similar to that fronting 31 Barton Road.

### **Recommendation**

23. Approval, as amended by plan no. SF.04./10/A franked the 25<sup>th</sup> April 2005.
  1. Standard Condition A (Reason A.)
  2. SC5a - Details of materials to be used for the external walls and roof (RC - To ensure that visually the development accords with neighbouring buildings.)
  3. SC21 – “Withdrawal of Permitted Development - The side (north) boundary forward of the bungalow, hereby permitted, shall remain unfenced other than as shown on the amended plan franked 25<sup>th</sup> April 2005.” (RC - To facilitate the turning of vehicles within the site.)
  4. The two parking spaces shown on the site shall be provided before the use commences and thereafter maintained. (RC - In the interests of highways safety.)
  5. Before the bungalow, hereby permitted, is occupied the existing front boundary fence shall be replaced by a picket fence as shown on the amended plans franked 25<sup>th</sup> April 2005. (RC - To ensure the details of the development are satisfactory.)
  6. During the period of demolition and construction no power operated machinery shall be operated on the premises before 08:00 hours on weekdays and 08:00 hours on Saturdays nor after 18:00 hours on weekdays and 13:00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (RC - To the amenity of neighbouring properties.)

### **Informatives**

1. Should drive pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During demolition and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

3. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.

**Reason 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: **Policy P1/3 (Sustainable Design in Built Development) and Policy P5/5 (Homes in Rural Areas)**.
  - b) South Cambridgeshire Local Plan 2004: **SE4 (Group Villages) and SE8 (Village 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:
  - **Residential amenity including overlooking issues.**
  - **Visual impact on the street scene.**
  - **Highway safety.**
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning files Ref: S/0530/05/F, S/0844/93/F.

**Contact Officer:** Bob Morgan – Planning Officer  
Telephone: (01954) 713395

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee13<sup>th</sup> May 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**

**A Background and Update**

1. This outline application was last reported to the February 2005 meeting when Members resolved  
"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".
2. At the April 05 Committee Cllr Mason requested that Members be advised at the next meeting of progress on the signing of the S106 together with a report regarding the recent work undertaken starting work on site in advance of issuing any planning consent; principally the cutting of hedgerows and trees.
3. The application had been previously considered by the July and December 2003 meeting of Development and Conservation Committee (Items 1 and 18 respectively), when Members resolved to approve the outline 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.
4. The Housing Corporation required that the Section 106 Agreement be signed by first the 28th January 2005, deferred to 28<sup>th</sup> February and again to 21<sup>st</sup> March to enable submission of grant confirmation with grant claims for the current financial year. This was not complied with but the Corporation are still indicating support for funding but now for the financial year 06/07. If the Section 106 agreement is signed within this year then arrangements can be made to roll the money forward to allow immediate funding to prevent delay to the provision of affordable housing.
5. 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 have been signed in escrow by all parties with the exception of Unex.
6. Officers are continuing to work in a positive manner with all parties to secure a timely completion to this agreement, the Director of Development Services has been given

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. At the last Committee agreement was held up by one landowner Unex. Unex have signed the agreement but this is in escrow pending written instructions. Only when the agreement has been completed can the outline permission be issued.

## **B Hedgerow Removal**

- 7 Full planning consent was given in 2003/4 for four accesses to the site including the loss of hedgerows to facilitate those accesses, subject to conditions which included measures to protect the remaining hedgerows and trees. A meeting was held on site on 4<sup>th</sup> February with representatives of Gallaghers and officers to agree the necessary work to cut the hedgerows to facilitate access to the site. Agreement was reached with Officers as to the necessary work with the understanding that this would occur before the start of the Bird breeding season which starts on 1<sup>st</sup> March. Work commenced the week starting 21<sup>st</sup> March and Officers were contacted by Local District and Parish Councillors and local residents.  
A response from Gallaghers is attached to this agenda.
8. I am seeking reassurance from the Landscape Design Officer and Ecology Officer that the work undertaken is in accordance with the agreed plan. The Ecology Officer has commented that at the time of the works and with cooler weather than average for the time of year he does not believe that damage to nesting bird would have occurred. Whilst it is regrettable the work took place within the bird breeding season this authority has no powers of prosecution. Work has now ceased on site.
9. A verbal update will be given at the meeting with regards both the progress on the S106 agreement and the views of the Landscape Design Officer and Ecology Officer as to whether the work to the hedgerows has undertaken is in accordance with the agreed plan.

## **Recommendation**

- A** That the previously agreed delegated powers (in agreement with the Chairman and Local Members) for refusal remain that in the absence in the absence of a completed 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. Otherwise outline permission will be issued as previously approved by Members.
- B** For information. No action required

**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

**Contact Officer:** John Pym - Senior Planning Officer  
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# GALLAGHER

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REPLY TO: 

REPLY TO: 

5<sup>th</sup> 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 31<sup>st</sup> 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 30<sup>th</sup> March 2005 to explain the circumstances.

Steve tells me that initial contact was made with your Council by letter dated 17<sup>th</sup> 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 7<sup>th</sup> March 2005 and the intention was to finish during the week commencing 21<sup>st</sup> March 2005. He was told that no further cutting was to take place after the 25<sup>th</sup> 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 21<sup>st</sup> March, although the shredding of the arisings has continued since the Easter break.

Continued.....2  
April 2005

South Cambridgeshire District Council 5<sup>th</sup>

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 6<sup>th</sup> April.

The latest version of the Biodiversity and Ecological Management Plan was produced by CPM consultants on 23<sup>rd</sup> 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 1<sup>st</sup> 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](mailto:alan.joyner@jigallagher.co.uk)

cc. Steve Riley  
Andy Lawson

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/2604/04/F - Impington**  
**Change of Use from Vacant Land (Formerly Agricultural) to Mixed Use Incorporating B1, C1, C2, C3, D1, D2 Uses on Land at Arbury Camp for Kings Hedges Investments Ltd (Unex Technical Services)**

**Recommendation: Refusal**  
**Date for Determination: 24<sup>th</sup> March 2005**

**Site and Proposal**

1. The site is 0.88 hectares of currently vacant land which lies immediately to the south of the A14 almost midway between the A14 Histon interchange and the A14 underpass of the former St Ives railway. It is part of the Arbury Camp/Northern Fringe site.
2. It lies some 6 metres below the A14 embankment and there are no distinguishing features on this part of the site.
3. The application received on 23<sup>rd</sup> December 2004 (amended by letter 4<sup>th</sup> February 2005) proposes to use the land for a range of uses including Business, Hotels, Residential Institutions, Dwellings, Non residential Institutions and Assembly and leisure Uses
4. No percentages of any use are proposed so any one use could predominate.
5. The application was supported by reference to a Transport and Environmental Assessment and Flood Risk Assessment submitted in connection with the main outline application S/2379/01/O for the larger site.
6. In support of their application the applicants point out that the outline planning application which Gallaghers submitted on 17<sup>th</sup> December 2001 (S/2379/01/O) originally showed mixed use in the same area as the current application and the accompanying environmental statement noted that "it is envisaged that the mixed use area will incorporate B1, C1, C2, C3, D1, D2 and sui generis uses "and the Council has already supported this.
7. It is also pointed out that to deliver this narrow site for commercial purposes is unviable and will lead to traffic passing through the new residential area and past public open space.
8. They also point out that Gallaghers will be entering into a Section 278 Agreement with the Highways Agency for the erection of a 3.0m - 3.5m high acoustic barrier along the A14. This barrier will run past the application site but it will be on Highways Agency land and therefore not within their control. The effect of the barrier is to attenuate the noise to acceptable levels. Noise contour diagrams have been submitted to demonstrate this.

9. By letter of 25<sup>th</sup> March 2005 Unex proposed to “increase the length of the permanent noise barrier to the mid-point of Public Open Space 5 approximately 100 metres from where the barrier would be permanent (running behind RSL’s L3 housing plot). An indicative plan was submitted showing two 4-storey blocks of essentially single aspect flats to provide an acoustic screen to the interior of the site. Initial thoughts are that the rear wall would be of “thick” acoustically attenuated construction with only small triple glazed windows to the kitchens on this side. Stairwells and lift shafts would also provide an acoustic barrier. All of the living accommodation would be on the quieter south side of the block of flats.
10. Following a meeting on 18<sup>th</sup> March 2005 a further indicative layout plan has been received which, according to the applicant:
  - Physically links the two blocks of flats to provide a continuous noise buffer to provide a satisfactory acoustic environment to both the adjacent residential areas and the public open space to the south of the flats.
  - The northern face of the flats is protected from noise by the buffer provided by their staircase/lift wells and by the access corridor. The extent of glazing to the outside of the access corridor will be a matter for the detailed design and, subject to achieving the necessary acoustic attenuation, it is envisaged more glazing to this corridor may be provided to ensure a light and airy environment. The windows on the south elevation, where all the main living apartments are located will be openable. The mechanical ventilation to the kitchens/bathrooms will need to be robust and this is a matter which would be addressed at the time of detailed design and a building regulations submission. Given the flats’ proximity to Public Open Space 5, it is not accepted that this will be a development “with no amenity area”. The flats will be closer to amenity areas than the majority of developments in the locality.
  - The access and parking has been brought around to the sheltered south-side of the block of flats.
  - There is no reason why a residential block should be of any lesser standard of design than a commercial block which they are seeking to replace.
  - As part of S278 Highways Agency Agreement a safety barrier is to be erected alongside the A14.
11. This was supported by a further acoustic report by WSP on 18<sup>th</sup> April and an air quality assessment 21<sup>st</sup> April 2005.
12. Illustrative cross sections and a further supporting letter were received on 26<sup>th</sup> April 2005. This letter offered 30% as affordable housing.

### **Policies**

13. South Cambridgeshire District Council Local Plan (2004) – Policy CNF1.  
This policy allocates the site for a minimum of 900 dwellings and up to 18000sq. m of B1 Development etc .The housing potential of the site should be fully exploited with a minimum of 900 dwellings, including a mix of types with an emphasis on small units and lower cost accommodation. B1 Development must meet the “essential needs” test. In addition, occupiers of such floorspace will be limited to firms that meet the provisions of policy EM4 [research establishments] of the Local Plan.

14. It requires development to take place in accordance with a Masterplan which will provide inter alia;
- Adequate attenuation measures in relation to noise and emissions generated by traffic on the A14, including the adoption of an appropriate layout and disposition of uses
  - The retention of an attractive urban edge to Cambridge through the use of high standards of design and landscaping and the creation of gateway features.
15. "It will be particularly important to keep a balance between the provision of effective mitigation measures [such as noise barriers and or buildings designed or orientated to screen noise] and the creation of an attractive urban edge alongside the widened road. B1 buildings among others' may be used for this purpose."

Other Local Plan 2004 policies to be considered are:

**Policy HG2** requires the larger site to accommodate a minimum of 900 dwellings

**Policy HG7** Affordable housing 30% required.

**Policy SE9** Development on the edge of villages should be sympathetically designed and landscaped to minimise the impact on the countryside.

**Policies EM3&4** Limitations on the occupancy of new premises and research establishments respectively

**Policies ES6, ES7.** Air Quality, minimise impact of noise and pollution on noise sensitive development. Minimise impact of noise from road traffic.

**Appendix 11/2** Adopted standards for protection against Road Traffic Noise

**PPG 24 and PPS 23 are relevant:** Planning and Noise and Planning and Pollution Control.

The Inspector in the 2002 Local Plan Inquiry made the following comments:

"A further factor at CNF West is the potential of carefully designed and sited B1 development to assist in improving the otherwise unfavourable noise environment by providing acoustic screening. A number of divergent views were expressed about (a) the effectiveness of up to 18,000 sq.m. in achieving that purpose and (b) whether occupiers meeting the plan's strict occupancy restrictions could be found quickly enough to enable the B1 development to proceed within a timetable that would deliver housing by 2006.

However, my overall view is that the proposal for up to 18,000 sq.m. represents a reasonable compromise which (along with other noise mitigation measures) will enable the important residential component to come forward at CNF West. At the same time it would contribute (although modestly in itself) to the expected improvement in the homes/jobs balance resulting from the overall CNF development. It would also provide employment floor space of a type for which there appears to be a steady demand in this area of the City, do so on a site which will have better accessibility credentials than much of the committed floor space elsewhere in South Cambridgeshire, and provide an opportunity for landmark buildings in relation to the A14."

16. Cambridgeshire and Peterborough Structure Plan (2003) – Policy P1/3 seeks to ensure that all new developments incorporate high standards of design and sustainability which will provide inter alia:
- An appropriate mix of land uses and accessible services.
  - Compact forms of development through the promotion of higher densities and 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
- Pays attention to the detail of form, massing, textures, colours and landscaping makes efficient use of energy and resources.
- Takes account of community requirements by
- Including a mix of housing opportunities in residential developments

### **Consultations**

17. **Impington Parish Council** 28/01/05 – made no recommendation. Subsequent verbal and email communication has made it clear it felt unable to comment in the absence of further information. Two particular points of concern have been the effects of reflected noise. There are sections of the village which, whilst at some distance from the A14, still do suffer excessively from noise. A “Byker Wall” type of construction has the possibility of significantly exacerbating this, and we would wish to be convinced that any design does not have this effect. Secondly the Highways Agency does not wish to see the number of houses exceeding 900. Will a full Traffic Impact Analysis be available and it is assumed that a differential contribution to the NCATP will also arise.
18. **County Highways Authority** – has not commented.
19. **Highways Agency** – 20/01/05 was concerned a tally is kept on the uses permitted to equate to that previously agreed. In a total residential use scenario they have commented whilst in principle there may not be a problem this “reverses the trip generation” and a further Traffic Assessment would be requested.
20. **Environment Agency** – Requested a flood risk assessment. Reliance has been given to the strategy given with the wider outline application. It is recommended that the application be deferred until a full and detailed analysis is submitted with this “full” application.
21. **Anglian Water** – has not responded.
22. **English Nature** – has asked that the Wildlife Trust for Cambridgeshire be consulted.
23. **The Countryside Agency** has no comments.
24. **The National Trust** supports S106 contributions from the wider site, targeted at the retention of footpath and cycle links to the north of A14. Policy CNF1 Local Plan.
25. **County Archaeologist** – 14/02/05 notes the site is located in an area of high archaeological potential. A negative condition [PPG16, para 30] is recommended.
26. **English Heritage** - does not wish to make any representations.
27. **Police Architectural Liaison Officer** - 26/01/05 had no comments.
28. **Fire Officer** – has asked for a planning condition/S106 to ensure adequate provisions of fire hydrants.
29. **Chief Environmental Health Officer** – has commented as follows with regards to the impact of road noise.

30. "There is no dispute or criticism of the methodology or criteria used in the generation of the WSP report. The information that has been provided by WSP indicates good conformity with the relevant standards applicable to such an application: PPG24, BS8233: 1999 Sound insulation and noise reduction for buildings and the relevant appendices to the South Cambridgeshire Local Plan regarding noise insulation.
31. The WSP report is based on the modelling of future noise levels that assumes the full extent of the A14 roadside noise barrier and that the western section of the A14 roadside noise barrier is removed up to a point north of plot L3.
32. I understand that the nature of the construction and materials proposed for the A14 roadside noise barrier has not yet been formally agreed by a noise condition by the councils planning department. I have discussed with WSP the applicants' proposals for the A14 roadside noise barrier and I understand that a robust barrier is proposed that conforms with The Highways Agency's requirements. Clarification of the materials proposed and confirmation of the construction of such a barrier would facilitate a better appreciation and understanding of the acoustic performance of the scheme outlined in the application and supporting technical documents submitted thus far.
33. I have been advised by WSP that no modelling has been carried out for a "no barrier" scenario as they are aware that no development could be considered if this were the case.
34. The WSP report refers to a letter from Unex of March 24<sup>th</sup> 2005 that says "the extent of glazing to the outside of the access corridor will be a matter for the detailed design and, subject to achieving the necessary acoustic attenuation, we would envisage more glazing to this corridor being provided to ensure a light and airy environment".
35. In the absence of a fully worked up plan and more information about what will be provided to ensure a light and airy environment, it is not possible to visualise what is being proposed or what will be present to ensure a "light and airy environment". Furthermore, a detailed design of the development proposed indicating the precise layout of the dwellings; their orientation relative to the A14; the nature of materials and thickness of glazing proposed would facilitate better visualisation of the accommodation."
36. Regarding the Air Quality Assessment some uncertainties in the report have been identified. It is uncertain which source of traffic data has been used and some up to date projections have been requested.
37. Questions have also been raised with respect to the accuracy of the modelling which is based on a straight dual carriageway, may not have adequately taken account of the proposed future widening and likely under-estimated the levels of congestion and hence pollution. There are even conflicting figures as to the height of the embankment (4 or 6 metres).
38. An accurate cross section from the A14 (including as widened) through the site to judge the position of the closest building has been requested.
39. **SCDC Local Plans Officer** – has commented:  
  
"The only reason for introducing employment into the development mix as a policy requirement was to provide non-residential buildings alongside the A14 which would provide noise attenuation for housing development over the remainder of Arbury

Camp. The intention was to avoid unattractive noise barriers as development is intended to improve the appearance of the edge of the city. This can be achieved by residential development but will require internal rooms to be planned accordingly and a greater architectural treatment than may otherwise have been intended. There is no policy objection in principle, but the above considerations will need to be addressed.”

40. **SCDC Landscape Design Officer** - has made no comment.
41. **SCDC Ecologist** – No particular ecology issues, as they should have been addressed with the forthcoming Ecological Management Plan for the whole site.
42. **SCDC Partnership Project Officer Housing** is concerned that this section of land will be affected by its close proximity to the A14. A solution might be to consider some kind of live/work units.

### **Representations**

43. None received.

### **Planning Comments**

44. In principle there is no policy objection to the provision of more housing on this site provided additional pro rata S106 contributions are made to the funding of Transport, Education, Community facilities and the provision of affordable housing. The loss of this small area of employment is not considered significant.
45. This site was shown as being proposed for mixed uses on the original (17<sup>th</sup> December 2001) Development Framework Plan (DFP) Rev submitted by Gallaghers in connection with the main outline planning application S/2379/01/O. This was revised February 2003 DFP (Rev F) and it was this revised plan that was approved by Committee in July and December 2003. The land uses were considered at the 2002 Public inquiry into the Local Plan (2004) at which support was given to the provision of non residential buildings along the edge of the A14 as a way of providing the necessary acoustic barrier to allow the remaining part of the site to be developed for housing. This principle is supported in PPG 24 which states: “It will be hard to reconcile some land uses such as housing....with other activities which generate high levels of noise, but the planning system should ensure that, wherever practicable, noise sensitive developments are separated from major sources of noise (such as roads etc). Development Plans provide the policy framework within which these issues can be weighed but careful assessment of all factors will also be required when individual applications for development are considered. Authorities should consider whether it is practicable to control or reduce noise levels through the use of conditions or S106 obligations.” The lack of support by the Inquiry into the Local Plan for any more than 18,000 sq. metres of commercial B1 use has already led to the provision of a limited amount of housing adjacent the A14 to the eastern end of the site. That part of the site is lower than the western end and with a higher embankment to the A14 and a permanent fence at this point the acoustic screening can be sufficient for residential use.
46. From our early discussions with both Unex and Gallaghers, officers have not supported a permanent acoustic fence along the whole of this important visual edge to Cambridge. With reluctance, officers have indicated that we will support a temporary acoustic fence for the whole site to allow the early delivery of housing

(particularly the 270 affordable housing units) in advance of the delivery of the commercial buildings that will provide a permanent acoustic barrier.

47. The approved Development Framework previously considered by Members and given delegated approval shows the site allocated for B1 use.
48. Furthermore the Master planning exercise which has produced a Development Framework Plan, Design Guide and Codes is geared to creating a mixed use development. This vision specifically makes reference to the creation of views across Public Open Space (POS5) to commercial buildings. With the type of modern building envisaged this will enhance the proposed mixed uses, a factor which could not occur if the uses around this open space are purely residential.
49. The applicants have had several attempts at demonstrating that a residential use can be accommodated on site and with a fully worked up scheme it may be that part of the site could accommodate some residential use. In discussions in 2004 officers suggested that live/work units might be accommodated on part of the site. However I cannot accept that consent should be issued subject to conditions that may or may not be satisfactorily discharged.
50. The applicants have not chosen to give any percentages for any of the uses proposed and the submitted indicative plans show there is a strong possibility that 100% will be residential. Residential is a noise sensitive use and PPG 24 and Local Plan Policy ES7 supported by Appendix 11/2 recommends noise exposure categories in which residential planning consent will normally be refused. Tests on site (with a non acoustic fence scenario) have indicated unacceptably high noise levels and with day and night traffic at continuously high levels. The problem is likely to be even more sensitive at night.
51. The applicants have chosen to extend the permanent fence halfway along the site adding some 100 metres to the length of the permanent fence. Officers do not wish to support such an extension to this fence as a permanent solution.
52. To date I am not satisfied that a suitable environment will exist for any residential use without a permanent acoustic fence across the whole application site which is considered visually unacceptable. Insufficient information has been received. What has been received to date indicates that there is likely to be unacceptable noise levels. Without a full design it has been impossible to fully assess the internal/external noise levels, the likely pollution levels and the appropriateness of the design on this important edge of Cambridge.
53. I would not wish the acoustic demands to dictate a design that is inappropriate for this important site.

#### **Recommendation**

54. Refusal
  1. The application is contrary to the Development Framework Plan submitted for the comprehensive development of Arbury Camp under planning reference S/2379/01/O which seek to provide acceptable non-noise sensitive uses in this location as a buffer between the A14 trunk road and noise sensitive development.

None of the submissions by the applicant or its agents have adequately demonstrated that an acceptable environment can be provided for residential users that is adequately protected from noise and pollution both inside and outside the properties. Furthermore insufficient detailed designs have been proposed to demonstrate that any technical solution to those noise/pollution exposures will also provide an acceptable design on this prominent site on the edge of Cambridge.

The application is therefore contrary to policies CNF1, ES6, ES7 of the adopted South Cambridgeshire Local Plan 2004 and insufficient information has been received to ensure a suitable design (Policy SE9) for this prominent edge of Cambridge.

## **Informatives**

None

**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/2604/04/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee      13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

**S/0520/05/F - Linton**  
**10 Houses and Garages on Land off Fairfield Way/rear of 1 Horseheath Road for**  
**Westbury Homes (Holdings) Ltd**

**Recommendation: Approval**  
**Date for determination: 16<sup>th</sup> June 2005 – Major Application**

Members will visit the site on Wednesday 11<sup>th</sup> May 2005.

**Site and Proposal**

1. This 0.33 hectare/0.82 acre site currently forms part of the large rear garden of No.1 Horseheath Road, a two-storey detached house. There are a number of trees around the perimeter of the site. Linton Heights Junior School is located to the north, a two-storey house and its garden (No.3 Horseheath Road) is located to the east, No.1 Horseheath Road is situated to the south and the Parsonage Way housing development lies to the west. The site rises by approximately 3 metres from the southwest to the northeast.
2. This full application, registered on the 17<sup>th</sup> March 2005, proposes the erection of 10 houses and garages. Access to the site would be provided by extending Parsonage Way. 6 of the dwellings are 2½-storey, the other 4 are 2-storey. 3no. 2-bedroom dwellings plus first floor living room, 2no. 2-bedroom plus study, 1no. 3-bedroom plus study, 1no. 4 bedroom and 3no. 4-bedroom plus study dwellings are proposed. Each dwelling would have a single or double garage. The 3no. 2-bedroom plus first floor living room dwellings are in a terrace. The remaining 7 dwellings would be detached. Ridge and eaves heights range from 7.4m-10.5m and 4.8m-5.7m respectively. Materials are to be agreed. The proposed density equates to just over 30 dwellings to the hectare.

**Planning History**

3. Earlier applications for 10 houses and garages on slightly larger sites were withdrawn prior to determination (**S/1497/04/F** and **S/0051/05/F**).
4. An application to remove the agricultural occupancy condition on No.1 Horseheath Road was approved in 1986 (**S/1395/86/F**).

**Planning Policy**

5. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which responds to the local character of the built environment.
6. Structure Plan 2003 **Policy P5/3** states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character. It also states that, in setting density standards appropriate to their area, Local Planning Authorities should take into account the

following guidelines: densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility; and densities of less than 30 dwellings per hectare will not be acceptable.

7. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within Linton 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 which relates to the loss of employment sites. 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 dwellings to the hectare unless there are strong design grounds for not doing so.
8. 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 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.
9. Local Plan 2004 **Policy CS10** states that, where permission is granted for residential development of 4 or more dwellings, financial contributions will be sought towards the provision of additional permanent or temporary education accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary or secondary schools to be exceeded during the 5 years following the date of the application.
10. Local Plan 2004 **Policy EN5** states that the District Council will require trees to be retained wherever possible in proposals for new development.

### **Consultation**

11. **Linton Parish Council** recommends refusal stating "Councillors considered a written report from Cllr Unwin noting the differences between this application and the two previous applications from Westbury for this site. (S/0051/05/F and S/1497/04/F). It was noted and agreed that with regard the mix of housing there had been no fundamental change. The overall site was slightly smaller, with 10 dwellings described by Westbury as 4 x 4-bed; 1 x 3-bed and 5 x 2-bed. They were actually 2 x 4 upstairs rooms; 3 x 5 upstairs rooms; and 5 x 3 upstairs rooms. The potential usage and 'flexibility' of the dwellings was discussed, as was the overall site parking area, and the actual design. As a result the following comments were agreed: Councillors remain in objection of the proposal for this site on the grounds of housing mix. The properties proposed are quite clearly capable of being described as 3 x 5-bed; 2 x 4-bed and 5 x 3-bed, which does not follow the requirement for the village, as identified within the Housing Needs Survey. This clearly shows that more 1 and 2 bed properties are priority. Councillors were also concerned at the level of parking available within the site, as a whole, on the grounds that the properties themselves are of more bed capacity than actually described. However, should the development obtain permission to proceed as per the application, councillors would prefer to see

the Leicester type properties altered by removing the second floor, thereby becoming a terrace of actual two-bed properties. Benefits of this alteration would include: a) provides 3 x two-bed properties in perpetuity; b) allows height of terrace to be reduced, minimising what would be a very obtrusive building, viewed from neighbouring properties, due to the extensive slope on the land toward Horseheath Road; c) reduces the car parking requirements. Councillors would also wish any permission given, to condition to withhold permitted development rights, to ensure that the properties were not extended further.”

12. **Trees & Landscape Officer** notes that the footprints have been relocated further away from the northern boundary which will enable the planting of a suitable hedge on this boundary. With regard to the removal of trees along the western boundary, he states that, apart from the trees to be removed for the access, the other trees to be removed should only relate to the diseased Horse Chestnut trees marked on site in his presence. He recommends that a condition detailing ‘no-dig’ construction of the footpath adjacent to the Beech tree bordering plot 2 should be imposed together with conditions relating to tree protection and landscaping.
13. **Chief Environmental Health Officer** recommends conditions are attached to any approval relating to the times during the construction period when no power operated machinery shall be operated except in accordance with agreed noise restrictions and driven pile foundations. He also recommends that an informative relating to bonfires and burning of waste during construction is attached to any approval.
14. **Local Highway Authority** states that the layout reflects that which has been agreed as acceptable in respect of the previous application and it confirms that it is acceptable from a highway point of view.
15. **Environment Agency** states that it is for the District Council to consider the flood risk and drainage implications of the proposal in accordance with standing advice.
16. **County Council Chief Financial Planning Officer** is concerned that adequate secondary school capacity is not available at Linton Village College and asks that a contribution to cover the cost of providing 2 additional places in a total sum of £20,000 be sought.
17. **Police Architectural Liaison Officer** states that it is unclear how the space beyond the turning head would be defined and, consequently, the areas adjacent to the rear of the Dereham (plot 10), the northern side of the Leicester (plot 4) and the sides of the Blacksmith (plot 5) would be presented with exposed elevations. He recommends that these elevations are provided with areas of adjoining clearly identifiable space to protect against risk of graffiti or other damage or the arising of disputes over use of the areas. He also recommends that the area between the Dereham (plot 10) and the Blacksmith (plot 9) should benefit from improved natural surveillance by the provision of windows in the overlooking elevations as at present the only windows facing this area are toilet/bathroom.
18. **Cambs Fire and Rescue Service** asks that adequate provision be made for fire hydrants by way of Section 106 Agreement or planning condition.

### **Representations**

19. Objections have been received from the owners/occupiers of 4 & 8 Fairfield Way and 20 Parsonage Way on the following grounds:

- Removal of boundary screening and the leylandii along northern boundary in particular leading to loss of privacy to 8 Fairfield Way and the Junior School;
- Impact on wildlife, including birds and squirrels;
- Damage, including subsidence, to adjacent properties when trees are removed. Need for guarantees from Westbury Homes that they will be liable for any damage;
- Need for wheel washing facilities for construction vehicles and constant washing down of all access roads;
- More traffic using an already dangerous road;
- More traffic, and construction traffic in particular, would exacerbate the existing traffic problems in the village;
- Priority at junction of Fairfield Way and Parsonage Way needs to be defined by road markings during the construction period and thereafter;
- Lack of adequate provision for parking leading to parking in Parsonage Way and Fairfield Way, congestion, difficulties for residents when trying to get in and out of their drives and difficulties for emergency vehicles to access properties;
- On the applicant's website, the various house types are described as having more bedrooms than the plans indicate e.g. The Bridle is shown as a 3-bedroom as part of this application but classified as a 4-bedroom house on the website and so on. The price will reflect the total number of rooms and floor size rather than a specific number of assigned 'bedrooms'; and
- Do the applicant's plan to contribute anything towards the village transport infrastructure?

20. The Headmaster of Linton Heights Junior School states that he has no problems with the proposal for more local housing but is concerned about the removal of the mature conifers along the boundary between the school and the site which act as a windbreak, shade for pupils and as a natural barrier between what would be private housing and, at times, a lively and noisy school play area.

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

21. The key issues in relation to this application are:
- The principle of residential development on the site;
  - The proposed dwelling mix and density;
  - The design and layout of the dwellings;
  - Loss of trees;
  - The impact on neighbours; and
  - Highway and parking matters.
22. The site is within the village framework and the principle of its development for residential purposes is considered to be acceptable.
23. I understand the Parish Council's concerns about the mix of dwellings proposed. Whilst 5no. 2-bedroom dwellings are proposed, they also either have a first floor living room or a small first floor study measuring 2.8m x 2m. As with all developments, it is also true to say that the District Council could not control how future occupiers used, sub-divided or amalgamated rooms. However, whilst requiring a proportion of small units, planning policies also seek to promote and facilitate working from home, which often takes place from small offices/studies. In view of this, and given that half of the proposed dwellings are described as 2-bedroom (a higher proportion than could reasonably be insisted upon), I consider that it would be difficult to substantiate a

refusal based on housing mix alone. However, given these concerns, I think the Parish Council's recommendation to remove permitted development rights for extensions if the application is approved is a sensible one and could be justified in this instance.

24. The design of dwellings and the layout of the site better reflects development in the High Street (where 2 and 2½-storey dwellings are positioned on the back edge of or close to the road) than the newer, more suburban development to the west of the site and is considered to be acceptable. As the land rises to the northeast, I consider that it is important that the finished floor levels are constructed in accordance with levels to be approved to ensure that the development would not be unduly prominent.
25. A plan has been submitted as part of the application which shows many of the existing boundary trees retained, particularly along the west/Fairfield Way boundary. The proposed access involves the loss of a number of the better quality trees on the site but the Trees & Landscape Officer has indicated that he has no objections to their removal. The scheme is considered to be acceptable in terms of impact on trees and scope for additional/replacement boundary planting, including replacement planting along the boundary between the site and the School.
26. The development will lead to overlooking of properties in Fairfield Way and the house and extensive garden at No.3 Horseheath Road with first floor to first floor back-to-back distances of 22.3m+. It is also worthy of note that No.4 Fairfield Way has a single storey rear extension not shown on the application plans. Consideration has been given to minimising the degree of overlooking by careful attention to the position of windows. As a result, there are only four bedroom/study windows plus a landing window in total in the west elevations of the dwellings behind existing dwellings in Fairfield Way. Existing trees on the boundary of the site and within the rear gardens of the dwellings in Fairfield Way would also be supplemented by new planting. On balance, in order to make the best use of the site, I consider the degree of overlooking to be acceptable. I do not consider that the scheme would seriously harm the amenity of neighbours in any other respect.
27. The Local Highway Authority has confirmed that the local roads can accommodate the additional vehicles that would be generated by the development and that the proposed site layout is acceptable in highway terms. Each proposed dwelling would have at least 2 parking spaces which is in accordance with the Local Plan standards.
28. It is unfortunate that a larger part of the garden of No.1 Horseheath Road has not come forward for development as part of this application as this would have resulted in a development of more than 10 dwellings and subsequently would have included an element of affordable housing. However, this application must be determined on its merits and the proposed density (just over 30 dwellings to the hectare) meets the Local Plan's minimum requirements. Whilst the Structure Plan indicates that densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility, I have highlighted some concern in relation to overlooking of neighbours above which is likely to be exacerbated if additional dwellings were to be erected on the site.

## **Recommendation**

29. Subject to the prior signing of a S.106 Agreement covering the financial contribution to cover the cost of providing 2 additional places at Linton Village College:

## Approval

1. Standard Condition A – Time limited permission (RCA)
2. SC5a, e & f – Details of materials for external walls and roofs, finished floor levels and materials to be used for hard surfaced areas (RC To ensure the satisfactory appearance of the development and to protect the amenity of neighbours)
3. SC51 – Landscaping (RC51; and to protect the amenity of neighbours)
4. SC52 – Implementation of landscaping (RC52; and to protect the amenity of neighbours)
5. SC56 – Protection of trees during construction (RC56)
6. The footpath to the side (southwest) and rear (southeast) of plot 2's rear garden as shown upon drawing no. PL/LIN/001/H shall be constructed in accordance with the Arboricultural Advisory and Information Service's Arboricultural Practice Note 1 'Driveways Close to Trees' unless otherwise agreed in writing by the Local Planning Authority (RC To protect the adjacent beech tree)
7. SC60 – Details of boundary treatments (RC60)
8. SC22 – No additional windows at first floor level in the northwest elevations of the dwellings on plots 8, 9 and 10 as shown upon drawing no. PL/LIN/001/H (RC22);
9. 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 Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans (RC To ensure a satisfactory method of surface water drainage)
10. During construction, ... SC26 (0800, 0800, 1800, 1300) – Restriction of hours of use of power operated machinery (RC26)
11. Standard fire hydrant condition and reason
12. SC21 Part 1, Class A, B and C – Removal of permitted development rights for extensions (RC To ensure that the development provides for a mix of dwelling sizes, including smaller units, as required by South Cambridgeshire Local Plan Policy HG10)

## 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** (Sustainable Design in Built Development) and **P5/3** (Density);
  - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **HG10** (Housing Mix and Design), **CS10** (Education) and **EN5** (Landscaping)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Housing mix;
  - Residential amenity;
  - Highway and parking matters;
  - Impact on wildlife; and
  - Loss of trees and screening.

**Informatives**

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

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

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Ref: S/0520/05/F, S/0051/05/F, S/1497/04/F & S/1395/86/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/2445/03/F - Linton**  
**Demolition of Existing Dwellings and Erection of 10 Flats at 6-8 Cambridge Road for Moore Associates**

**Recommendation: Delegated Approval of Amendment**

**Site, Background and Proposal**

1. The application site is located on the north side of Cambridge Road, to the west of its junction with the High Street, and is occupied by a semi-detached pair of flint cottages. Members may recall that, at Committee in March 2004, consent was granted for the erection of 10 flats on the site following the demolition of the existing pair of dwellings. A copy of the Committee report is attached as an appendix.
2. The proposal, received on 18<sup>th</sup> March 2005, seeks a minor amendment to the approved scheme by increasing the overall length of the development (approved length 36 metres) by approximately 1.5 metres and its depth by around 0.7 metres. A covering letter explains that the floor plan is slightly larger than approved as a consequence of new legislation with regard to sound insulation between floors and around staircases and the new access legislation with regard to increasing the width of stairways and size of treads. The overall ridge height of the scheme remains as approved.

**Consultation**

3. **Linton Parish Council** recommends refusal of the amendment stating:  
  
"Councillors were concerned to note an amendment, for comment, for an application which had already had a Decision Notice with relevant conditions. Councillors object to this amendment on the grounds that it will result in direct violation of Conditions 4 and 5 regarding the treatment of respective boundaries and landscaping."
4. **The Conservation Manager** raises no objections, stating that the amendment will not increase the impact of the development upon the Conservation Area.
5. **The Landscape Design Officer** has expressed concern verbally about the encroachment of the retaining wall shown at the front of the building into the front boundary hedge and about the lack of planting on the west side of the building.

**Representations**

6. No.2 Cambridge Road raises no objections to the amendments.

**Planning Comments – Key Issues**

7. The key issues in relation to this amendment are:

- The impact of the changes upon the character and appearance of the nearby Conservation Area to the east;
  - Residential amenity;
  - Impact on boundaries/landscaping.
8. The development would be extended to the west, i.e. – towards the vehicular access, and marginally to the north. I am satisfied that the proposed amendments would not materially harm the amenities of occupiers of adjoining properties.
9. The Conservation Manager has advised that the setting of the nearby Conservation Area would not be harmed as a result of this minor revision.
10. The Parish Council has objected to the amendment on the basis that it would violate two conditions of the planning consent. Condition 4 relates to the implementation of landscaping whilst Condition 5 requires the submission and prior agreement of boundary treatment details before development starts.
11. The approved site plan did indicate that a hedge would be planted between the access and the flats and, given the increase in length of the development, it would no longer be possible for this to be provided in its entirety. However, the landscaping of the site did not form part of the approved plans with the planning consent being subject to a condition requiring the submission of a suitable landscaping scheme.
12. Following the concerns expressed by the Landscape Design Officer, a meeting was held with the applicant's agent where it was explained that the parts of the retaining wall encroaching into the front boundary hedge should be moved out of the hedge. In addition, the applicants would need to demonstrate that the hedges, shrubs and trees shown could survive in such close proximity to the building and retaining walls. [If this could not be demonstrated, the building would need to be moved back into the site – this would need to form the subject of a separate amendment and consultation with the Parish Council and neighbours]. Finally, changes to accommodate more planting and screening on the site, particularly around the west side of the flats, were discussed.
13. Since the meeting, It has been confirmed in writing that the site is underlain by sand and gravel which, being granular materials, are unaffected by tree roots. As such, there would be no restrictions on planting trees and shrubs close to the building and retaining walls. In addition, further amended plans are shortly to be submitted showing:
- The addition of a hedge to abut the existing close boarded fence along the northern site boundary;
  - The addition of an ornamental tree adjacent to the eastern site boundary;
  - The addition of a climbing plant species to the western gable of the flats;
  - The addition of hawthorn hedging to the front/southern boundary set behind the highway visibility splay with a low ground cover species planted in the zone of the sight splay and the site edge being defined by a low post and rail fence;
  - Confirmation that there is tall hedging on the west side of the access (on County Highways owned land) that would be unaffected by the proposal.
14. These amendments appear to be in accordance with discussions at the meeting held with the applicant's agent and the Landscape Design Officer. A copy of the letter and amended plans will be forwarded to the Parish Council and Landscape Design Officer

once received and any comments reported verbally to Members at the Committee meeting.

15. Finally, I can confirm that the boundary treatment details have not, to date, been agreed and the proposed amendments do therefore not violate any details approved as part of the planning consent.

**Recommendation**

16. Subject to the Landscape Design Officer being satisfied with the extent of landscaping shown on the revised plan and with the feasibility of planting being carried out in close proximity to built structures, approve the amendment to the application.

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

- Planning application ref: S/2445/03/F

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

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# APPENDIX

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 1<sup>st</sup> December 2003, and amended on 4<sup>th</sup> 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 4<sup>th</sup> 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**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0475/05/O - Longstanton**  
**Three bungalows, land at Clive Hall Drive/Mills Lane for Mr D J Harradine**

**Recommendation: Refusal**  
**Determination Date: 4<sup>th</sup> May 2005**

Members will visit the site on the 11<sup>th</sup> May 2005.

**Site and Proposal**

1. The 0.25 ha site lies to the north-east of the junction of Mills Lane and Clive Hall Drive and has a frontage to both roads. The site is pastureland, surrounded on its boundaries with hedgerows and young trees. There is a wooden shed close to Clive Hall Drive.
2. The outline application, received on the 9<sup>th</sup> March 2005 proposes the erection of 3 bungalows on the site. All matters are reserved. The density proposed is 12 dwellings/hectare.
3. In a covering letter the applicant states:
  - “The land in question is a small parcel of undeveloped land within the village but excluded from the village boundary by the Local Plan.
  - The basis for exclusion of the land from the village is not really understood, as the land is effectively an undeveloped section of Clive Hall Drive fronting onto this road. There are clear definable boundaries to the east where there is an extremely mature hedge, which creates a visual separation of the village and countryside beyond.

Adjacent and to the south of the land is a caravan site and to the north is residential development. There are no other known constraints to development such as landscape notations. All main services are adjacent to the site inc a mains lateral already available on the site.

- There are compelling personal family reasons to justify the grant of planning permission as this would enable us to remain in the village where we have lived and worked all our life and would also allow our son (s) to return to the village where they were brought up. As for myself, I have lived in the village for over 70 years and wish to retain that connection, in particular as I grow older I wish to be close to my sons for the anticipated support they can offer.

This accords with my understanding of Government guidance on this issue who seek to provide for and retain local people in rural areas where possible within their own communities.

- There is much development planned for the village of Longstanton, such as the 500 plus dwellings to the northwest and also the 8,000 or more dwellings proposed as Northstowe. Therefore a minor amendment to the village framework for the 3 additional dwellings should be seen in the context of the above.
  - There are no other planning or highway reasons why outline planning permission should not be granted for 3 dwellings.
4. I am prepared to accept a restriction upon the other land to the east which is marked blue on the plan and this could be by way of a restrictive covenant or Section 106 Agreement or whatever is deemed suitable. This would be compatible with the proposed 'Green Separation' for Northstowe.
  5. In conclusion, I consider there are no sound reasons why planning permission is withheld for this small development within Longstanton which would be for me and members of my family who wish to return to the village. I would request that the Council approves permission. I can provide further information if the Council need it in order to determine the application”.

### **Planning History**

6. The site has a long history of refusals for residential development dating back to 1975. Two applications in 1994 and 1997 were withdrawn prior to the issue of decision notices refusing planning permission and in 1999 a single bungalow was refused.

### **Planning Policy**

7. The site is outside the village framework defined in the 2004 Local Plan.
8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure plan 2003 states: development will be restricted in the countryside unless the proposal can be demonstrated to be essential in a particular rural location.
8. **Policy SE8** of the 2004 Local Plan states: there is a general presumption in favour of residential development within village frameworks. Residential development outside these frameworks will not be permitted.
9. **Policy Longstanton 5** states development in Longstanton St Michael's will be restricted to infilling within the built-up framework of the village. The supporting text states “in particular, the country lane character of St Michael's Lane and Mills Lane will be retained.....”

### **Consultations**

10. **Longstanton Parish Council** deferred consideration of the application, but will reconsider it before today's meeting. A verbal report will be made.
11. **The County Archaeologist** requires an archaeological investigation to be carried out by the developers.

### **Representations**

12. 2 letters of objections received from nearby residents concerned at the loss of semi-rural character unnecessary in view of major expansion in the village and Northstowe, loss of agricultural land and conflict with existing planning policies.
13. Two letters have been received from the adjacent mobile home park, one from the owner and one from a resident supporting the application.
14. 9 letters of support have been received from non-adjacent residents. They state the site is well enclosed by hedges, development would “round off” the framework and support for the personal reasons advanced by the applicant.

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

15. The key issues to consider in this application are the affect and implications of the proposal on the countryside set against the personal justification advanced by the applicant.
16. The site is outside the village framework defined in the 2004 Local Plan and its development for residential purposes would be contrary to the specific Policy Longstanton 5 which seeks to retain the “country lane” character of Mills Lane by restricting developments to infilling (re no more than 2 dwellings) within the village framework.
17. The personal reason advanced by the applicant to justify an exception being made to planning policies revolve around his desire for his sons to move back to the village where they were raised and for him to relocate from elsewhere in the village to live in one of the proposed bungalows near them. I consider the personal circumstances in this case clearly insufficient to override well-established policies designed to protect the countryside from non-essential development, the argument could be repeated in other villages and granting permission would set an unfortunate precedent.

#### **Recommendation**

**Refusal** for the following reason:

1. The site is located in the countryside and residential development is contrary to the following Policies:
  - (a) **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 which restricts development in the countryside to proposals which can demonstrate an essential need for a particular rural location. No essential need has been demonstrated in this case; and
  - (b) **Policies SE8** of the South Cambridgeshire Local Plan 2004 and Policy Longstanton 5 of the Inset Map No 67, in that the development is not infilling by no more than two dwellings within the physical framework of Longstanton as defined on the Inset Map. The country lane character of Mills Lane would be eroded and development in this location would make it difficult to resist further similar proposals, which cumulatively would damage both the rural character of this part of Longstanton and undermine policies aimed at protecting the countryside from unnecessary development.

**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 Ref: S/0475/05/O

**Contact Officer:** Robert Morgan – Planning Officer  
Telephone: (01954) 713395

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0200/05/F - Melbourn**  
**Erection of 7 Guest Bedrooms, The Sheene Mill, Station Road, for Mr and Mrs Saunders**

**Recommendation: Delegated Approval**  
**Date for Determination: 30<sup>th</sup> March 2005**

**Site and Proposal**

1. This full application, as amended by drawings received on 8<sup>th</sup> April 2005, proposes the erection of 7 guest bedrooms in the grounds of Sheene Mill, Station Road, Melbourn, a Grade II Listed Building
2. The proposed building is detached from, and to the south east of the main building, to the rear of the existing car parking area. The proposed building, which comprises seven 1-bedroom suites, is 24.4 metres in length and varies in depth between 8.3 and 11.6 metres. The building is mainly single storey with a ridge height 6.4 metres. However there is a higher central section, with a ridge height of 7.6 metres, that provides the seventh room. The building would replace an existing range of small outbuildings on the site
3. To the south east the site adjoins the rear gardens of properties in Dolphin Lane. The proposed building is a minimum of 9 metres from the boundary with properties in Dolphin Lane.

**Planning History**

4. Planning consent was originally granted for the bedroom annexe in October 1999 (Ref **S/0071/99/F**) and subsequently renewed at the January 2005 meeting.
5. In November 2004 planning and listed consent was refused for an extension to the main building to provide eight guest bedrooms (Ref **S/1888/04/LB & S/1889/04/F**) on the grounds that the scale, form massing and appearance of the building was considered to detract from the character and appearance of the Listed Building, and that the extension could not be justified as being necessary to secure the continued viable use of the historic building.
6. In 1999 consent was granted for extensions to Sheene Mill and additional parking, including an extension over the existing flat roofed projection at the front of the site. That consent has been implemented in part.

**Planning Policy**

**Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") requires Local Authorities to protect and enhance the quality and distinctiveness of the historic built environment.

**Policy RT12** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that the District Council will support proposals for the construction, extension or conversion to hotels, motels and guesthouses within village frameworks having regard to other policies in the Plan.

**Policy EN28** of the Local Plan states that the District Council will resist and refuse applications which would dominate a Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; would harm the visual relationship between the building and its formal or natural landscape surroundings or; would damage archaeological remains of importance.

### **Consultations**

**Melbourn Parish Council** recommended refusal of the application as originally submitted. “Our comments on application S/1889/04/F still pertain. The ‘footprint’ is still virtually the same, the car parking problems have not been improved etc.”

Its comments on the revised drawings will be reported verbally.

The **Conservation Manager** recommended refusal of the application as originally submitted but considers the amendment to be more in keeping with the approved scheme. The simplified form of the proposed annexe and the relocation of the lobby to the front wing provides symmetry and reduces the bulk and scale of the annexe. The increase in height between this and the approved scheme is not considered harmful to the setting of the listed building and the annexe still reads as a subservient, ancillary building.

The **Local Highway Authority** has no objection to the principle of guest rooms but is concerned that the number of parking spaces to be provided does not meet the District Councils’ standards. Clearly, it is essential that adequate parking be provided for the uses proposed within the site. At times of highest need, i.e. wedding receptions etc, on street parking is likely to be exacerbated if some on site spaces are used by resident guests.

The **Chief Environmental Health Officer** requests a condition restricting the hours of use of power operated machinery during the period of construction.

The comments of **Meldreth Parish Council** will be reported verbally.

### **Representations**

7. 5 letters have been received from the occupiers of properties in Dolphin Lane and Station Road objecting on the following grounds:
8. Inappropriate scale of development for this site of a listed building. It is understood that whilst planning permission was granted a few years ago for the building it is alleged that no application was granted for demolition of the existing buildings.
9. The building would have a large impact on neighbouring properties. The building is sited too close to the boundary fence with properties on Dolphin Lane bearing in mind that the Dolphin Lane properties are bungalows and as the proposal is for a two-storey building, it would be inappropriate. In addition there would be overlooking leading to loss of privacy.

10. The proposed increase to the hotel would add to existing problems experienced with traffic and car parking. There is already a shortage of car parking spaces at the site and customers are using Station Road which affects the smooth flow of traffic along Station Road from Melbourn to the A10 junction and on occasions cars have backed right up to the A10 junction creating a dangerous situation. There are difficulties exiting from Dolphin Lane. The proposed extension would encroach on some of the parking area. The Highways Authority should consider this matter.
11. The proprietor of Riverside Guest House comments that the previous renewal was granted on the basis that the car parking situation at this end of Station Road had not changed since the original application in 1999. This is not correct. In 2003 consent was granted for a change of use of 30 Station Road from light industrial use to retail use. This consent was granted subject to the condition that spaces were made available within Sheene Mill car park for customers and staff at 30 Station Road, which decreases the number of spaces available for Sheene Mill staff and guests. Additional parking that was provided in the field on the other side of the River Mel is no longer available for use by Sheene Mill or 30 Station Road, which has resulted in an extra 8-10 cars parking in Station Road since Autumn 2004. Cars are now often parked on both sides of the driveway to the Guest House, obstructing the view in both directions, which makes it very difficult and dangerous for cars entering and leaving the site, especially when trying to turn left against the oncoming traffic. There have been occasions when it has been necessary to find the owners of cars parked in Station Road to get vehicles moved in order to use the entrance to the Guest House. Photographs illustrating the current parking situation in Station Road have been provided
12. The levels of noise generated by Sheene Mill, when the restaurant is open, is already frequently unacceptable and has in the past resulted in complaints to the proprietors and the Environmental Health Department. The addition of further bedrooms will increase the number of guests and the potential for disturbance.
13. Overcrowding in a Conservation Area.

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

14. The applicant's agent comments that the amended drawings move the entrance to the proposed building further from the listed building and is now contained within the two storey element. The gap between the proposed annexe and the existing building has been maintained at the same distance as that approved previously. The roof has been changed from hipped to half hipped and amendments made to the fenestration. There are 45 parking spaces provided. The maximum number of spaces required for the existing and proposed buildings under the adopted parking spaces would be 49.

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

15. Planning consent exists for the erection of a building providing four guest bedrooms. This proposal proposes an additional three rooms. The key issues to be considered with this application are the effect on the setting of the Listed Building, highway safety and the amenity of local residents. The site is not in the Conservation Area.
16. The proposed building is sited a minimum 9 metres from the boundary of properties on Dolphin Lane and is 4.2 metres high at this point, rising to 6.4 metres at a distance of 11.5 metres from the boundary. There is a corridor door in the south east elevation of the proposed building at ground floor level. The depth of the single storey element of the building at this end of the site has decreased from 9.3 metres to 8.3

metres. It is my view that the visual impact of the building on the adjacent properties in Dolphin Lane is acceptable and that the slight increase in height is offset by the reduction in depth.

17. The Conservation Manager has no objection to the scheme as amended in respect to its impact on the listed building. Listed Building Consent was granted in 1999 for the demolition of existing outbuildings. That consent has been part implemented.
18. On the matter of car parking and highway safety the applicants' agent has stated that the existing and proposed buildings generate a maximum requirement of 49 spaces. The drawings currently show the provision of 45 spaces. I am aware of the local concern in respect of car parking in Station Road and in my view it is therefore essential in this case that the proposal provides parking up to the maximum standard. The proposed scheme, if approved and constructed, would result in three additional rooms, over and above works already consented. However, in discussions with the applicant's agent it was indicated that should consent be granted for this scheme that the remainder of the extant 1999 consent for an additional two bedrooms and meeting room above the existing flat roofed area at the front of Sheene Mill would not be carried out. If this is the case then the current proposal for an additional three bedrooms would not differ significantly from that already consented and in my view in such circumstances the provision of additional car parking could not be reasonably required
19. I will discuss the matter of car parking further with the applicants' agent prior to the meeting and seek written confirmation that the applicant is prepared to enter into a Section 106 Agreement voluntarily revoking the unimplemented work in respect of the 1999 consent, should consent for the current proposal be granted.

### **Recommendation**

That subject to the applicant entering into a Section 106 Agreement revoking consent for the remainder of the works approved under consent Ref: S/0073/99/F that delegated powers of approval be granted subject to the following conditions.

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (Rc5a);
3. Sc51 – Landscaping (Rc51);
4. Sc52 – Implementation of landscaping (Rc52);
5. Sc60 – Details of boundary treatment – south west and south east - (Rc60);
6. Notwithstanding the details shown on Drawing 9909:13A the precise details of the fenestration including finishes of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out and maintained in accordance with the approved details. (Reason – To ensure appropriate details of the building within the curtilage of a listed building)
7. The building hereby permitted shall not be occupied other than by staff or guests of Sheene Mill (Reason – To prevent the building being used as separate units of accommodation)
8. No further openings of any kind shall be inserted into the south east elevation of the building hereby permitted without the prior written consent of the Local Planning Authority. (Reason – To protect the amenities of adjacent residential properties)

## **Informatives**

### **Chief Environmental Health Officer**

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.

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004: RT12** (Holiday accommodation within frameworks) and **EN28** (Development within the Curtilage of a Listed Building)
  
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity including noise disturbance and overlooking issues
  - Highway safety
  - Impact upon setting of a Listed Building

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/0200/05/F; S/2181/04/F; S/1888/04/LB; S/1889/04/F; S/0071/99/F; S/0070/99/LB & S/0073/99/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee      13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

**S/0402/05/F - Melbourn**

**Variation of Condition No. 4 of Planning Permission Reference S/1447/03/F to Allow Use of Part of Building for Retail Sale of Baby and Nursery Equipment for M Huffer**

**Recommendation: Refusal**  
**Determination Date: 27<sup>th</sup> April 2005**

**Site and Proposal**

1. Phillimore Garden Centre is located on the west side of Cambridge Road, north of Melbourn village.
2. The full planning application, received 2<sup>nd</sup> March 2005, proposes the variation of a condition that restricts the use of a new building within the Garden Centre site to use in connection with a Garden Centre only, restricting the type of goods sold.
3. Only half of the building is required by a company known as 'Nippers' who would like to relocate here from its current shop in Whaddon. The stated goods sold are baby and nursery equipment, outdoor climbing frames, toys for children, TP outdoor toys, swings, slides and trampolines.
4. The floor area would be split up into approximately 186m<sup>2</sup> of retail area at the front of the building with approximately 64m<sup>2</sup> of storage space to the rear. 'Nippers' would be happy for a personal condition to be imposed and require opening hours between 10am to 4pm (days not indicated).

**Planning History**

5. In July 2003 a planning application was submitted for the "erection of a building for shed and garden building display and sales and camping shop". The application was approved at the November 2003 Development and Conservation Control Committee meeting subject to conditions. Condition 4 limited the use of the building to garden centre use only. The description of the development was amended to remove reference to the camping shop.

**Planning Policy**

6. **Policy SH12 – Garden Centres** of the South Cambridgeshire Local Plan 2004 ("The Local Plan")

This policy states (in part):-

"Convenience sales will not be permitted where it would have a significant adverse impact, either individually or cumulatively, on the viability and vitality of the existing Rural and Limited Rural Growth Settlements in South Cambridgeshire, or other village centres.

7. **Paragraph 6.28 of the Local Plan states (in part):-**

"[Garden centres] should not be permitted to sell convenience or other goods where it could undermine the viability of village shops which are better located to serve the entire local population, not just those with ready access to a motor car".

8. **Retailing in the countryside**

**Paragraph 6.26 of the Local Plan states:-**

"The District Council is concerned about sporadic development for retail uses in the open countryside ...sales could have an adverse effect on the economic viability of existing shopping facilities in nearby villages..."

9. **Policy TP1 of the Local Plan states (in part):-**

"The Council will seek, through its decisions on planning applications, to promote more sustainable transport choices, to improve access to major trip generators by non-car modes, and to reduce the need to travel, especially by car.

To give effect to these aims, planning permission will not be granted for developments likely to give rise to more than a small-scale increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s)".

10. **Planning Policy Guidance Note 6 – Town Centres and Retail Developments**

**Paragraph 4.9 states (in part):**

"The Government is seeking, through the location of development, to influence overall levels of car travel. PPG13 seeks to reduce the need to travel, reduce reliance on the car and facilitate multi-purpose trips...Linked trips are more likely to happen on trips made to existing centres...For retail developments, local planning authorities should assess the likely proportion of customers who would arrive by car and the catchment area which the development seeks to serve. Particular consideration should be given to retail proposals which seek to attract car-borne trade from a wide catchment area.

11. **Planning Policy Guidance Note 13 - Transport**

**Paragraph 35 states (in part):-**

"Policies for retail and leisure should seek to promote the vitality and viability of existing town centres, which should be the preferred locations for new retail and leisure developments.

12. **Planning Policy Statement 7 – Sustainable Development in Rural Areas**

**Paragraph 17 states (in part):-**

"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".

**Consultation**

13. **Melbourn Parish Council**

Recommends approval

**Representations**

14. None

**Planning Comments – Key Issues**

15. The key issues are whether the use of this part of the building for the sale of baby and nursery equipment etc is sustainable and/or would threaten the viability and vitality of village shops.

**Sustainability**

16. The site is not readily accessible by public transport. I am not aware of any bus stop near the site and it is not readily accessible on foot or by bicycle. Most customers will therefore arrive by car. The type of goods sold will on occasion necessitate the use of a car but in the main this is not necessary. I consider that this site is not in a sustainable location for retail sales of goods that would be better located within an urban centre or village shop.
17. Coupled with the inevitable arrival by car is the concern that in this isolated location special journeys are required that would not (in all probability) be combined with the garden centre use although there would of course be odd occasions where this occurs. Were this site within Cambridge or within a village there is a greater probability that journeys would be combined with the use of other shops and services. This pattern of use is contrary to the Government objective of encouraging linked trips (see PPG6 above).

**Vitality and viability of local shops**

18. I do not consider that this proposal will threaten any specific local shops. However, there is no reason why nursery and baby equipment should not be sold from a village location. The Local Plan states that the District Council is concerned about sporadic development for retail uses in the open countryside.
19. Taken cumulatively this proposal will contribute to the increasing pressures upon local village shops and services particularly as countryside shops can benefit from lower overheads which can undermine the viability of village shops. In my view retail sales outside of village frameworks should be limited to the type of goods that cannot reasonably be expected to be sold within villages or urban centres. The District Council has consistently opposed the sale of goods that are not in connection with a garden centre from garden centre sites.

**Conclusion**

20. I consider the sales of nursery and baby equipment from this site will attract customers by car, making a special journey, for a type of goods that could readily be sold from a village shop. This is unsustainable and contrary to both national and local policies.
21. The use will, as part of a cumulative impact, adversely affect the viability and vitality of village shops.

**Recommendation**

**Refusal**

The proposed sale of goods that can readily be sold from an urban centre or village shop premises in this rural location is unsustainable. It will attract and encourage single-purpose car journeys and will further contribute to a cumulative adverse impact on the vitality and viability of village shops. As such the proposal is contrary to Policies TP1 and SH12 of the South Cambridgeshire Local Plan 2004.

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

- Planning Files reference S/1447/03/F and S/0402/05/F
- South Cambridgeshire Local Plan 2004
- Planning Policy Guidance Notes Nos. 6 and 13
- Planning Policy Statement No. 7.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/0588/05/F - Great Chishill****Conservatory (Amended Design) and Three Metre High Fence, 6 New Road for Mr Lane****Recommendation: Refusal****Date for Determination: 24<sup>th</sup> May 2005****Abuts Conservation Area  
Site and Proposal**

1. Number 6 New Road is a large, detached bungalow, which falls within the Great Chishill village framework and abuts the northern boundary of the Conservation Area. As New Road enters the built up part of the village the properties enjoy increasingly elevated curtilages, with number 6 sitting above its northern, single-storey neighbours.
2. From the adjacent highway the property has a wider road frontage than the neighbouring properties, the spaciousness of the curtilage is further reflected by a large, linear, rear, garden extending to the northeast. On the northwest elevation of the property there is an elevated terraced platform that wraps around the rear corner of the dwelling. The shared boundary between numbers 6 and 8 New Road (the northern neighbour) is defined by a tall undulating, close boarded fence that sits atop a dwarf wall.
3. A full application was received on the 29<sup>th</sup> March 2005 and proposes an amended design of an already approved conservatory, though with the reduction of obscure glazed windowpanes that were part of a condition placed on the approved application. In addition to the reduction of the obscure glazing a three-metre high, thirteen-metre long boundary fence is also proposed.

**Planning History**

4. **S/0671/04/F** – Planning consent was granted for a conservatory on the northwest elevation of number 6 New Road with a condition that the north west elevation of the conservatory, including angled elements, were to be fitted and permanently maintained with obscured glass.
5. During the determination of this application it was taken to a Chairman's Delegation Meeting on the 13<sup>th</sup> May 2004 with an officer recommendation for refusal. The recommendation for refusal was based on the loss of amenity that would have occurred through overlooking of the garden area of number 8 New Road. Aside from the view of planning officers the neighbours also objected, stating that there was no objection to the principle of the conservatory though the floor level should be lowered and obscure glazing used to reduce overlooking.

In order to address planning officers' concerns the application was amended to obscure glaze the northeastern windowpanes. As a result of this amendment the application was approved.

6. **S/2270/04/F** – Planning consent was refused for an amended design of the approved conservatory, with the aforementioned obscure glazing being omitted from the lower windowpanes of the northwest elevation of conservatory.

### **Planning Policy**

7. Policy **HG12** of the **South Cambridgeshire Local Plan 2004** seeks to resist extensions to dwellings within village frameworks that would seriously harm the amenities of neighbouring properties or have an unacceptable visual impact upon the street scene.

### **Consultation**

8. **Great Chishill Parish Council** – Has recommended that the application be approved.
9. **Conservation Area and Design Officer** – Has no objection to the changes to the conservatory, though believes that the increase in the height of the fence might have an impact on the Conservation Area. A stepped trellis has been suggested to hide the length of raised fence.

### **Representations**

10. One letter of objection has been received from the owner of number 8 New Road, who believes that his previous comments in respect of the two previous applications remain relevant. The objector assumes that the proposed fence is to be sited adjacent to the existing one, which was erected by him to protect his privacy.
11. With regards to this latest proposal there is concern that inevitably there will be a loss of light to a substantial part of the rear garden, and to the window on the northeast elevation of number 8. In short the objector considers that any significant increase in the height of the boundary an unnecessary loss of amenity.

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

#### **Loss of Amenity**

12. As previously mentioned number 6 New Road occupies a higher plot of land than number 8, and has an existing terraced platform that presently overlooks the neighbours' rear garden. The approved conservatory is to be built largely on the footprint of this platform, though it will extend by approximately two metres nearer to the shared boundary. The principle of the conservatory has already been accepted and approved, though the development has only ever been deemed acceptable as a result of the obscure glazing.
13. The proposed fence is to run adjacent to the rear section of the shared boundary for a length of approximately thirteen metres. Although it would address the overlooking issue, resulting from a reduction in the obscure glazing of the conservatory, it would also result in a loss of neighbour amenity. The existing fence reaches a height of two and a half metres along part of the section of the proposed fence, with its height reducing by a further half a metre to the rear of the site. Based on conversations with the neighbour it appears that this fence is on their land and was erected some years ago by them. It appears that the proposed fence would be erected parallel to the existing one, the height of which it would exceed by between 500mm and one metre.

The higher plot of land on which the fence would be located would exacerbate the impact of the development and means that the difference in heights might exceed the two aforementioned figures.

14. The orientation of the fence, and its proximity to the neighbouring boundary, means that a loss of neighbour amenity would occur by virtue of it being unduly overbearing and resulting in a loss of light to the rear garden of number 8 New Road.
15. Planning officers have consistently maintained that the approved conservatory would only ever be considered acceptable with the obscure glazed windowpanes. Although not as aesthetically pleasing as clear glass the already approved scheme would appear to be the most acceptable way that the conservatory can be built without unduly impacting upon neighbour amenity.
16. Although the southern boundary of the site abuts the Conservation Area the proposed development on the northern boundary is unlikely to have a major visual impact upon its special character or setting. The visual impact of the fence is less easily determined as no elevations have been provided. The comments made by the Conservation Area and Design Officer may reduce the visual impact of the fence but would not address the issue of loss of neighbour amenity.

### **Recommendation**

Refuse

### **Reasons for Refusal**

1. The proposed three metre high fence would be contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004, as it would harm seriously amenities of the occupiers of number 8 New Road through undue loss of light, and by being unduly overbearing in terms of its mass.
2. Without an acceptable form of boundary treatment the reduction of obscure glazing as proposed by the amended design compared with the scheme granted planning permission on 24<sup>th</sup> May 2004 (ref. S/0671/04/F) would be contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004, as it would harm seriously the amenities of the occupiers of number 8 New Road through undue loss privacy.

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

- South Cambridgeshire Local Plan 2004
- Planning Files Re: S/0588/05/F, S/2270/04/F, S/0671/04/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> April 2005  
**AUTHOR/S:** Director of Development Services

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**S/0587/05/F - Orwell**  
**Extension, 11 Hurdleditch Road for Mr and Mrs Cracknell**

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

**Site and Proposal**

1. 11 Hurdleditch Road is located within but near the edge of the village framework and outside of the designated Conservation Area. It is a semi detached brick dwelling house with both neighbours being a mirror image, all of which have the same building line. The house is set well away from the main road and there is adequate off road parking for 3 or more cars. The rear garden looks over open countryside. On the existing rear elevation is a single storey shower room and a rectangular Upvc conservatory, approximately 1.7 metres in depth.
2. The full application received 24<sup>th</sup> March 2005 proposes a two-storey pitched and hipped roof rear extension that faces the southwest. The proposal extends approximately 3.3 metres along the southeast boundary and 4.9 metres adjacent the northwest boundary at two storeys. Internally it would create two first floor bedrooms and a ground floor kitchen and dining room.

**Planning History**

3. None relevant to this application.

**Planning Policy**

4. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") states that a high standard of design and sustainability should be adopted for all new forms of development, responding to the local character of the built environment.
5. **Policy HG12 'Extensions and Alterations to Dwellings within Frameworks'** 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.

**Consultation**

6. **Orwell Parish Council** recommends approval.

**Representations**

7. None received.

**Planning Comments – Key Issues**

8. The key issues to consider in determining this application is the impact the proposed development will have on both the adjoining neighbours.
9. **Impact on the occupiers of No. 10 Hurdleditch Road**  
No. 10 is located to the south east of the proposal site. It is similar in design to that of No. 11 and has a ground floor lounge window on the rear elevation. The proposed extension is located approximately 300mm off the adjoining boundary, at 5 metres in height to the eaves and 3.3 metres in depth I am of the view this will have an adverse impact on the occupiers of No. 10 by means of being unduly overbearing. There will also be some loss of evening sun to this opening.
10. **Impact on the occupiers of No 12 Hurdleditch Road**  
No 15 are located to the north west of the proposal site. There is approximately 4 metres between these two dwellings, however the depth of the extensions closest to this property is approximately 5 metres and considerably larger at two storeys high. There are ground floor openings on this neighbouring elevation that will be adversely affected in terms of the development, again being unduly overbearing and a significant loss of light.
11. It would seem that the architect has tried to lessen the impact of this development on the adjoining properties by hipping the roof. However I consider that the extension, by return of depth and height will have an overbearing impact on both of the neighbouring properties. The existing boundaries consist of a mixture of close-boarded fencing and leylandii, both of which are considerably lower than that of the proposed development. Towards the rear of these properties, boundaries have been predominately left open and undefined.

### **Recommendation**

Refuse

The proposed extension would be contrary to policy HG12 of the South Cambridgeshire Local Plan 2004, as it would have an unacceptable impact upon neighbour amenity through undue loss of light and being unduly overbearing in terms of its mass, depth and height.

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

- File reference S/0587/05/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 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0538/05/F - Papworth Everard  
Extension at 6 Norton Close for Mr and Mrs Shearing**

**Recommendation: Refuse  
Date for Determination: 16 May 2005**

**Site and Proposal**

1. No. 6 is a modern, two storey detached brick and tiled dwelling, situated on the southern side of Norton Close. The dwelling has an integral garage and two storey high front gable. The eastern side of the dwelling is setback from the front elevation with a storm canopy/open porch at ground floor level, characteristic of 4-9 Norton Close. This pattern is reversed on 3 Norton Close. Adjacent the rear property boundary is the Papworth Everard Conservation Area. The dwelling has been extended to the rear with a single storey rear extension and conservatory.
2. The full application, received on 21 March 2005 proposes the alteration and extension of the dwelling to form a 2.7 metre deep two storey front extension, that creates a second full-height gable along the front elevation. The proposal also involves the alteration of the roof of the existing rear conservatory to enable the replacement of existing roof materials from polycarb sheeting to tiles.

It is noted that planning permission is not required for the conversion of the garage.

**Planning History**

3. Planning permission was given for the erection of the dwelling as part of a larger residential estate in 1994 and later, as reserved matters, in 1996 (Ref: S/0555/96/RM). In 1999 planning permission was given for a rear conservatory (Ref: S/0723/99/F).

**Planning Policy**

4. **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.
5. **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.
6. **Policy HG12** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") 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. This policy states that proposals which would seriously harm the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass, or would adversely affect surrounding properties by virtue of its design, layout, location or materials will not be permitted.

7. **Policy EN30** of the Local Plan states that proposals in conservation areas or affecting their setting, will be expected to preserve or enhance the special character and appearance of the Conservation 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**

8. **Papworth Everard Parish Council** – Recommendation of Approval. No other comments made.
9. **Conservation Manager** – The proposal has no impact on the Conservation Area.

#### **Representations**

10. None received at the time of writing report. The statutory consultation period expires 3<sup>rd</sup> May 2005.

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

11. The key issues in the assessment of this application are whether the design of the proposed extension is in keeping with local characteristics and impact on neighbour amenity.

#### **Design and Appearance**

12. I am of the view that the proposed design of the extension is out of character with the both the existing design and appearance of the dwelling and adjacent dwellings. The proposed second full-height front gable on the property, setback 2.5m behind the existing full-height front gable, is considered to create an alien and incongruous feature in the streetscene that does not relate well to the existing pattern of single full-height front gables and recessed side elevations. The proposed front extension is considered to increase the visual dominance of the eastern side of the dwelling and decrease the sense of visual spacing between dwellings 5 and 6 Norton Close, by extending the eastern side of the dwelling further along the side elevation of 5 Norton Close at a higher ridge height. The sense of visual spacing/separation between the two dwellings is considered of increased importance in this case, as the dwellings are positioned close together, approximately 1.5m apart.

No objection is raised to alterations to the roof of the existing rear conservatory.

#### **Impact on Residential Amenity**

13. I am of the view that the proposal does not seriously harm the residential amenities of adjacent properties.

#### **Car Parking**

14. I am satisfied that sufficient space would remain on-site for the parking of two vehicles.

#### **Impact on Conservation Area**

15. The proposal is considered to have an acceptable impact on the character and appearance of the adjacent Conservation Area, to the rear of the property. In accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, I am satisfied that the proposal will preserve the character or appearance of the adjoining conservation area.

**Recommendation**

Refuse

**Reason for Refusal**

Dwellings 3-9 Norton Close, Papworth Everard are characterised by single two-storey high front gables, with one side of the dwelling setback from the front elevation.

The proposal by virtue of its design, scale and position along the front elevation of 6 Norton Close, creates an alien and incongruous feature in the streetscene, that does not relate well to the local character of the built environment and has an unacceptable visual impact upon the streetscene. The proposed full two-storey height of the second gable along the front elevation is incompatible with the design features of dwellings 3-9 Norton Close and would create an unduly dominating frontage feature in the streetscene. The proposal would also adversely alter the visual sense of separation between dwellings 5 and 6 Norton Close, by the increase in height and massing along the eastern elevation of the dwelling. The proposal, if repeated on adjacent properties, would erode the design features of this section of Papworth Everard to the detriment of the visual appearance of the streetscene.

For the above reasons, the proposal is therefore contrary to Policy HG12 of the South Cambridgeshire Local Plan 2004 which states that extensions and alterations to dwellings will not be permitted where there would be an unacceptable visual impact upon the streetscene. The proposal is also contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 which states that a high standard of design is required for all development that responds to the local character of the built environment.

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

- Cambridgeshire and Peterborough Local Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Refs S/0538/05/F, S/0723/99/F and S/0555/96/RM

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

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**S/0306/05/F - Sawston  
Extension at 9 Skiver Close for Mr & Mrs Golder**

**Recommendation: Approval  
Date for Determination: 14<sup>th</sup> April 2005**

1. This application was deferred from the Chairman's Delegation Meeting on 18<sup>th</sup> April 2005.  
Members will visit the site on 11<sup>th</sup> May 2005.

**Site and Proposal**

2. No. 9 Skiver Close is situated within a small cul-de-sac off Tannery Road, inside the Sawston village framework. It is a modern, detached, two-storey, brick and tile house that has an attached single storey, pitched roof garage to the side. A shed is situated immediately behind the garage. There is a two metre high fence along the boundary of the site with No. 10 Skiver Close. Four parking spaces are provided on site.
3. An open recreation area lies to the west of the site. No. 10 Skiver Close is a detached, two-storey house that is situated to the north. It is set slightly forward of No. 9 and has a utility room window and cloakroom window in its side ground floor elevation and a door, kitchen window and conservatory in/on its rear ground floor elevation. There is a shed in the south western corner of the garden. No. 8 Skiver Close is a detached, two-storey house that is situated to the south. Its front elevation faces the garden of No. 9. It has a link double garage that is situated adjacent to the boundary.
4. The application, received on the 17<sup>th</sup> February 2005, proposes the erection of a part two-storey, part single storey side extension to No. 9 Skiver Close. The proposed openings in the side elevation would serve a utility room at ground floor level and a landing at first floor level. A new bedroom window would be inserted into the rear elevation at first floor level.

**History**

5. Planning permission was granted in June 1995 (ref. S/1307/94/F) for 112 houses on land off Tannery Road. Condition 11 of the consent removed permitted development rights under Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 for first floor extensions.

**Planning Policy**

6. **Policy P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to ensure that all new developments incorporate high standards of design that respond to the local character of the built environment.

7. **Policy HG12** of the **South Cambridgeshire Local Plan 2004** states that extensions to dwellings will not be permitted where the proposal would seriously harm the amenities of neighbours through an undue loss of light or privacy, or by being unduly overbearing in terms of its mass. The policy also seeks to resist extensions that would have an unacceptable visual impact upon the street scene.

#### **Consultation**

8. **Sawston Parish Council** refuses the application on the grounds that the proposed extension would result in an overdevelopment of the site. The site is small and the extension would be very close to neighbours.

#### **Representations**

9. Two letters have been received in respect of the application from the occupiers of **Nos. 8 and 10 Skiver Close**. They have the following concerns with regard to the proposed extension:
- Scale of extension and overdevelopment of the site;
  - Loss of light to ground floor windows in side elevation;
  - Impact upon the use of the property and result in a loss of light to rear garden;
  - Loss of view/ outlook from windows.

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

10. The main issues to consider are whether the proposed extension would seriously harm the amenities of neighbours or have an unacceptable visual impact upon the street scene.

#### ***Neighbour Amenity***

11. There is a staggered relationship between the dwellings at Nos. 9 and 10 Skiver Close that results in the rear elevation of No. 9 being set back approximately 4 metres behind the rear elevation of No. 10. Of this 4 metre long rear projection, 2.2 metres is two-storey and measures 4.9 metres in height to the eaves and 7.9 metres in height to the ridge. The remaining 1.8 metres is single storey and measures 2.3 metres in height to the eaves and 3.2 metres in height where it abuts the rear elevation of the dwelling.
12. No. 9 Skiver Close is orientated to the south of No. 10 Skiver Close. No. 10 Skiver Close has a utility room door and kitchen window at ground floor level in its rear elevation and a conservatory that projects from the dining room patio doors into the rear garden. It also has two small windows serving the utility room and a cloakroom at ground floor level in its side elevation.
13. Whilst the proposed two-storey side extension would be sited 2.7 metres closer to No. 10 Skiver Close, it would be read against the existing side elevation of No. 9 Skiver Close and would still retain a gap of approximately 2.5 metres between the two dwellings.
14. The existing two-storey side elevation to No. 9 currently represents a prominent feature when viewed from No. 10 Skiver Close. The proposed extension is not considered to lead to a development that would be unduly overbearing in terms of its mass to the extent that it would seriously harm the residential amenities of the occupiers of No. 10 by dominating the outlook from the garden area, conservatory or windows/door in the rear and side elevation of that property.

15. The orientation of the existing dwelling at No. 9, immediately to the south of No. 10 Skiver Close already results in overshadowing and blocks out a large amount of sunlight and daylight to the windows, conservatory and garden area of that property. The proposed extension is not considered to result in a further significant loss of light that would seriously harm the residential amenities of No. 10.
16. The introduction of a first floor bedroom window in the rear elevation of the proposed extension and a new landing window in the side elevation of the proposed extension would not result in a serious loss of privacy to the occupiers of No. 10 as the window would only overlook the garden shed in the south west corner of the garden and the rear of the garden adjacent the recreation area at a very oblique angle.
17. The new utility room window and door in the side elevation of the proposed extension would not seriously harm the residential amenities of No. 10 through a loss of privacy as there is an existing 2 metre high fence along the boundary between the two properties.
18. The proposed extension is not considered to adversely affect the residential amenities of the neighbouring property at No. 8 Skiver Close through being overbearing in terms of its mass, through a loss of light or through a loss of privacy.

### **Street Scene**

19. Skiver Close consists of a variety of modern properties of different designs. Only Nos. 8, 9 and 1 Skiver Close have single storey garages that create gaps between the dwellings.
20. The proposed extension would be visible to the general public from Skiver Close, Tannery Road and the recreation area to the rear of the property. Whilst the extension would result in the closure of the existing open gap between Nos. 9 and 10 Skiver Close, it is not considered to have an unacceptable visual impact upon the appearance of the street scene that would adversely affect the character of the area.

### **Recommendation**

Approval subject to conditions:

1. Standard Condition A - Time limited permission (RcA)
2. Sc19 - Matching Materials (Rc19);
3. Sc22 - No further windows at first floor level in the north elevation of the development (Rc22).

### **Informatives**

#### **Reasons for Approval**

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

- South Cambridgeshire Local Plan 2004: Policy HG12 (Extensions and Alterations to Dwellings within Village 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:
- Neighbour Amenity
  - Visual Impact

**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 References S/0306/05/F & S/1307/94/F

**Contact Officer:** Karen Bonnett - Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee      13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

**S/0393/05/F - Sawston**  
**Use of Building for Car Showroom at Units 7-9 South Cambridge Business Park (Part of Dales Manor Business Park) for Calne Vehicle Management Ltd**

**Recommendation: Approval**  
**Date for determination: 26<sup>th</sup> April 2005**

**Site and Proposal**

1. The application relates to a vacant row of 3 newly completed business units (totalling 441 square metres) on the South Cambridge Business Park (Part of Dales Manor Business Park) on the north side of Babraham Road. The surrounding newly constructed units are also currently vacant.
2. This full application, registered on the 1<sup>st</sup> March 2005, proposes the use of the units as a car showroom. No external alterations to the building are proposed.
3. Letters submitted in support of the application state that:
  - The reason for the application is the aspiration of the applicant, who currently has premises on the Copley Hill Business Park near Wandlebury, to expand his successful vehicle sales and repair business;
  - Sales are through word of mouth, advertisements and through the internet rather than by attracting passing trade or by having a road frontage presence;
  - 3 to 4 people would be employed;
  - The external appearance of the unit would remain as existing and the applicant would accept conditions to ensure that no car repairs are undertaken on the site; no vehicles are displayed for sale outside the unit; no HGV/low-loaders deliver vehicles to the site at any time; and no deliveries to, or despatches from, the site take place outside the hours of 0730-1930 Monday to Saturday; and
  - The nature of the business coupled with such conditions is likely to mean that there is likely to be less activity within this unit than others on the Business Park.

**Planning History**

4. Planning permission and reserved matters consent for the erection of, and B1 (Business) use of, the units was granted under references **S/0945/99/O**, **S/1711/03/RM** and **S/1961/04/F**.

**Planning Policy**

5. Local Plan 2004 **Policy SH7** states that proposals involving the sale of motor vehicles will not be permitted in villages where they would create environmental problems by

virtue of traffic generation, noise, smell or vehicle parking. **Paragraph 6.21** of the Local Plan 2004 states where such a use is already creating such difficulties which can't be resolved by development/redevelopment proposals, they will be encouraged to move to designated or established industrial estates.

6. Local Plan 2004 **Policy Sawston 3** reflects local concerns about the use of Babraham Road by industrial traffic by stating that, within the Babraham Road Industrial Estates, the expansion of existing firms within their existing sites, and the change of use of existing premises to office and/or research use will be permitted where no significant increase in heavy vehicle traffic will arise as a result. **Paragraph 81.21** states that retail uses will not be permitted on the Babraham Road Industrial Estate.

### **Consultation**

7. **Sawston Parish Council** recommends refusal stating:
  - Site not designated for retail.
  - More large vehicles and more staff along already busy roads.
8. **Chief Environmental Health Officer** recommends conditions to be attached to any approval.

### **Representations**

9. None received.

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

10. The main issue in relation to this application is whether this site is suitable for the proposed use having regard to the Local Plan.
11. Whilst it is a retail use of sorts, because of their particular characteristics, car showrooms are categorised as a sui generis use rather than an A1 (retail) use. The agent has also sought to make it clear that the applicant does not operate like many of the large car showroom operators and would not seek to attract passing trade. Externally, the units would also continue to look like any other unit on the estate. Paragraph 81.21 of the Local Plan seeks to resist retail outlets and retail warehouses on the estate that are more appropriately located on High Streets/within the centre of villages, rather than the proposed type of use. Indeed, paragraph 6.21 of the Local Plan acknowledges that car showrooms are sometimes most appropriately located on industrial estates.
12. Subject to safeguarding conditions (to reflect those attached to the B1 permission of the site as amended to reflect the particulars of the proposal) and the receipt of a unilateral undertaking to ensure that no deliveries of vehicles to, and collection of vehicles from, the site are made by HGVs or low-loaders, I consider that the Parish Council's concerns would be largely overcome and consider that this is an appropriate location for the proposed use.
13. With regard to the Parish Council's concern about more staff using already busy roads, it is likely that the proposed use would in fact employ less people than the previously approved B1 (Business) use of the units. If anything, I might be concerned that the proposed use would not provide enough employment opportunities.

However, as Sawston is relatively well provided for in terms of employment opportunities, I do not consider that this would be reason to refuse the application.

### **Recommendation**

14. Approval, subject to the prior receipt of a unilateral undertaking to ensure that no deliveries of vehicles to, and collection of vehicles from, the site are made by HGVs or low-loaders and the following conditions:
1. Standard Condition A – Time limited permission (RCA);
  2. No cars shall be displayed for sale on the site outside of the building (RC To protect the character of the area);
  3. No MOTs, repairs to or servicing of vehicles shall be carried out on the site (RC To protect the character of the area and the amenity of occupiers of neighbouring units);
  4. Details of the location, type, noise characteristics and attenuation proposals for any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the buildings but excluding office equipment and vehicles and the location of the outlet from the buildings of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restriction (RC To ensure that plant and equipment is not visually intrusive and to protect the amenities of occupiers of neighbouring properties);
  5. No deliveries shall be taken at or dispatched from the site outside the hours of 07.30 to 19.30 Mondays to Saturdays (RC To protect the amenity of local residents in respect to noise and disturbance)

### **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: None
  - South Cambridgeshire Local Plan 2004: SH7 (Vehicle Sales)
2. The development proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: designation of the site; and use of local roads.

**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/0945/99/O, S/1711/03/RM, S/1961/04/F and S/0393/05/F.

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

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0313/05/F - Teversham**  
**Erection of 3 security gates at Marshalls Aerospace, Newmarket Road, Cambridge for Marshalls Aerospace**

**Recommendation: Approval**  
**Date for Determination: 15<sup>th</sup> April 2005**

**Site and Proposal**

1. The main entrance to the Marshalls site are those located along the south side of Newmarket Road opposite 'The Marshalls Way' car showrooms. There are currently 6 vehicular accesses along Newmarket Road used to access a passenger terminal, two separate carparks to the west and a works entrance to the east. Each carpark has an entrance and exit access point with the works and terminal access entering and exiting from the same point. These accesses are currently open on a permanent basis marked on either side by brick piers of varying height. The frontage between the piers comprises a 0.6m high brick wall with some grass landscape within the various parking areas.
2. The application received on 18<sup>th</sup> February 2005, as amended by email dated 8<sup>th</sup> April 2005, seeks full planning permission for 3 security gates at accesses 1, 2 and 5, as shown on the layout plan, onto Newmarket Road. The brick piers would remain as existing with each proposed gate being secured directly behind the pier but not attached to it. Accesses 3 and 4 are located in front of the Grade II Listed Control Building; gates to these have been withdrawn from the scheme with the intention of resubmission at a later date.
3. It is proposed that access 1 and 2 to the west of the site would be double gates with access 5 being a single gate. The gates would be 1.5 metres high above ground level and in each case are manually operated. Each gate would be steel painted black.

**Planning History**

4. None relevant

**Planning Policy**

5. **TP6 – 'Cambridge Airport'** of the South Cambridgeshire Local Plan, 2004 states The District Council will support proposals for the improvements of passenger and air freight facilities at Cambridge Airport, provided such development is directly related to the operation of the Airport and provided that it does not detract from the amenities of nearby residents through excessive noise or cause other adverse environmental or traffic impact.
6. **EN28 – 'Development within the Curtilage or Setting of a Listed Building'** of the South Cambridgeshire Local Plan, 2004 requires decisions to consider whether

proposals would damage the setting, well-being or attractiveness of a Listed Building. This reflects general advice in Structure Plan Policy P7/6 (Historic Built Environment).

### **Consultations**

7. **Teversham Parish Council** recommends refusal – “Councillors are concerned about the detrimental effect that these gates would have on the appearance of the area. The gates do not match the surrounding architecture – they should at least be painted in a more sympathetic colour. The Council would prefer to see rising bollards at the gateways or some other less obtrusive security measure.”
8. **Conservation Manager** “This boundary encloses the listed Airport Control Office building and forms the visual setting to this building. I am of the opinion that the proposed gates (3 and 4) would be an unfortunate intrusion into the setting of this building. I understand the need for access control but would suggest that a lighter, more elegant gate structure should be encouraged. The heavy tubular steel, black gates will not only have a very solid appearance; they will also potentially create a precedent for the enclosure of the frontage along the dwarf wall. Consequently I am of the opinion that this application should be refused in this form and discussion held to explore a less intrusive form of access control. These might reflect the form of the metal windows on the building to emphasise the visual relationship.”

### **Representations**

9. No comments have been received in response to press and site notices.

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

10. The key issues to consider in respect of this application are the impact on highways safety and the impact on the character and appearance of the locality and the setting of the Listed Control building.

#### **Highway Safety**

11. Employees currently use access' 1, 2 and 5 shown on the plan. Visitors and a limited number of passengers (and some employees) use access' 3 and 4; however there is no direct policing of these users. The agent has confirmed that the proposed perimeter gates are to help exclude vehicles should this be necessary for security reasons and that the normal regime would be to keep the gates open.
12. Each access cuts across a cycle and pedestrian marked area, however vehicles benefit from the right of way as indicated by the normal white markings. In each case there is a distance of approximately 10 metres from the edge of Newmarket Road to the proposed location of the gates allowing sufficient clearance from the road for a small delivery lorry or 2 standard cars (each 4.8m long) if the gates were closed.

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

13. The applicant has advised that the gates would, for the majority part, be kept open and would be set slightly lower than the piers they would be mounted behind. It is considered that this height is not unreasonable and would be in keeping with the height of the entrance piers. The remainder of the site would appear as existing, with the low-rise brick walls along the frontage with Newmarket Road.

#### **Setting of the Listed Control Building**

14. Advice from the Conservation Manager has been sought regarding the impact on the Grade II Listed Airport Control Building. Objections have been raised regarding the

heavy design and appearance of the gates in particular those in the immediate setting of the LB. As a result the applicant has withdrawn gates 3 & 4 with the intention to revise the design at a later date, taking account of the objections raised (negotiations ongoing). Given this withdrawal the Conservation Manager has no objections to the setting of the LB.

**General**

15. Although a consistent design to all the gates along this Newmarket Road elevation would be preferred it is not something that could reasonably be enforced given the limited impact to the surrounding area.

**Recommendation**

16. Approve as amended by email dated 8<sup>th</sup> April 2005, subject to the following conditions:
- a. Standard Condition A – Time limited permission (Reason A);
  - b. The steel gates shall be maintained black in colour and shall not be painted any other colour without the prior express permission in writing from the local planning authority. (Reason: To avoid being prominent within the character and appearance of the locality)

**Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
P7/6 (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004:**  
TP6- 'Cambridge Airport'  
EN28 – 'Development within the Curtilage or Setting of a Listed Building'
2. The approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Visual impact on the locality
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning file S/0313/05/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee      13<sup>th</sup> March 2005  
**AUTHOR/S:** Director of Development Services

**S/0620/05/F - Teversham  
 Extension at 29 Marshall's Close for Mr and Mrs Judd**

**Recommendation: Approval  
 Date of Determination: 27<sup>th</sup> May 2005**

**Site and Proposal**

1. No.29 forms an extended semi-detached property located towards the end of the close on a bend of the circular access that encloses a central grassed area. The dwelling faces east with the main garden doglegged to the south rising in ground level towards the rear boundary which forms the edge of the village framework, beyond which is Green Belt land. The site is southwest of the attached semi, No31, both of which are some 7-8 metres from the south east garden boundary of no. 33.
2. This application, received on 1<sup>st</sup> April 2005 seeks full planning permission for a 1<sup>st</sup> floor rear extension above an approved (currently being constructed) ground floor extension. The proposal would be sited above the ground floor element projecting to a matching depth of 3.5m. The new ridge would be off centre and set approximately 0.6m lower than the main roof of the existing house. The scheme would create a larger first floor bedroom and bathroom.

**Planning History**

3. **S/0432/02/F** – Two storey side extension to provide two new 1<sup>st</sup> floor bedrooms and an extended kitchen and utility room at ground floor. Approved 15<sup>th</sup> April 2002
4. **S/2034/03/F** – Single storey rear extension to provide new kitchen. Approved 28<sup>th</sup> October 2003.
5. **S/0076/05/F** – First floor rear extension to provide extended bedroom and bathroom. Refused at Development and Conservation Control Committee at meeting of 2<sup>nd</sup> March 2005. Decision Notice dated 11<sup>th</sup> March 2005.

**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.

**Consultation**

8. **Teversham Parish Council**

“The Parish Council has agreed to recommend refusal because:

- i. The modifications to the design of the extension in this new application are only minor and do not overcome the objections outlined in the refusal by SCDC of the previous application S/0076/05/F.
- ii. The extension would cause considerable loss of amenity for the neighbours at No 31. The height and size of the extension will be overbearing when viewed from the garden of No 31, and will also block out light.
- iii. The gardens to the properties here are small so that any first floor extension built on top of an existing single storey is likely to cause loss of amenity.

NB. The Parish Council had not objected to the previous application (S/0076/05) because it had misunderstood the plans and not made a proper site inspection. These comments are based on a good site inspection.”

**Representations**

9. No representations were received at the time of writing this report, any response to neighbour notification will be reported verbally. The consultation period expires on 2<sup>nd</sup> May 2005.

**Planning Comments – Key Issues**

10. The key issues to consider in respect of this application are the scale of the proposed extension and its impact on the amenities of the attached property No.31 in terms of access to light and whether the two-storey element would be overbearing in terms of its mass.
11. 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, the proposal would harm seriously the amenities of neighbours through undue loss of light and through being overbearing in terms of its mass.
12. Members will recall the previous application, S/0076/05/F, discussed at DCCC of the 2<sup>nd</sup> March 2005 for a first floor extension. The application before you, for the same, has been amended to reduce the ridge height of the first floor element by 0.6m in addition the ridge would be set off centre, some 8m distant from the shared boundary with No.31. At the time of writing the previous report I considered that there was scope to achieve a successful scheme without compromising the amenity of residents at No.31.
13. The scheme having been reduced now contributes towards eliminating a crucial element of the bulk that was present in the previous application. Having viewed the application site from within No.31 the extension would still avoid breach of a 45-degree line of sight and a 25 degrees angle to the horizontal. The reduction to the ridge and roof pitch will allow light to spill over the projection into the majority of the rear garden of No.31.

14. It would be unreasonable to request a further reduction to the proposed first floor extension which would not significantly alter the access to light or overbearing circumstances which are now considered to be acceptable in particular when viewed from the garden of No.31.

**Recommendation**

15. Approve subject to the following condition
1. Standard Condition A – Time limited permission (Reason A);
  2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
  3. Sc22 – No windows at first floor level in the northeast elevation of the development (Rc22);

**Informatives**

**Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and P7/6 (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004: HG12 Extensions and Alterations to Dwellings within Frameworks** (Development in Rural Growth Settlements),
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity including loss of light and overbearing

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

- Application file Ref S/0620/05/F, S/0076/05/F and Ref S/2034/03/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 13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

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**S/0615/05/F - Great Wilbraham****Erection of extension and alterations, 46 Angle End, for Mr and Mrs Mold****Recommendation: Approval****Date for Determination: 27<sup>th</sup> May 2005****Conservation Area  
Site and Proposal**

1. No 46 Angle End is a modern two-storey dwelling built at right angles to the road, sited within the Great Wilbraham Conservation Area. The dwelling has a steep pitched roof, the ridge height of which measures 9.4 metres. A detached garage with covered link to the dwelling is sited adjacent to the southeast boundary of the site shared with the Grade II listed cottage, No 40 Angle End. Nos 50, 52 and 58 High Street, a terrace of 3 modest two-storey properties are sited northwest of the application site.
2. This full application received on the 1<sup>st</sup> April 2005 seeks consent for the erection of a single storey side extension, external chimney and conversion and extension of the attic to living accommodation. The attic conversion comprises the erection of a gable feature, a modest southeast facing dormer window and 3 roof lights.

**Planning History**

3. Planning application **S/0265/01/F** gave consent for the erection of the dwelling.
4. Planning application **S/0308/05/F** which sought consent for the erection of extensions and a chimney was withdrawn prior to a decision being issued.

**Planning Policy**

5. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design for all new development that responds to the local character of the built environment and details aspects of design to be considered.
6. **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.
7. **Policy EN30 'Development in Conservation Areas'** of the Local Plan states that proposals will be expected to preserve or enhance the special character and appearance of the Conservation Area. This reflects Policy P7/6 of the Structure Plan.

### Consultations

8. **Great Wilbraham Parish Council** – Refuse; “having viewed the revised plans the alterations are considered minimal and do not address our objections to the proposed change to the roofline.”
9. The comments raised in previous application S/0308/05/F were reiterated. These stated that the additional gable and dormer will overlook the neighbouring properties while the additions to the roof slope will appear out of character when viewed from within the village green and will appear oppressive to neighbours.
10. **Conservation Manager** – The changes incorporated are a significant improvement to those contained in the previous planning application (ref S/0308/05/F). The revised dormer to bedroom 1 is much more acceptable and the roof lights are relatively unobtrusive. The chimney would be better if re-routed internally but given limited views provided of this elevation, no objection.

### Representations

11. None received at the time of the writing this report. Consultation period does not expire until the 10<sup>th</sup> May 2005.

### Planning Comments – Key Issues

12. The key issues to consider in this case are the impact of the extension on the amenities of neighbours and the character and appearance of the surrounding Conservation Area.
13. **Character and appearance of the Conservation Area.**  
This application follows on from the withdrawal of application S/0308/05/F. Whilst this previous application also included the extension and conversion of the attic to living accommodation, a large dormer was proposed on the northwest facing roof slope as well as 3 roof lights. In addition to a gable extension a large dormer window was also proposed within the southeast facing roof slope of the dwelling. Strong objections were raised to this previous application and the details of this application have been amended based on the comments of the Conservation Manager.
14. The two roof lights to be inserted within the north west facing roof slope are very small openings and, given the size of the roof slope, will have a minimal impact on the character of the Conservation Area. The proposed gable extension on the southeast facing elevation has been designed in a similar style to the existing gable while the proposed dormer has been reduced in size. A small escape window is also to be inserted in this elevation. The detailing of this extensions/openings are considered to respect the character of the dwelling and, subject to suitable materials being agreed, will not, in the view of Officers, impinge on the character and appearance of the Conservation Area.
15. The Parish Council has stated that the proposed extensions will appear out of keeping when viewed from the Village Green. The gabled roofs have been specifically designed to replicate the design and proportions of the existing two-storey projection and to some extent will introduce some variety into this long and plain roof slope.
16. The proposed single storey extension is to be sited behind the existing covered walkway to the garage. As a result very limited public views of this extension will be

provided. Likewise, the proposed chimney is to be sited on the north east facing elevation of the dwelling, public views of which are not provided. Whilst the Conservation Manager has stated that the front door in the proposed single storey extension would be better located beneath the existing walkway and the chimney would be better re-routed internally, I do not feel objections can be raised on these grounds alone.

**17. Residential amenities of neighbours**

The proposed single storey extension and external chimney stack, due to their siting and design, will, in the opinion of Officers, have no significant impact on the amenities of adjacent dwellings. Similarly the two proposed roof lights to be inserted within the northwest facing roof slope are not considered to increase the overlooking potential of the dwelling. The rear most opening serves the shower room while the opening to be inserted in bedroom 1 will, due to its siting within the roof slope, provide views over the open front gardens of Nos 50, 52 and 56 Angle End only.

18. The proposed gable and dormer window to be inserted within the south east facing roof slope will provide views in the direction of the adjacent property, No 40 Angle End. At present a very high conifer hedge will screen all views out of these additional openings from view. If this hedge, (owned by No 40) were reduced or removed, the two openings which, do not directly face the adjacent property, are sited more than 30 metres from the nearest point of the neighbouring dwelling and between 35 metres and 45 metres from the most private garden area. This level of separation is, in the opinion of Officers, considered sufficient to ensure the residential amenities of the neighbouring dwelling is not adversely affected.

19. Members should note that the window in the gable provides light to a stairwell, from within which, views out of the window down into the neighbours rear garden are heavily restricted. Where the window is at eye height, the landing would be set 1.7 metres back from the glass. The proposed opening in the north east facing gable elevation will provide views over land owned by No 40 Angle End but not included within its residential curtilage.

20. The proposed extensions and alterations will not significantly add to the bulk of the dwelling and the overshadowing affect of all the extensions is considered minimal.

**Recommendation**

Approve

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (Rc5aii);

**Informatives**

Environment Agency's standard advice note titled 'General surface water drainage information'.

**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:**  
**Policy HG12** - 'Extensions and Alterations to Dwellings within Frameworks'  
**Policy EN30** - 'Development in Conservation Areas'

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

- Residential amenity
- Impact upon setting of 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 S/0615/05/F, S/0308/05/F and S/0265/01/F

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

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**S/0562/05/F - Little Wilbraham  
Erection of Extension, 48 High Street for Mr P Lambton**

**Recommendation: Refusal  
Date for Determination: 18<sup>th</sup> May 2005**

**Site and Proposal**

1. No 48 High Street is a modern detached dwelling accessed off the High Street. To the front of the dwelling is a gravel drive and small landscaped area. A low hedge represents the front boundary of the site which, given the slight rise in ground level, results in very open views being provided of the two storey half hipped frontage of the dwelling.
2. The majority of the High Street falls within the Little Wilbraham Conservation Area. No 48 is however one of 5 properties which, while sited directly adjacent to the boundary, do not form part of the Conservation Area.
3. This full application received on the 23<sup>rd</sup> March 2005 seeks consent for the erection of a 3.4 metre x 5.0 metre single storey extension. The proposed extension is to be affixed to the front of the dwelling and will provide a dining room accessed off the existing kitchen. The roof of the extension is to be a combination of a pitched and flat roof which at its highest measures 3.75 metres in height. The extension will continue the eastern building line of the dwelling and is set 1.2 metres off the common boundary shared with No 44 High Street. The extension is to be rendered to match the existing dwelling.

**Planning History**

4. Planning permission was granted for the erection of 2 dwellings following the demolition of the existing structure in application **S/1193/00/F**.

**Planning Policy**

5. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design for all new development that responds to the local character of the built environment and details aspects of design to be considered.
6. **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.
7. **Policy EN30 'Development in Conservation Areas'** of the Local Plan states that proposals will be expected to preserve or enhance the special character and

appearance of the Conservation Area. This reflects Policy P7/6 of the Structure Plan.

### **Consultations**

8. **Little Wilbraham Parish Council** – Approves, only comment concerning loss of parking space.
9. **Conservation Manager** – Whilst it maybe possible to construct an extension in this location, concerned that the extension will not sit comfortably with the existing dwelling and, in particular, the pitched roof with its flat top will not look convincing. Amended design suggested

### **Representations**

10. Letter of support from applicant  
In a supporting letter the applicant has made reference to the pre-application discussions held with officers prior to this application being submitted. Reference is made to the reduced size of the extension and a large front extension approved at No 50 High Street and a detached garage at 71 High Street.
11. No other comments received at the time of writing the report. Consultation period does not expire until the 3<sup>rd</sup> May 2005.

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

12. The key issues to consider in this case are the impact of the extension on the amenities of neighbours and character and appearance of the surrounding area and adjacent Conservation Area.
13. **Residential amenities of neighbours.**  
The proposed single storey front extension is to be set 1.25 metres off the common boundary shared with No 44 High Street. No 44 is a two-storey, 'L' shaped detached dwelling of similar design to the application property, (roof design slightly different). The attached garage of the neighbouring property is sited adjacent to the application site, albeit set back, with the driveway running in between the main ground floor living area and site boundary. Despite being built at an angle, a minimum of 5 metres separation is provided between the west facing kitchen window of No 44 and the common boundary shared with No 46. Given the level of the separation provided and the height and bulk of the single storey structure, it is the opinion of Officers that the proposed extension will not have a significant impact on the residential amenities of No 44 High Street.
14. No 48 is a detached bungalow set slightly forward within the street. Whilst this property has east facing windows that face the application site, the proposed extension is sited approximately 9 metres from the common boundary. Officers again consider this relationship to be acceptable.
15. **Character and appearance of area and adjacent Conservation Area**  
The ground level of the application site rises up from the High Street and, with just a relatively low hedge running along the frontage of the site, prominent views are provided of the front elevation of the dwelling. As No 44 is set back within the site, clear views of the existing two-storey projection are also provided when travelling west along the High Street.

16. Whilst only single storey, the proportions of the proposed extension are considered poor and it is the view of Officers that the combination of a pitched and lead flat roof will not sit comfortably on the front elevation of the dwelling. Whilst matching materials can help assimilate extensions within the original dwelling, in this instance, this sizeable single storey extension will fail to respect the strong two-storey form of the dwelling and will have the appearance of an overly large, poorly designed extension 'tacked' onto the front of the dwelling. Given the prominent views provided it is considered that the proposed extension will therefore have a detrimental impact on the character and appearance of the area and will fail to preserve and enhance the appearance of the adjacent Conservation Area.
17. A similar extension was discussed informally between the applicant and Officers. Whilst, following objections being raised, the applicant has amended the roof design of the extension and reduced the width of the extension by 500mm and the depth by 550mm, the fundamental objections referred to above, remain.
18. The applicant has made reference to a number of sizeable outbuildings and extensions that have recently received planning permission within the front gardens of properties sited along the High Street. Specific reference is made to a large recently approved extension at 50 High Street, the adjacent property, and a large garage at 71 High Street. The extension at No 50, (reference S/0859/02/F) is larger than that now proposed but has the appearance of natural growth. With the dwelling being single storey, a front projecting single storey extension appears in keeping with the scale, proportions and design of the property. The garage at No 71, (reference S/2199/03/F) whilst again a sizeable structure, is well screened by a mature beech hedge running along the frontage of the site. Where limited views are provided; this structure is read as a separate building which again appears subservient to the main dwelling.
19. Whilst objections have been raised to the extension as proposed, the Conservation Manager has suggested that, through the use of different materials, a slightly reduced extension would be more sympathetic if treated as a separate element rather than attempting to merge the structure into the main dwelling. It is recommended that the extension be set slightly in from the flank elevation of the existing dwelling in order to provide a cleaner junction. The use of natural oak left to weather to a silver/grey colour and a low pitched lead roof with lead rolls could then provide the necessary floor area without resorting to architectural deceits such as hidden flat roofs. These suggested amendments were forwarded to the applicant, along with an illustrative sketch, (copy on planning file S/0562/05/F), for comment. At the time of writing this report, no response had been received.
20. **Other issues**

The Parish Council has stated that the proposed extension will result in the loss of onsite car parking. Adequate parking facilities are provided on site in the form of a long drive and garage. The turning space will however be lost. Whilst not ideal, given the traffic generation of the site, the Council could not insist that the turning head remain on site. Turning space was not required to be retained by condition of the planning permission (see para. 4 above).

### **Recommendation**

21. Refuse subject to satisfactory amendments not being received.
22. No 46 High Street, a modern two storey dwelling, occupies a prominent location within the street and forms the backdrop to the Little Wilbraham Conservation Area,

the boundary of which runs along the frontage of the site. The application site rises up from the High Street and is separated by a low hedge.

23. The proposed 3.4 metre x 5.0 metre extension sited on the prominent front elevation of the dwelling will, due to its size and design, form a poorly proportioned addition to the dwelling which fails to respect the character and appearance of this two storey property. The combination of a pitched and lead flat roof is considered a weak architectural feature that will appear unconvincing and will sit uncomfortably in its context. Given the prominent views provided of the frontage of the site from within the High Street it is considered that such an extension will fail to preserve and enhance the character and appearance of the Conservation Area and surrounding streetscape.
24. The proposed extension is therefore considered contrary to Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies EN30 and HG12 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/0562/05/F and S/1193/00/F.

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/0455/05/O - Stow-cum-Quy  
Bungalow and Garage Rear of 54 Station Road  
for Mrs E Theobald****Recommendation: Refusal  
Date for Determination: 3<sup>rd</sup> May 2005****Site and Proposal**

1. This site comprises of garden land with an area measuring 0.054 hectares. The site is adjoined to the northwest by garden land serving no. 58 and to the southeast by garden land to no. 52. The rear of the site adjoins open fields. The site is adjacent to the village edge and Green Belt, but falls within the village framework. Station Road has a linear character, where opportunities for development are limited. It is served by two accesses off Station Road at the north and south ends of the frontage. There is an attached garage, adjoining the boundary with no. 52 on the southeastern side of the site.
2. This application, submitted on 8<sup>th</sup> March 2005, seeks outline planning permission for a bungalow with a detached garage on a plot to the rear of the existing bungalow. All matters are to be reserved, with the exception of access. The development would be at a density of 18.52 dwellings per hectare.
3. The development site will be accessed via a drive leading from the northern crossover off Station Road. Plans submitted indicate that pedestrian visibility splays of 2m by 2m can be provided. A drive will run between the existing bungalow and the side boundary with no. 58 Station Road. Demolition of a side extension to the existing dwelling at no. 54 would provide a strip of land at least 3 metres wide between the new drive and the existing bungalow. A turning area to rear of no. 54 will be provided and car parking in the form of a single garage with space in front for a parked car. The southern crossover, drive and attached garage will be retained to serve the existing dwelling.

**Planning History**

4. **S/0947/82/F** gave planning permission for an extension to no. 54 Station Road.

**Planning Policy**

5. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") states that a high standard of design and sustainability should be adopted for all new forms of development, responding to the local character of the built environment.
6. **Policy P5/3 'Density'** of the Structure Plan sets out density standards for housing development. It states that densities of less than 30 dwellings per hectare will not be

acceptable and the need to maximise the use of land by applying the highest densities possible and which are compatible with local character.

7. Structure Plan policy **P5/5 'Homes in Rural Areas'** permits small-scale housing developments in villages, where appropriate, taking into account three criteria which include affordable housing need, character of the village and setting, and the level of jobs, services, infrastructure and passenger transport in the immediate area.
8. Policy **SE5 'List of Infill Villages'** of the South Cambridgeshire Local Plan, adopted 2004 ("Local Plan") identifies Stow-cum-Quy as an Infill Village and sets out the criteria against which residential development will be assessed. It restricts developments to not more than two dwellings, except in very exceptional cases where a slightly larger development may be permitted if it would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
9. Policy **SE9 'Village Edges'** of the Local Plan requires development on the edge of villages to be sympathetically designed and landscaped to minimise the impact upon the countryside and to ensure that harmony with the prevailing landscape character is achieved.
10. Policy **HG10 'Housing Mix and Design'** of the Local Plan requires residential developments to include a mix of units in terms of type, size, and affordability, making best use of land and for the design and layout of schemes to be informed by the wider character and context of the local townscape and landscape.
11. Policy **HG11 'Backland Development'** of the Local Plan only permits development to the rear of existing properties when it would not 1) result in overbearing, overlooking or overshadowing of existing properties 2) result in noise and disturbance to existing residential properties through the use of its access, 3) result in highway dangers through use of its access or 4) be out of character with the pattern of development in the vicinity.

### **Consultations**

12. **Stow-cum-Quy Parish Council** recommends approval of the development, commenting that it has no objections but queries whether this is backland development and over-development of the site?
13. **Swaffham Internal Drainage Board** has no comment from a drainage point of view.
14. **Chief Environmental Health Officer** comments that conditions should be imposed to minimise the impact of development works on neighbouring residents.
15. The comments of the **Trees and Landscape Officer** will be reported verbally to the Committee.

### **Representations**

16. One letter has been received from neighbours at no. 52 Station Road. They have no objection in principle but seek assurance that the building would be single storey with no rooms allowed in the roof area. They would require a wall to be erected on the boundary line in order to take away some of the noise which the car turning area would create.

**Planning Comments – Key Issues**

17. The key planning considerations in determining this application relate to the impact of the proposed development upon the village edge, village character and residential amenities.

***Impact on the village character***

18. Planning permission for a similar proposal for two houses on neighbouring land to the rear of nos. 58-60 was refused in 2000 and an appeal dismissed (see Appendix A for a copy of the appeal decision and site layout plan). In the Inspector's appraisal of the issues relating to that development he acknowledged the character and appearance of Station Road as one of:

“Relatively low density residential development limited to frontages. There is a mix of traditional cottages and modern bungalows. Dwellings are fairly generously laid out with gaps between buildings offering views of countryside beyond. The area retains a spacious rural village character.

Siting of the proposed detached houses behind a pair of semi-detached cottages would be out of accord with and would intensify this established pattern of development. The impact on village character would on its own be fairly limited, but a permission would make it difficult to resist similar developments in the area which cumulatively would be much more harmful to village character. The layout and depth of individual sites suggests that such opportunities could be identified fairly readily along Station Road.”

19. This is certainly, also the case with the proposal at land rear of no. 54.

***Impact on the village edge***

20. The Inspector goes on to note that the development at nos. 58-60 would intrude into the rural landscape, urbanising the village edge. The site rear of no. 54 will have a similar impact, projecting beyond the obvious built area of the village due to the staggered nature of northeastern edge of the village along Station Road. In order to retain the acknowledged linear character of Station Road backland development is to be resisted (paragraph 87.13 of the Local Plan).

***Backland Development***

21. Notwithstanding the obvious concerns regarding the wider impact upon the village character and village edge, the backland development proposed for this site also fails to meet several of the requirements under policy HG11 of the Local Plan.
22. The angle of the access to the new dwelling will require it to pass within 3 metres of the existing bungalow, having the effect of also reducing the private garden area to, at its closest point, 5 metres deep, increasing to 10.5 metres where it adjoins the proposed turning area. While the garden area itself will be adequate to serve the dwelling, the close proximity of the access and turning area will seriously impact upon the enjoyment of the existing property and its reduced garden area.
23. Similarly, the access will run adjacent to the side boundary with no. 58 for the entire length of its garden. The close proximity and length of the access will result in unacceptable levels of noise and disturbance to its occupiers.

24. Turning adjacent to the private garden of no. 52 will result in some noise and disturbance to its occupiers. The siting of a wall for the part of the boundary where the turning is proposed could relieve this to a degree but is not entirely satisfactory.
25. As discussed previously, the proposal is also out of character with the pattern of development in the vicinity and would be detrimental to the village.

**Recommendation**

26. In light of the issues raised, the application is recommended for refusal, on the following grounds:
  1. Station Road has an acknowledged linear built form, as noted in the South Cambridgeshire Local Plan 2004, paragraph 87.13. Existing development is of a low density and the area retains a rural village character. The layout and depth of plots on Station Road provide a number of potential backland development plots. In dismissing an appeal for residential development on adjacent land to the rear of numbers 58-60 Station Road, the Planning Inspector agreed with the Local Planning Authority, that allowing backland development would set a precedent for development in depth in the area, and which cumulatively, would be harmful to the village character of Stow-cum-Quy. The situation at number 54 is identical in this respect and as such is contrary to policies P1/3 'Sustainable Design in Built Development' and P5/5 'Homes in Rural Areas' of the Cambridgeshire and Peterborough Structure Plan 2003 and SE5 'List of Infill Villages', SE9 'Village Edges', HG10 'Housing Mix and Design' and HG11 'Backland Development' of the South Cambridgeshire Local Plan, adopted 2004.
  2. The proposed bungalow and garage are, by definition, backland development. Local Plan policy HG11 sets out the criteria against which such proposals will be considered. The development fails to meet these requirements:

The angle of the access to the new dwelling will require it to pass within 3 metres of the existing bungalow, having the effect of also reducing the private garden area to, at the closest point, 5 metres deep, increasing to 10.5 metres where it adjoins the proposed turning area. While the garden area itself will be adequate to serve the dwelling, the close proximity of the access and turning area will seriously impact upon the enjoyment of that property and its garden area.

Similarly, the access will run adjacent to the side boundary with no. 58 for the entire length of its garden. The close proximity and length of the access will result in unacceptable levels of noise and disturbance to its occupiers, impacting upon the enjoyment of the private garden area to that property.

Turning adjacent to the private garden of no. 52 will result in some noise and disturbance to its occupiers. The siting of a wall for the part of the boundary where the turning is proposed could relieve this to a degree but is not entirely satisfactory.

As set out in the above reason, the proposal is also out of character with the pattern of development in the vicinity and would be detrimental to the village.

**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/0455/05/O and S/1827/00/O

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee

13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

**S/0524/05/F - Landbeach**

**Redevelopment of Mobile Home Park to Provide 15 Retirement Mobile Units,  
Bluebell Woods Caravan Site, Ely Road, for David Charles Ltd**

**Recommendation: Refusal**

**Date for Determination: 17<sup>th</sup> June 2005 - Major Application**

**Site and Proposal**

1. An irregular shaped site with a total area of 1.85 hectares on the western side of Ely Road, approximately 400m north of the Landbeach Road/A10 ("Slap Up" P.H.) junction. Between the site and the A10 is a loose ribbon of pre-war housing whilst to the rear is a collection of lakes used for fishing.
2. The site is in two sections. A 7.0m wide driveway adjacent the northernmost house, "Hayburnwyke", gives access to a "loop-road" around which are 5 mobile homes; there is a large gravelled parking area. The second part of the site lies to the south-west of the mobile homes and is mainly willow/willow scrub and other trees, the land having been excavated for gravel in the past.
3. The full application, received on 18<sup>th</sup> March 2005 proposes the redevelopment of the current 5 mobile homes site to provide a total of 15 mobile homes on a site area of 0.85ha.
4. The remaining treed area would remain.

**Planning History**

5. The applicants purchased the site in the early 1990's with the benefit of two earlier consents, one for two caravans, another for three. The site was laid out and brought up to a modern-day standard. Consent was granted in 1996 for a small site office. In 1997 consent for a bungalow was refused, and again in 1998. The subsequent appeal was dismissed.
6. At the January 2005 Committee (Item 16) an application to redevelop the site for 16 mobile units, together with an amenity lake in the treed area to the south, was refused, the reasons being:

"Although there is a ribbon of development to the south, and some development opposite, Bluebell Woods lies in the countryside well outside the villages of both Landbeach and Waterbeach – the centres of both being approximately 1.6km distant. The site also lies in the Green Belt.

1. As such the proposed intensification of use would be contrary to Policies P1/2 and P1/3 of the Cambridgeshire and Peterborough Structure Plan (2003) and SE8 of the South Cambridgeshire Local Plan (2004) which seek to restrict

new housing developments to within village frameworks and existing settlements.

2. The proposal is, by definition, inappropriate development in the Green Belt and therefore contrary to Policies P9/2a) of the Structure Plan, GB1 and GB2 of the Local Plan, and the aims of PPG2 "Green Belts", all of which seek to protect the character and openness of the Green Belt, together with the setting and special character of Cambridge.
3. Positioned midway between the villages of Landbeach and Waterbeach, all journeys to and from the site will be by car. Such a dependence on the motor car is not sustainable and therefore contrary to Policy P1/3 - of the Structure Plan and Policy TP1 of the Local Plan.
4. The excavation and creation of the amenity lake will destroy the present area of regenerated wet woodland. Without a greater degree of detail and a site assessment such loss would be contrary to policies P1/2 and P7/2 of the Structure Plan and EN8 and EN12 of the Local Plan."

This decision is currently subject to an Appeal - Inspector's Report and Decision awaited.

### **Planning Policy**

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

- i) **Policy P1/2** - Environmental Restrictions on Development. This policy restricts new development in the countryside and also seeks to protect the loss of areas of biodiversity value.
- ii) **Policy P1/3** - Sustainable Design in Built Development. This policy seeks to minimise the need to travel and reduce car dependency.
- iii) **P9/2a)** - Green Belt. Aims to preserve the setting of the city of Cambridge and retain the openness of the Green Belt. New development will be severely limited.

#### **South Cambridgeshire Local Plan, 2004:**

- i) **SE8** - Village Frameworks, restricts housing development to within village frameworks.
- ii) **HG19** - Sub-division of mobile homes. Any approval for a mobile will be conditioned "no sub-division".
- iii) **GB1** - The setting and special character of Cambridge will be protected by a Green Belt.
- iv) **GB2** - Inappropriate development will not be permitted unless very special circumstances can be demonstrated.
- v) **TP1** - Aims, amongst other matters, to reduce the need to travel, especially by car.

### **Consultations**

7. **Landbeach Parish Council** again supports the application as ‘the development will be for persons of 55 years and above and subject to a Section 106 Agreement’.
8. **Waterbeach Parish Council** recommends refusal, stating:  
  
”The Council consider that this site is completely unsuitable for retirement houses as it is unsustainable. The pedestrian access to the facilities of Waterbeach is poor, the crossing of the A10 unsafe. Vehicular access and safety accessing the A10 is inadequate and unsafe.”
9. **The Chief Environmental Health Officer** has no objections.
10. **The Old West Internal Drainage Board**  
  
Has no objections if surface water is discharged via soakaways. Any other method must be referred back to the Board for further comment.

### **Representations - Neighbours**

11. None received

### **Representations - Applicant**

- Unit 14 of the previous application has been withdrawn and the site office retained.
- Number of units reduced to 15, two less than on site at present.
- Driveway will be hard-surfaced with gates fitted.
- Soil drainage system adequate to take any increase in capacity and pipe is pumped to main sewer.
- Units will be occupied by persons of 55 years and can be the subject of a 106 Agreement.

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

12. The main issues for consideration are Green Belt, access onto A10, and whether or not site is suitable for housing being outside both Landbeach and Waterbeach.

#### ***i) Green Belt***

Policies of the Structure Plan and Local Plan, reinforced by Planning Policy Guidance Note 2 “Green Belts”, all seek to protect a Green Belt from inappropriate development and to maintain its openness. By definition, a housing development, whether mobile homes or permanent housing of “bricks and mortar”, is inappropriate. The two earlier consents for caravans on this site were granted prior to the allocation of this land as Green Belt. Consent for such would not be forthcoming today.

If a development is deemed to be inappropriate, the question has to be asked as to whether there are very special circumstances whereby consent be granted. Here the

applicant is stating that the site is occupied at present as one mobile, plus four mobiles each divided into four small units. (NB. As a result of recent legal rulings it has been established that, unless appropriately conditioned, planning permission is not required to sub-divide a mobile home.) This has resulted in the site being occupied with one family mobile home and sixteen one-bed units ie 17 units. To redevelop the site with 15 will reduce the density.

The other argument put forward is that, with a Section 106 Agreement stating that residents will be 55 +, all residents will be retired, and therefore will not drive into, or out of the site, at peak hours.

These arguments do not justify consent being granted. Three of the mobiles proposed will measure 6.0m x 16.0m (96m<sup>2</sup>/1033 sq ft), with the other twelve measuring 6.0m x 18.0m (108m<sup>2</sup>/1162 sq ft). It seems to me unlikely that units of these sizes will only be occupied by single people. Likewise, even if people are retiring earlier, there can be no guarantee that all of the occupiers, even if aged over 55, will not be working.

When an appeal was dismissed in 1998 (see HISTORY above) to replace one mobile with a small bungalow, the Inspector was very firm in his view that this was inappropriate development in the Green Belt and the replacement did not amount to a very special circumstance.

#### ***ii) Access***

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

#### ***iii) Suitability for Housing***

The site lies in the Green Belt, well outside the village frameworks for both Landbeach and Waterbeach. Policies do not permit such developments as proposed in a countryside location.

In addition the location of the site is not sustainable, especially as intended, for persons of retirement age. For such an age group, close proximity to shops, a Post Office, and other facilities is essential. As pointed out by one neighbour, there is a footpath, immediately opposite the entrance to the site, which leads through to the village green. The footpath's length is 745m. However it would be extremely dangerous for an elderly person to try and cross the A10 at this point.

#### **Recommendation**

#### **13. Refusal**

Although there is a ribbon of development to the south, and some development opposite, Bluebell Woods lies in the countryside well outside the villages of both Landbeach and Waterbeach – the centres of both being approximately 1.6km distant. The site also lies in the Green Belt.

1. As such the proposed intensification of use would be contrary to Policies P1/2 and P1/3 of the Cambridgeshire and Peterborough Structure Plan (2003) and SE8 of the South Cambridgeshire Local Plan (2004) which seek to restrict

new housing developments to within village frameworks and existing settlements.

2. The proposal is, by definition, inappropriate development in the Green Belt and therefore contrary to Policies P9/2a) of the Structure Plan, GB1 and GB2 of the Local Plan, and the aims of PPG2 “Green Belts”, all of which seek to protect the character and openness of the Green Belt, together with the setting and special character of Cambridge.
3. Positioned midway between the villages of Landbeach and Waterbeach, all journeys to and from the site will be by car. Such a dependence on the motor car is not sustainable and therefore contrary to Policy P1/3 - of the Structure Plan and Policy TP1 of the Local Plan.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/2128/04/F and S/0524/05/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

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**S/0391/05/F - Waterbeach**

**Erection of Bungalow, Land Adjacent to 16 Winfold Road for Januarys.**

**Recommendation: Approval**

**Date for Determination: 3<sup>rd</sup> June 2005**

**Site and Proposal**

1. The site extends to approximately 0.032 hectares (0.08 acres) and currently forms part of the grassed side garden of No 16 Winfold Road, an end of terrace two storey property. The site is located to the west of No 16 Winfold Road, access to which is provided via an adopted footpath that runs along the frontage of this terrace of 5 properties and connects to a communal car parking area, (also part of the adopted highway). The western boundary of the site is represented by a low timber and wire fence, which forms the village framework boundary. The open fields beyond are designated Green Belt. 14a Winfold Road, a detached bungalow sited to the north is separated from the site by a dense 2 metre high hedge. On-street car parking spaces are provided within a communal parking area while two garage courts accessed of this cul-de-sac provided further car parking facilities.
2. This full application received on the 28<sup>th</sup> February 2005, as amended on the 8<sup>th</sup> April 2005 following the submission of a revised red edge site plan, proposes the erection of a 2 bedroom bungalow. The bungalow is to be sited to the front of the site, set 1 metre back from the front building line of the adjacent terrace. The roof of the bungalow is to be gabled, the ridge height of which measures 5.1 metres. The rear elevation of the proposed dwelling extends 3.6 metres beyond the rear most point of the adjacent property, No 16 Winfold Road. The details of the application were amended on the 21<sup>st</sup> April 2005 with the width of the dwelling reduced by 400mm. A minimum of 2 metres separation is now provided between the dwelling and side boundary. No off-street car parking is to be provided.
3. The proposed density of development equates to 31 dwellings per hectare

**Planning History**

4. Planning application **S/2609/04/F** which sought consent for the erection of a bungalow was withdrawn prior to a decision being made.

**Planning Policy**

5. **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.
6. **Policy SE2 'Rural Growth Settlements'** of the South Cambridgeshire Local Plan 2004 defines Waterbeach 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. Development should provide an appropriate mix of dwellings and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.

7. **Policy SE9 ' Village Edges'** of the South Cambridgeshire Local Plan 2004 states that development on the edges of villages should be sympathetically designed and landscaped to minimise any impact on the surrounding countryside.

### **Consultations**

8. **Waterbeach Parish Council** – Refuse. Inadequate parking in Winfold Road and Clare Close where there is an ongoing problem of parking congestion. Concerns also raised with regard to access with building materials and their storage being detrimental to neighbouring properties.
9. **Waterbeach Level Internal Drainage Board** – No objections subject to a condition insisting that surface water be disposed of by infiltration methods or attenuate to Greenfield rates of run-off any surface water disposal to an existing mains system.
10. **Landscape Design Officer** – Planting to the open boundary would be important in this location. Concerned that separation to boundary is insufficient to permit a hedge to develop. A minimum of 2 metres is required at the tightest point.
11. With regards to the amended plans, a revised landscaping scheme is now required with all proposed planting shown within the red edge site.
12. **Chief Environmental Health Officer** – Concerned problems could arise from noise. 2 conditions protecting the amenities of neighbours during the construction process are requested.
13. **Local Highways Authority** – A plan has been submitted confirming the extent of the public highway. No obligations have been raised to the highway merits of the proposal.

### **Representations**

- Supporting statement from applicant
14. With regards to the siting and mass of the dwelling when viewed from within the rear garden of 16 Winfold Road, the applicant has made reference to the orientation of the site, south facing, the depth of the dwelling, extending just 3.6 metres beyond the rear elevation of No 16 and the 2 metres separation provided between No 16 and the proposed bungalow.
  15. A landscaping scheme has been submitted in support of this application and reference is made to the level of separation provided to the Village Framework boundary.
  16. A car parking survey has also been submitted in support of this application listing the number of off and on-street car parking spaces provided in Winfold Road and the number of vehicles parked in this area on four separate occasions over an 11-day period.
    - Objections from neighbours

17. Three letters of objection have been received from nearby residents raising the following comments:
- Overlooking potential of dwelling with regards to the rear garden and conservatory of 14a Winfold Road
  - Lack of off street car parking and the impact on already limited on-street parking provision
  - Increased congestion within the cul-de-sac
  - Existing garages provided in the two adjacent garage courts too small to park a modern vehicle
  - Impact on highway safety and safety of pedestrians within the cul-de-sac
  - Lack of storage space for building equipment
  - Questioned times at which parking survey was conducted, querying how representative this data is.

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

18. The main issues to consider in relation to this application are the impact of the development on the character and appearance of the area, residential amenities of neighbours and highway safety.

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

19. The application site is located at the end of a terrace of 5 properties and abuts the rear gardens of Nos. 14a and 16 Winfold Road. With only pedestrian access provided into the site, the proposed bungalow will not form a prominent feature within the street. The proposed dwelling is single storey only, and with any views of the front elevation at best limited, it is the view of Officers that the proposed dwelling will not result in a cramped or overdeveloped appearance to the site.
20. The western boundary of the site does abut the Green Belt and Village Framework boundary. Whilst long distance views are provided across the open countryside, the low-rise building will be viewed against the taller two-storey gable elevation of No 16 Winfold Road. Given the reduced height and bulk of the dwelling the proposed structure will not adversely affect the openness of the Green Belt.
21. Whilst a landscaping scheme was submitted in support of this application, the Council's Landscape Design Officer had stated that at least 2 metres separation to the site boundary is required to ensure a meaningful hedge can be planted. Following this advice, the footprint of the dwelling has been revised and a minimum gap of two metres has been provided to the western boundary of the site. The applicant has also stated that the west facing elevation of the bungalow has purposefully remained blank so as to reduce the likelihood of the boundary planting being cut back by future occupiers. Whilst the footprint of the dwelling has been reduced the proposed landscaping scheme has not been amended. It is suggested that if approved, the planting scheme submitted be excluded from the permission and a standard landscaping scheme condition be imposed.

#### **Residential amenities of neighbours**

22. The proposed bungalow is set 1 metre back from the front elevation of the adjacent terrace and extends 3.6 metres beyond the rear elevation of No 16 Winfold Road. The wide rear facing patio doors of No 16 face due south and will not be significantly overshadowed by the proposed dwelling.

23. No 14a, a detached bungalow sited north of the application site, is rotated through 90 degrees and has a blank gable wall that faces the front elevation of the proposed dwelling. No 14a also has a small conservatory sited within the rear garden. While the proposed kitchen and bedroom window will provide views towards No 14a the main outlook provided will be towards the blank gable of the neighbouring property. Whilst some views maybe provided from within the kitchen towards the conservatory, given the screening affect of the boundary hedge and separation provided, 9 metres approximately, the relationship with the neighbouring dwellings is, in the opinion of Officers, considered acceptable.

**Highway safety**

24. Whilst the application site has no vehicular access point, pedestrian access is provided via the adopted highway which runs along the front of the terrace and abuts the northeastern corner of the site. Members should note that the application site has been amended to include a small strip of land directly adjacent to the adopted highway. As previously submitted, the application site had no highway frontage.
25. With no off street car parking spaces provided it is proposed that the occupiers of the 2-bed bungalow would park within communal car parking area sited in front of the adjacent terrace. This communal parking area is already heavily used and considerable local concern has been raised with regard to increased congestion levels that will be caused by this development.
26. In support of this application the applicant has carried out a detailed car parking survey of the area. It is stated that the surrounding properties. No 2-34 Winfold Road, (17 houses located within the vicinity of the site, including the 9 dwellings sited directly adjacent to the communal parking area which abuts the application site) all have access to a single garage sited within the two garage courts accessed from within the communal parking area. The only exceptions are No 2 and 14a Winfold Road, both of which have off-street car parking spaces provided within their own residential curtilage. In addition, approximately 9 on-street car parking spaces are provided within the communal parking area and a further 6 spaces within the northern garage court, (a total of 15 spaces). On-street parking is also provided for much of the length of Winfold Road.
27. Whilst, on the basis of the survey submitted, the provision of on and off-street car parking spaces appears reasonable, nearby residents have stated that the private garaging is too small to accommodate modern vehicles. As a result all properties which do not have parking spaces provided within their residential curtilage are forced to park within the street. As for all residential cul-de-sacs of this type, the lack of off-street car parking spaces means the demand for spaces within the street is high. Whilst granting consent for a 2-bed bungalow which has no allocated car parking spaces will add to the congestion within the street, in considering the merits of this application, Members must consider the extent of harm that will be caused by the proposed development.
28. Waterbeach is defined as a Rural Growth Settlement within the Local Plan and is one of the most sustainable villages within South Cambridgeshire. The train station is located within 1km of the site while other public transport facilities are considered good. A wide range of public services are also provided within the village centre. In accordance with Central Governments sustainability objectives, where the opportunities to use alternative means of transport to the private car are high, the Council would require a maximum of 1.5 car parking spaces to be provided per dwelling, (as stated in PPG13). For a dwelling of this size in this location it is likely that a maximum of just 1 off-street car parking space would be required.

29. In the absence of any off street car parking spaces it is reasonable to expect that occupiers of nearby dwellings will, where possible, park in the most convenient location, usual as near as possible to their front door. On this basis those properties currently most likely to park within the communal parking area are Nos. 14,16,18,20,22,24,26 and 28, Winfold Road, the 8 dwellings that abut the parking area but do not have off street parking provision.
30. Having regard to the adopted car parking standard a maximum of 12 car parking spaces would be required to serve the 8 dwellings which currently abut the parking area and 13.5 spaces would be required if the bungalow were approved. Sufficient on-street car parking spaces are therefore available within the communal car parking area and northern garage court to serve the existing dwellings sited immediately adjacent to the site. Whilst in reality properties sited within Winfold Road may on average have more than 1.5 cars per dwelling, (site visits by the case officer and Cllr Williamson, referred to in more detail below, suggest this to be true), these are the adopted car parking standards which this application must be assessed against.
31. The car parking survey conducted by the applicant was carried out on a Monday, Tuesday, Thursday and Friday at 16:00 hrs, 18:40hrs, 18:30hrs and 15:00hrs respectively. At these times it is stated that a minimum of 7 car parking spaces were available in the communal parking area and northern garage court. Cllr Williamson has also visited the site at 18:30 hrs on a Friday and 8:30 hrs on a Sunday. At these times there were 2 and 4 spare spaces respectively available in the communal parking area alone. During my site visit held in the afternoon of Wednesday 30<sup>th</sup> March 2005, just 4 cars were parked in the communal parking area and 4 were parked within the northern garage court leaving 9 spaces free within this part of Winfold Road. Whilst the number of occasions that the local car parking conditions were surveyed is somewhat limited, on all 7 occasions the communal parking area and northern garage court have never been full.
32. During a subsequent site visit it came to the Council's attention that 3 of the vehicles parked within the communal parking area and northern garage court were abandoned vehicles and had not moved since the last application, S/2609/04/F, was submitted in December 2004. Having liaised with the Council's Environmental Health Department, these vehicles have now been removed, releasing 3 further on street car parking spaces within the vicinity of the application site.
33. Based on the above findings it is the opinion of Officers that sufficient capacity exists within this part of Winfold Road to accommodate the additional car parking needs that, based on the Council's adopted car parking standards, is required for this proposed 2 bedroom bungalow. Winfold Road is an access only road where vehicle speeds are low. Even if further cars are forced to park within the street it is not considered that this will be to the detriment of highway safety.
34. Whilst concerns have been raised regarding pedestrian safety within the cul-de-sac, it is again the opinion of Officers that the modest 2 bedroom bungalow will have a very minimal impact. The net increase in daily traffic movements within the cul-de-sac will not be significant.

**Other issues**

35. Both the Parish Council and local residents have raised concerns regarding the storage of building materials during the construction period. Access to the application site is restricted to the Adopted footpath and there is limited available space for the storage of building materials and equipment. Whilst Officers can

appreciate the origins of this concern, the storage of building materials is not a material planning consideration and an objection cannot be raised on these grounds.

**Recommendation**

36. Approval subject to conditions

- 1) Standard Condition A – Time limited permission (Reason A)
- 2) No development shall commence until details of the materials to be used for the external walls and roof have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details  
Reason – RC5a)i)
- 3) The Landscaping scheme illustrated on Drawing No 50-05 is specifically excluded from this permission. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft 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 and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
Reason - To enhance the quality of the development and to assimilate it within the area.
- 4) 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 building 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.
- 5) Notwithstanding the details given within this application, no development shall commence until details of the surface water drainage 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.
- 6) During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the local Planning Authority in accordance with any agreed noise restrictions.  
Reason – To minimise noise and disturbance to nearby residential dwellings

**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) During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation

#### **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: Policy SE2** (Development in Rural Growth Settlements), **SE9** ' Village Edges'
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Overlooking
  - Lack of off street car parking and the impact on already limited on-street parking provision
  - Increased congestion
  - Highway safety
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref S/2609/04/F and S/0391/05/F

**Contact Officer:** Paul Belton – Planning Assistant  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

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**S/0462/05/F - Waterbeach**

**Erection of 8 Houses Following Demolition of Existing Bungalow, 12 Pieces Lane, for Heddon Management Ltd**

**Recommendation: Approval**

**Date for Determination: 3<sup>rd</sup> May 2005**

**Site and Proposal**

1. Nos. 12 and 13 Pieces Lane are two detached 1950's houses each in a plot of approximately 0.2 hectares on the eastern edge of the village with No 13's eastern boundary the village framework. To the north is a garage court, to the west, Hartley Close, a cul-de-sac of houses and bungalows, and with other houses to the south, on the opposite side of Pieces Lane.
2. The large rear garden of No. 13 is being developed at present with the construction of seven houses. (See History).
3. The full application, received on 8<sup>th</sup> March, proposes the demolition of the present bungalow, No. 12, and the formation of a new access roadway along the eastern boundary of the site which will serve a terrace of three 2-bed houses, together with seven 3-bed. detached houses. Density is 29.6 dpha.

**History - no 13 Pieces Lane**

4. In March 2002, consent was refused for 3 dwellings to the rear of No. 13 for reasons of a) too low a density (15 dpha) and b) piecemeal development, - the land should be developed comprehensively with No. 12 adjacent. The subsequent appeal was dismissed.
5. In July 2003 outline approval was granted for six houses on that site with the means of access and siting of the houses forming part of the submission. Subsequently reserved matters consent was granted in December 2003, with another approval in May 2004 to build a pair of houses on an enlarged plot, previously approved for one detached property. This resulted in a total of seven houses, plus No. 13, the existing bungalow.

**History - No. 12 Pieces Lane**

6. At the March 2004 Committee, item 14, full application for the erection of eight houses following the demolition of the existing bungalow, No. 12 Pieces Lane, with a similar access to that now proposed, was refused for the reasons:
  - "1. The proposed housing scheme would be contrary to the aims of Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy HG10 of the South Cambridgeshire Local Plan - Adopted 2004 in that development, in conjunction with that at present under construction to the rear

of No. 13 Pieces Lane, would result in a poor and sub-standard form of layout whereby:

- No 13 Pieces Lane will have an access roadway in close proximity either side,
  - Plots 1 and 7 on the adjoining development would have the new access roadway running at the bottom of their gardens within 6.7m of the rear living, dining and bedroom windows.
  - The relationship of the easternmost of the block of three terraced houses to No. 6 on the adjoining development is unacceptable in that the rear elevation of the former would be in line with the front elevation of the latter. A two-storey gable elevation, 6.0m in depth and 1200mm off the boundary would reduce all light to the rear garden of the proposed end terraced property and would dominate the garden and outlook from the house.
  - The two access roadways, running parallel to each other for a distance of 43.0m with little scope for planting in between, would result in a poor standard of layout unduly dominated by hard surfaced areas.”
7. At Appeal the main issues looked at by the inspector were the effect of the development on residential amenities through disturbance, loss of light and privacy, and overbearing appearance, and whether the scheme would be in keeping with the character of this part of the village.
8. Although the appeal was dismissed, the only issue which caused the Inspector concern was the layout which had two pairs of houses at right angles to the roadway, resulting in a poor layout dominated by walls, gable walls, and hard-surfaced areas. The development would be incongruous and out of keeping with the prevailing character of its surroundings.

### **Policy**

9. **Policy P1/3** of the Structure Plan 2003 expects a high standard of design and sustainability in new developments, to include:
- Responding to local character
  - Includes a defined sense of enclosure
  - Pays attention to the details of form, massing, textures, colours and landscaping
10. **Policy SE2** of the South Cambridgeshire Local Plan 2004 allocates Waterbeach as a Rural Growth Settlement.
11. **Policy HG7** confirms that Affordable Housing will not be a requirement for developments of up to 10 dwellings in villages, such as Waterbeach, of more than 3,000 population.
12. **Policy HG10** asks for a mix of house types and a high quality of design and distinctiveness.

### **Consultations**

13. **Waterbeach Parish Council**, which previously supported the earlier application subject to 30% Affordable Housing and tree screening, now objects “Due to the additional road and all issues raised on previous application”. The Parish asks that, if approved, there should be a designated footpath in Pieces Lane across the roadway.
14. **Cambridgeshire Fire and Rescue Service** requests the provision of fire hydrants (these can be conditioned).
15. **The Chief Environmental Health Officer** has no objections but requests a condition restricting use of machinery during construction outside certain hours. Informatives should be included on any consent relating to pile driven foundations, if proposed, plus the need to submit a demolition Notice.
16. **The Landscape Design Officer** has no objections in principle but is negotiating on one or two revisions to the submitted scheme.
17. **The Waterbeach Level Internal Drainage Board** advises that the site, although outside the Board’s District, drains into it, being within the Bottisham Locks Pumping Station catchment which has no residual capacity. Providing surface water is disposed of via soakaways or infiltration methods, no objections are raised. If other means of disposal are planned, the Board asks to be re-consulted.

#### **Representations**

18. Two letters of objection have been received, one from the owner of 13 Pieces Lane adjacent, the other from No. 20 on the opposite side of the road.
19. No. 13 asks that the following points be looked at prior to consideration of the application:
  - “1. The demolition of No. 12 will not result in any increase in dwellings.
  2. Cause unnecessary congestion whilst demolition and construction takes place.
  3. Conflict with best use of land policy by unnecessary road construction.
  4. Create a negative rather than unified use of community.
  5. The inconspicuous roadway already constructed will not be available to use and possible widening replaced by over 2 metres of landscaping, shrubbery and fencing to separate.
  6. The 2 metres of landscaping and fencing highlighted at the appeal will further isolate the two communities.
  7. Two roads instead of one will increase postal delivery problems, numbering and naming of this proposed second road.
  8. The whole proposal is based on one part of the appeal where the inspector concluded he did not have the judgement before him.
  9. The project overall does not make good planning or good planning policy sense. Whilst it may only be contrary to particular parts of various policies once approved, will be a permanent memorial to how planning can be manipulated by aggressive means.
  10. If this proposal is really valid why wasn’t it deposited in 2001.”
20. In conclusion he states:

“All things considered I believe this new application does not use the land available to its best potential and to the best potential benefit to the community as a whole. If the bungalow, No. 12, were to be left in situ and the access road already available utilised there would be adequate land for 7 dwellings (mirroring the adjacent

development nearing completion) which would create **one** community encompassing both developments with the correct number of units available for habitation therefore filling the requirements of current policies.”

21. No. 20 objects strongly for reasons of access and traffic. Points raised include:
- No. 13 would have a road either side of them
  - With as many as 16 + cars coming out of the roadway in the mornings, there will be hold-ups and danger. Cars are frequently parked on Pieces Lane outside houses.
  - Access should be via the new roadway to the rear of No 13.
  - Access onto Way Lane is difficult because of the poor visibility.
22. Car ownership in Pieces Lane, Pieces Terrace and Hartley Close is referred to in detail and photographs of the Lane are provided showing the traffic situation, including the lorries delivering for the development behind No. 13.
23. Reference is also made to alternative access being off the bottom of Hartley Close, the water table and possible flooding, and loss of light to the adjacent bungalows from the new houses.

#### **Planning Comments**

24. There are two main issues to be considered in respect of this resubmission, and these are:
25. Can the site be developed in isolation i.e. without having to utilise the new roadway to the rear of No. 13?, and  
Have the concerns of the Inspector relating to layout been overcome?

#### **Access**

26. I have to agree that a much better development would have resulted if the two land owners (Nos. 12 and 13 Pieces Lane) had got together and submitted a joint scheme for the whole site. However, that opportunity is not before Committee.
27. Although the Highway Authority could not object to a second access roadway onto Pieces Lane, the earlier refusal (see History above) referred to the “poor standard of layout unduly dominated by hard surfaced areas” with little scope for planting in between.
28. The Inspector referred to the fact that No. 13 Pieces Lane would abut three roads which is not a good arrangement with the occupiers experiencing more disturbance than might otherwise be the case. However he felt that the provision of fencing and appropriate landscaping along the boundary would provide reasonable protection. He was “not persuaded that the marginal shortcomings of the proposals are of a magnitude that justifies refusing permission.”
29. With regards the layout and separate access the Inspector also stated:
- “I understand why the appellant has chosen to pursue proposals independent of the land to the east, where the permission requires the layout to be available to service the appeal site.

That involves judgements that are not before me and if the right layout can be devised for the appeal site without reliance on the adjoining land there should be no reason why permission should not be granted.”

30. In light of this, I cannot see a reason to object to the application for reasons of a second access. Although the two roadways will still run parallel to each other, there will be a combined width of nearly 2.0m between them for planting. The Landscape Design Officer feels that this will be acceptable, subject to a revised planting schedule.

### **Layout**

31. This was the Inspector’s main objection to the previous application and the reason why the Appeal was dismissed. He stated in his letter:

“As to the second main consideration, I saw that development in the locality follows conventional patterns. Most dwellings are sited facing the roads, with varying road frontages and, mostly, lawned or planted gardens at the front. Pieces Court is not materially different. The development under construction is more intensive than other residential combinations in the area but it reflects this style of building arrangement with shallow front areas, and it is not out of place.

Because of the constraints of the site, the proposals adopt a contrasting approach. Most of the gardens and open space associated with the dwellings would be concealed behind the houses or their garden walls. The main aspect into the development would be of an extensive area of tarmac or similar roadway enclosed in a tunnel-like condition, on the one side by fencing along the eastern boundary, and on the other by the long brick garden walls and the walls of the houses contiguous with the road. The dominating and unattractive impression of this hard surfacing would be augmented by the parking areas, one of some considerable size in front of the terraced housing, and block paving between the semi-detached houses.

I have no difficulty in agreeing with the Council that this form of building would be incongruous, and markedly out of keeping with the prevailing character of development in the surroundings. There would be little scope for planting to relieve the substantial scale and unsympathetic appearance of brickwork and metalled surfacing and the perception from within and without the development would be of an area influenced entirely by the needs of vehicles, with little regard for a people-friendly environment. The building of houses at right angles to, and on the back edge of the road, would be out of the ordinary. No sense of personal place would be created and the adverse effects of this unsatisfactory composition would be exacerbated by the duplication of the (albeit hidden) estate road on the adjoining development.”

32. The problem with the earlier layout was that the two pairs of semi detached houses in the centre of the site were at right angles to the roadway. This resulted in garden walls and the house gables being on the back edge of the roadway. In addition to this there were two large areas reserved for car-parking and a paved area as a forecourt to the four houses. There was no scope for any landscaping.
33. The scheme was urban in character, with the Inspector referring to it as “incongruous”.
34. The present layout reduces the width of the roadway by 1.5m and changing the 2 x pairs of semi-detached houses to four detached houses fronting the estate road. By

setting back privacy fencing to the rear/side gardens by 6.0m from the estate road, there is plenty of room for landscaping along the road, even including trees, not just shrubs.

35. A condition will be necessary to ensure that these front gardens cannot be fenced in the future, and hence incorporated into the rear gardens. The house on Plot 1, facing Pieces Lane and adjacent No. 11, is in a similar position to that of the previous application which was judged to be acceptable.
36. Plots 2-5 (inclusive) have no first floor windows at the rear facing the bungalows in Hartley Close. Permitted development rights should be excluded to prevent additional windows being installed.
37. The relationship of Plot 8 to the new house to the rear of No. 13 Pieces Lane is better than that previously judged to be acceptable by the Inspector.
38. Plot 6 would be better set back as its rear outlook, facing north, is dominated by the flank wall of Plot 7 to the east. I am discussing this with the Agents.
39. I am somewhat surprised to note that the Parish Council is now objecting to the scheme, having previously recommended approval to the earlier application.
40. Its request for a "designated footpath...across the roadway" is noted but this will be no different to every other estate roadway where the kerbs are dropped either side of the junction radii for pedestrians, children, prams and pushchairs. The points raised by the two neighbours have all been fully considered previously.

### **Recommendation**

Subject to satisfactory landscaping plans and a better relationship between Plots 6 and 7, approval subject to:

1. Standard Condition A" - RC "A"
2. SC5
  - a) Materials "walls and roofs" RC5a)ii)
  - b) S.W. drainage RC5b)
  - c) Refuse storage RC5d)
  - d) Finished floor levels RC5e)
  - e) Hard-landscaping RC5f)
3. SC52 Implementation of landscaping RC52.
4. SC21 Withdrawal of permitted development
  - i) PART 2 (minor operations), Class A (erection of gates, walls and fences) RC21d)
5. SC22 No further windows "rear first floor elevations of Plots 2-5 inc." RC22.
6. SC60 Boundary treatment "all" RC60 + "and" RC43.
7. Para C3(b) p. parking. RC10 safety.
8. Provision of fire hydrants.

9. SC26 “During the period of construction and demolition no power operated machinery .....” (RC26).

**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),
  - **HG7** (Affordable Housing)
  - **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:
  - Highway dangers
  - Traffic/parking
  - Layout
  - Flooding

**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/2089/03/F, S/0932/03/O, S/1958/01/O and S/0462/05/F

**Contact Officer:** Jem Belcham – Area Planning Officer  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/0497/05/F - Thriplow****Erection of Buildings for an Autoclave, Offices and Visitor Facilities at Cambridge Pet Crematorium, A505 for Vetspeed Ltd****Recommendation: No Objections  
County Matter****Site and Proposal**

1. The Cambridge Pet Crematorium lies on a 2.48 hectare (6.13 acre) site on the south east side of the A505 in an isolated position south-west of Duxford Airfield. It comprises four incinerators housed within a buff brick and brown metal clad industrial style building that lies close to the road. Adjoined to the east side of the main building is a two storey office extension constructed in the early 1990's. Directly to the rear of the building is a concrete apron, enclosed to the rear (south) and east. This is occupied by a number of temporary structures. To the south of this courtyard is a grassed field where there are several existing filled waste pits which have been capped with topsoil and with an ornamental surround and flower beds.
2. This full county matter application, submitted on 14<sup>th</sup> March 2005, seeks to significantly extend the existing building to the rear in order to provide an autoclave, offices and visitor facilities. This additional accommodation would be predominantly contained within the courtyard area. The proposed extension would be no higher than the existing building and would have a total ridge height of 9 metres. The extension would comprise buff brick walls and the roof would be clad in profile steel sheeting painted brown to match the existing building.
3. A statement submitted as part of the application states that, in recent years, the technology associated with the disposal and management of clinical waste has developed rapidly as operators seek more environmentally friendly alternatives to incineration. The development of the large scale autoclave, at an economic price, is regarded internationally as the best available technology for the treatment of clinical waste. To accommodate this technology, Vetspeed does not need the use of cold and dry warehouses which formed part of a previously approved but unimplemented extension. The current proposal involves the erection of a building, which is virtually identical in size and position to that for which permission has previously been granted. The proposal to install an autoclave will enable Vetspeed to continue to handle the existing veterinary clinical waste volumes which amount to approximately 3000 tonnes per annum. Around 90% of the current veterinary clinical waste received at the site will be diverted away from incineration for treatment in the autoclave.
4. An application to allow non-veterinary clinical waste to be handled on the site has also been submitted to the County Council by Vetspeed. (Ref: S/0496/05/CM). This Authority's Environmental Health Officer requested that an assessment of Nitrogen Dioxide emissions be carried out and, in light of this advice, I have sent a holding objection to the County Council.

### Planning History

5. There have been numerous planning applications relating to this site. Of direct relevance to the current proposal, planning consent was granted in 1999 for the erection of storage, office and mess buildings, a covered waste transfer area, storage plant and garden machinery store. This development has not commenced. (Ref: S/0434/99/F). This consent was subject to a number of conditions including the requirement for the phased removal of existing temporary structures from the site and the provision and implementation of a landscaping scheme.

### Planning Policy

6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
7. **Policy EN3** of the South Cambridgeshire Local Plan 2004 requires that materials and landscaping for new development in the countryside are appropriate to the particular landscape character area.
8. **The County Council** will also consider the application against policies in the Cambridgeshire and Peterborough Waste Local Plan 2003.
9. **Policy P7/11** of the Structure Plan indicates that new proposals for waste management facilities will be favourably considered where they achieve the best practicable environmental option, taking into account a number of policy criteria.

### Consultations

10. This application is a 'County Matter' application and the County Council is therefore the determining Authority and has carried out the necessary consultations direct. Responses that this Authority has received are set out below:
11. **The Chief Environmental Health Officer** has raised potential concerns with regards to the old landfill situated near to the site and has recommended that the following condition be attached to any consent granted:

"Prior to the commencement of any development, an investigation to establish the nature and extent of any contamination of the site and any remedial works necessary to deal with contamination, including an assessment for the potential mitigation of landfill gas, shall be undertaken and submitted to and agreed in writing by the Local Planning Authority. Any necessary remedial work shall be carried out in accordance with the approved details before the development commences. The investigation 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, then 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 also be included."
12. **The Local Highways Authority** raises no objections stating that the likely daily increase in traffic movement as a result of collections from the proposed autoclave is extremely modest.

## Representations

13. Councillor Quinlan has objected to the application stating:

“As you know the European Waste Incineration Directive comes into force in December 2005 and applies much stricter emission limits. Dioxin emissions for example are ten times lower than now. The installation of the extra filtration systems need to meet these standards are understood to cost around £3/4m. and the object of the application is to augment the profit stream to fund this work.....

This particular location is in any case not really suitable because its proximity to Duxford Airfield means that it is not possible to increase the height of the existing chimneys. Thus the existing chimneys cannot be made high enough to ensure proper dispersion and dilution of the effluvia plume. This is demonstrated by the regular grounding of the plume and is the reason for the dioxin “hotspot” recorded on the field immediately to the north of the A505 in a HSE study.

I would ask that the Council takes advice from an appropriately qualified environmental scientist about the application. I would specifically ask that the history of dioxin emissions from the existing plant and its current dioxin emissions be reviewed. As I understand there to be no “safe” level of dioxin emissions the precautionary principle be applied and no further intensification whatsoever of the use be permitted. I strongly believe the current application should be refused.”

“Although statutory responsibility rests with another body I think the planning implications of extending the plant or intensifying the use are such that we need to be satisfied that public health is not adversely affected by the grant of planning permission always adhering to the precautionary principle.”

14. Objections have also been raised by two local residents. Firstly, the owners of Duxford Grange in Grange Road, Duxford state that there is an unacceptable level of dioxins in the field opposite the crematorium and express much concern about the impact of the crematorium upon their health. They are very concerned that Vetspeed is not only wanting to increase their volume of business but also wanting to diversify and import, store and handle human waste. The chimneys are not the legally required height for safe dispersion (their height is restricted due to the proximity of the site to the Duxford Airfield) and dilution of the plumes and, to enable the business to expand, seems irresponsible to local residents, especially when the European Waste Incineration Directive will be forcing stricter emission limits in December.
15. An email has been received from a Thriplow resident who raises the same health concerns as expressed in the preceding paragraph and requests that the health of local residents be considered when looking at the proposal.

## Planning Comments – Key Issues

16. The key issues in relation to this application are:
- a. The visual impact of the development;
  - b. The impact of the development upon the local residents’ health.
17. Planning permission has previously been granted for an extension that is virtually identical in scale, size and position to the present scheme. As such, I have no objections to the proposal subject to all conditions of the previous consent, including

the need for the provision and implementation of a landscaping scheme, being reapplied.

18. The principal concerns raised in respect of this application relate to dioxin and amino acid emissions from the site and the impacts this has upon the health of the local community. In particular, Councillor Quinlan has stressed that no intensification of the use should be permitted until an assessment of pollution emissions and the suitability of the site for the intensified use has been carried out and analysed by this Authority's Environmental Health Department.
19. The possible presence of dioxins arising from the existing use is, understandably, of huge concern. However, this issue is being considered under alternative legislation by the Environment Agency and should not therefore form part of this Authority's consideration of the application. As explained earlier, an application to handle non veterinary clinical waste at the site has also been submitted. The Environment Agency, who was consulted by the County Council in respect of this application, advised that the environmental impact of the proposal would be determined once the application to operate the process under the Integrated Pollution Prevention and Control (IPPC) had been entered. Vetspeed submitted its IPPC permit application to the Environment Agency (the Strategic Permitting Group in Bedford) at the end of March and this Authority's Environmental Health Department will be formally consulted as part of this process. As part of its consideration of the application, the Environment Agency will be looking at the environmental impact of the whole site as an installation, rather than just the non-veterinary clinical waste process, and the issues of dioxin and amino acid emissions are priority issues in its consideration of the case.
20. The current planning permission and site licences allow the site to dispose of a total of 96,500 tonnes per annum. Although the current proposal seeks to add a significant extension to the existing building, there would be no increase or intensification of the existing permitted use and the entire site would still operate within this limit. Essentially the only difference between the current application and that previously approved relates to the siting of an autoclave within the building. The autoclave is a piece of equipment designed to sterilise waste and to provide a safer, lower emission means of disposal than incineration.

### **Recommendation**

21. That this Authority write to the County Council registering no objections to the application but forwarding on the concerns raised by Councillor Quinlan and local residents relating to the adverse health impacts of the development. Any approval should be subject to the same conditions of the previously approved application on the site and to the requirement for a contamination investigation condition as recommended by the Environmental Health Officer.

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

- Application refs: S/0497/05/F; S/0496/05/F; S/0434/99/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development and Conservation Control Committee      13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

**S/0438/05/F - Shepreth  
 Use of Part of New Building for Furniture Retail and Storage for Selling  
 Furniture.Co.Uk**

**Recommendation: Refusal  
 Determination Date: 29<sup>th</sup> April 2005**

**Site and Proposal**

1. The site, formerly a petrol filling station, lies within the open countryside, off the A10. It forms two recently erected single storey buildings granted permission for B1/B8 use. Adjacent is a retail unit of approximately 160m<sup>2</sup> floor area, currently occupied by the applicants and used for the sale of furniture.
2. The full application, received 4<sup>th</sup> March 2005, proposes the use of part of the larger of the two buildings for the sale of furniture and it is intended to replace the use of the existing building.
3. 350m<sup>2</sup> of retail floorspace and 90m<sup>2</sup> of storage space is proposed with two staff employed.

**Planning History**

4. In August 2002 planning permission was granted in Outline for the redevelopment of the site for two B1/B8 units and in July 2004 reserved matters were granted.

**Planning Policy**

5. **Policy SH2 – Applications for new retail development** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”)

This policy states that planning permission will not be granted for retail development unless the applicant has successfully demonstrated that (in part):-

The impact of the development would not have an adverse effect on the vitality and viability of other town centres, district centres and local centres defined in development plans and on the rural economy, including village shops;

The store would be conveniently accessible by a wide range of modes of transport other than the car, including frequent public transport from a wide catchment area, and effective measures would be taken to enhance such accessibility, including that for pedestrians and cyclists;

The delivery and servicing arrangements would be compatible with local environmental conditions and would not cause local traffic difficulties.

In addition, in the case of proposals to develop sites in edge-of-centre or out-of-centre locations (or to extend existing stores in such locations) developers will be required to demonstrate a positive need for additional floorspace *before* any of the above tests are applied.

6. **Retailing in the countryside**

**Paragraph 6.26 of the Local Plan states:**

“The District Council is concerned about sporadic development for retail uses in the open countryside ...sales could have an adverse effect on the economic viability of existing shopping facilities in nearby villages...”

7. **Policy TP1 of the Local Plan states (in part):**

“The Council will seek, through its decisions on planning applications, to promote more sustainable transport choices, to improve access to major trip generators by non-car modes, and to reduce the need to travel, especially by car.

To give effect to these aims, planning permission will not be granted for developments likely to give rise to more than a small-scale increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s)”.

8. **Planning Policy Guidance Note 6 – Town Centres and Retail Developments  
Paragraph 4.9 states (in part):**

“The Government is seeking, through the location of development, to influence overall levels of car travel. PPG13 seeks to reduce the need to travel, reduce reliance on the car and facilitate multi-purpose trips. Linked trips are more likely to happen on trips made to existing centres. For retail developments, local planning authorities should assess the likely proportion of customers who would arrive by car and the catchment area which the development seeks to serve. Particular consideration should be given to retail proposals which seek to attract car-borne trade from a wide catchment area.

9. **Planning Policy Guidance Note 13 - Transport**

**Paragraph 35 states (in part):**

“Policies for retail and leisure should seek to promote the vitality and viability of existing town centres, which should be the preferred locations for new retail and leisure developments.

10. **Planning Policy Statement 7 – Sustainable Development in Rural Areas  
Paragraph 17 states (in part):**

“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”.

11. **Policy P3/4 of the Cambridgeshire and Peterborough Structure Plan 2003 states:**

“Local planning authorities will support the vitality of rural communities by encouraging the retention and expansion of village shopping facilities, on a scale appropriate to their location and serving a local function, and key community services”.

**Consultation**

12. **Shepreth Parish Council  
Recommends approval**

### **Representations**

13. None

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

14. The key issues are whether the use of part of this building for the sale and storage of furniture is sustainable and/or would threaten the viability and vitality of village shops.
15. The proposal involves an increase in floor area of some 175% over the existing furniture shop. The proposed split between retail space (350m<sup>2</sup>) and storage (90m<sup>2</sup>) indicates that the predominant part of the use will be retail. It is unknown what the split ratio is as existing but with 160m<sup>2</sup> in total it is clear that the proposed retail area will be greatly increased and retail sales from the site will, if the company were to be successful, be similarly greatly increased.

### **Sustainability**

16. The site is not readily accessible by public transport. I am not aware of any bus stop near the site and it is not readily accessible on foot or by bicycle. Most customers will therefore arrive by car. The nature of the goods sold is such that some customers will be able to take small items away, necessitating the use of the car, but that, in my opinion, most items would need to be delivered. In this case the nature of the goods sold would not preclude the use of public transport or access on foot or bicycle. I consider that this site is not in a sustainable location for retail sales at the scale proposed.
17. Coupled with the inevitable arrival by car is the concern that in this isolated location special journeys are required that cannot be combined with other needs to travel. Were this site within Cambridge or within a village there is a greater probability that journeys would be combined. This is contrary to the Government objective of encouraging linked trips (see PPG6 above). The specialist nature of the goods is also likely to attract visitors from a wider catchment area.

### **Vitality and viability of local shops**

18. I do not consider that this proposal will threaten any specific local shops. However, there is no reason why furniture should not be sold from a village location. The Local Plan states that the District Council is concerned about sporadic development for retail uses in the open countryside.
19. Taken cumulatively this proposal will contribute to the increasing pressures upon local village shops and services particularly as countryside shops can benefit from lower overheads which can undermine the viability of village shops. In my view retail sales outside of village frameworks should be limited to the type of goods that cannot reasonably be expected to be sold within villages or urban centres – the most common being garden centres. Policy SH12 of the Local Plan (Garden Centres) precludes the sale of inappropriate goods to ensure that either individually or cumulatively the viability and vitality of village centres is protected. The District Council has consistently opposed the sale of goods, including furniture, from these outlets.

### **Conclusion**

20. I consider the intensification of sales of furniture from this site will attract a large number of customers by car, making a special journey, perhaps from a wide catchment area. This is unsustainable and contrary to both national and local policies.

21. The use will, as part of a cumulative impact, adversely affect the viability and vitality of village shops.
22. The proposal fails the tests in Policy SH2 of the Local Plan, notwithstanding the fact that the developer has not demonstrated a positive need for additional floorspace required by this policy.

**Recommendation**

Refusal

23. The proposed increase in retail sales will result in a scale of development that is unacceptable in this rural location. It will attract and encourage a significant increase in single-purpose car journeys from a wide catchment area. It will further contribute to a cumulative adverse impact on the vitality and viability of village shops and no justification for the increased floor area has been given. As such the proposal is contrary to Policies TP1 and SH2 of the South Cambridgeshire Local Plan 2004.

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

- Planning Files reference S/0829/02/O, S/0568/04/RM and S/0438/05/F,
- South Cambridgeshire Local Plan 2004,
- Cambridgeshire and Peterborough Structure Plan 2003,
- Planning Policy Guidance Notes Nos. 6 and 13 and Planning Policy Statement No. 7.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

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**S/0543/05/F - Bassingbourn  
Extension, 43 The Fillance - For M. Woodcock**

**Recommendation: Refusal  
Date for Determination: 16<sup>th</sup> May 2005**

**Site and Proposal**

1. Number 43 The Fillance is a semidetached property in a cul-de-sac of similar such two-storey properties, all of which fall within the Bassingbourn village framework. The neighbouring property to which number 43 is attached is to the north, and both dwellinghouses are set back by approximately six metres from the adjacent pavement and road. The front gardens of both the properties are relatively open with the boundary between them being defined by a low-level close-boarded fence
2. The application received on the 21<sup>st</sup> March 2005, proposes to extend the front of the dwellinghouse at a ground floor level by 3m. The extension would run along the entire frontage of the dwellinghouse with a lean-to roof sloping away from the highway that bounds the front of the curtilage.

**Planning History**

3. None

**Planning Policy**

4. Policy **HG12** of the **South Cambridgeshire Local Plan 2004** seeks to resist extensions to dwellings within village frameworks that would seriously harm the amenities of neighbouring properties or have an unacceptable visual impact upon the street scene.

**Consultation**

5. **Bassingbourn Parish Council** recommends that the application be approved

**Representation**

6. None

**Planning Comments – Key Issues**

7. The key issue to consider in the determination of this application is whether the extension would harm the amenities of the occupiers of the neighbouring property.

**Neighbour Amenity**

8. The neighbouring property (number 45) to the north of number 43 has an identical fenestration, with a large lounge window within approximately 900mm of the shared

boundary. As stated earlier the boundary between the two properties is defined by a low-level close-boarded fence. The extension would be set back by 100mm from the said fence and would project forward by three metres.

9. The proximity of the proposed extension to number 45, the depth of the extension in relation to the adjoining lounge window and the southern orientation of number 43 means that a loss of light entering the lounge window of number 45 would occur. Based on the criteria of Policy HG12 such a loss of the primary source of natural light entering the neighbour's window is considered to have an unacceptable impact upon amenity. Similarly the proximity of an expanse of wall to the outlook of the said lounge window would also be detrimental to amenity by being unduly overbearing.
10. It is noted that a similar such extension was approved in 1990 (S/1394/90/F) on a property opposite (number 19 The Fillance). Although this semi-detached property is of the same design as numbers 43 and 45 the neighbouring property to which it is attached is to the south. Therefore loss of light would not have been a material consideration for the determination of the planning application. Moreover the extension only has a depth of 2500mm. Therefore neighbour impact would not have been so significant.

### **Recommendation**

11. Refuse

### **Reasons for Refusal**

12. The proposed extension would be contrary to policy HG12 of the South Cambridgeshire Local Plan 2004, as it would have an unacceptable impact upon neighbour amenity through undue loss of light and being unduly overbearing in terms of its mass to the occupiers of no. 45 The Fillance by reason of its depth, orientation and proximity to a lounge window in the front elevation of that property.

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

- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/0543/05/F
- Planning File Ref: S/1394/90/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0516/05/F - Eltisley  
Extension at 56 Caxton End for C Brignell**

**Recommendation: Approval  
Date for Decision: 11<sup>th</sup> May 2005**

**Site and Proposal**

1. The site comprises of a two storey detached dwelling with lean-to side kitchen and flat-roof rear lounge situated on the southern side of Caxton End. The site is adjacent to the grounds of a listed building to the west, with a timber-boarded shed located between the two buildings. A mature hedgerow forms the front boundary of the land serving the listed building.
2. The application, received 16<sup>th</sup> March 2005, seeks the erection of a two-storey side and rear extension above and beyond the existing single storey flat roof extension to the rear of the dwelling.

**Planning History**

3. **S/0437/04/F** – Application approved for a first floor extension over existing flat roof extension to the rear of the dwelling.

**Planning Policy**

4. The site is located within the Eltisley village development framework and adjacent to a listed building.
5. Policy **HG12** of the **South Cambridgeshire Local Plan 2004** states that planning permission for the extension and alteration of dwellings will not be permitted where the proposal would harm seriously the amenities of neighbours through being unduly overbearing in terms of its mass; and there would be an unacceptable impact upon the street scene.
6. Policy **EN28** of the **South Cambridgeshire Local Plan 2004** states that 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 would damage the setting of a Listed Building.

**Consultation**

7. **Eltisley Parish Council** – recommends that the application is refused and states: “The proposed extension will be over a main drain – the 1991 Land Drainage Act should be noted (an inspection chamber should perhaps be considered). The extension is overbearing and appears to be far larger than the existing footprint (this is not clear from the plans as the existing marked in dotted line is very difficult to see).

8. **SCDC Conservation Manager** – recommends no objection and states:  
“The property is some distance outside the boundaries of the Conservation Area, and the proposal will have no impact on the Conservation Area. However, the property adjoins the site of a Grade II listed building (No.52). The listed building is some distance from April Cottage (No.56), with a free-standing timber boarded shed located between the two buildings. I am therefore satisfied that the proposed extension will have no impact on the setting of the adjacent listed building.  
In 2004 I commented on an application for a first floor extension over an existing flat roof extension at the rear. The current proposal would create a two storey extension to the rear. I have some concerns over the proportions of the resulting elevations, but given that it will not impact unduly on the setting of the nearby listed building, nor impact on the setting of the Conservation Area, I do not wish to pass any comment.”

### **Representations**

9. None received.

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

10. The key issues in relation to this application are:
- Impact on adjoining properties
  - Impact on the street scene
11. The presence of the main drain referred to by the Parish Council is not a material planning consideration for this application. As such the methods for addressing the issue are not a matter which would have a bearing on the decision making process.

### **Impact on adjoining properties**

12. The proposed extensions are located to the rear of the existing dwelling. Although they would represent a significant extension beyond those permitted by application **S/0437/04/F** the impact on the neighbouring properties is minimal. The neighbouring dwelling to the west of the application site, which is a Grade II listed building, is located some distance from the proposed extension, with a free-standing timber shed located between the two. The road frontage of this property also consists of a mature hedgerow which obscures direct line of sight to the rear of 56 Caxton End. By virtue of the design of the proposal and the distance between the two properties there will be no impact on the amenities of this neighbour.
13. The land to the rear of the existing house rises towards the dwelling, which is set back to the east of the application site. As such the neighbouring dwelling at no. 58 is elevated to a degree above the proposed extension. The boundary between the two dwellings comprises of a 2 metre high close-boarded fence and the dwelling at 58 does not feature any windows in the side elevation facing the proposal. Furthermore, as a result of the extent of the rear projection of the resulting dwelling at 56 and its relationship with the front elevation of the neighbouring property there would be no opportunity afforded for overlooking from the proposed first floor bedroom window by virtue of the oblique angle between the two.

### **Impact on the street scene**

14. As outlined previously the proposed extensions are to the rear of the existing dwelling and the previously consented extensions. The plans illustrate a two-storey side

extension which was included in the consented application ref. **S/0437/04/F**. At the time of the officer's site visit it appeared that the previous consent has been partially implemented. The two-storey side element can therefore be erected regardless of the outcome of the current application and as such the merits of this element of the application on its own are not up for consideration. Although the current proposal would result in a further rear extension of the two-storey range of the dwelling by a depth of some 4.3 metres and width of 4.1 metres, this would be set back some distance from the road. The extensions have been designed to feature a ridge height below that of the existing dwelling and as such would not be visible when viewed from directly in front of the site. The presence of the mature hedgerow to the west of the application site and an existing garage, located close to the road frontage serving the neighbour to the east, further restrict views of the side elevations of the proposed extensions when viewed from further along the street scene.

15. The comments of the Conservation Officer are noted.

### **Recommendation**

16. Approval

1. SCA – RCA
2. SC19 – RC19 – matching external materials.

### **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;**
  - **South Cambridgeshire Local Plan 2004: HG12** (Extensions and Alterations to Dwellings within Frameworks), and **EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity including overbearing impact
  - Visual impact on the street scene
  - Impact upon setting of adjacent Listed Building

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Refs: S/0516/05/F, S/0437/04/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/6227/03/RM - Cambourne  
30 Dwellings at Area GC22, Great Cambourne  
For Granta Housing Society**

**Recommendation: Approval  
Date for Determination: 5<sup>th</sup> March 2004**

**Site and Proposal**

1. The site, which comprises 0.9 hectares (2.2 acres), is located in the southern part of Great Cambourne, in phase 5 of the development.
2. The reserved matters application, received on 5th December 2003, proposes 30 affordable dwellings at a density of 33 dwellings per hectare. These have been designed to provide a variety of styles and types, ranging from bungalows to 1 ½ and 2 storey houses and 2 storey flats.
3. The dwellings provided would be 4 x 1 bed flats, 4 x 2 bed bungalows, 17 x 2 bed houses and 5 x 3 bed houses. Most of the houses are for rent, but 6 are for shared equity ownership.

**Planning History**

4. This site is allocated in the Masterplan as an area for affordable housing identified as GC22. In the original Masterplan, this area was allocated a notional 26 units.
5. Cambourne has outline planning permission for 3300 houses. Under the terms of the s106 agreement, the developers are required to provide 37 acres of free, serviced land for affordable housing, allocated in tranches throughout the site, with the total number of dwellings on that land not exceeding 650. During the course of the development of Cambourne, it has emerged that the number of affordable housing units allocated in the Masterplan on that 37 acres only numbered 516, a shortfall of 134 units. The number of units on this site has increased from the notional 26 to 30 which helps address the shortfall in overall number of affordable units.
6. The application was reported to this Committee in February 2004 when Members gave delegated powers of approval, subject to the signing of a Section 106 Agreement to cover the affordable housing, and the addressing of some minor points of detail in the design. Since then, the Section 106 Agreement has been completed but other planning issues have arisen as a result of finalising the plans, in particular in providing a service strip and hammerhead as required by the Highway Authority. As a result, further neighbour notification has resulted in objections, hence my report back to this committee.

**Planning Policy**

7. **South Cambridgeshire Local Plan 2004:** Cambourne 1 requires development in accordance with Cambourne Masterplan; Cambourne 2 requires development in accordance with Cambourne Design Guide; SE7 requires development in accordance with Cambourne Masterplan and Design Guide; SE2 governs development in Rural Growth Settlements.
8. **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 – Sustainable Design in Built Development.

### **Consultation**

9. Since the last time this application was reported to Committee, the following consultation replies have been received;
10. **Cambourne Parish Council** makes no recommendation.
11. The **Local Highways Authority** states that the road through the site should be a collector road, and the junction should be changed so that the route to the allotments appears as a spur, not as the main route through the site.
12. The **Landscape Design Officer** notes a reduction in tree planting in the amended plans and suggests locations for additional trees.
13. The **Police Architectural Liaison Officer** requests a window in the side elevation of plot 20, a gate to the footpath between plots 20 and 21, leading round to the rear gardens, and defensive planting to the parking court to the flats.

### **Representations**

14. Since the original Committee report, the following representations have been received concerning the first set of amended plans:
15. The occupier of 22 Granary Way is concerned about higher density; possible exacerbation of waterlogging in his and neighbouring gardens and the site itself; associated finished floor levels; overlooking from full height first floor lounge window of flat at plot 30; overbearing roof pitch to flats.
16. The occupier of 16 Granary Way objects to the moving back of the houses on plots 7 and 8: “this will increase the views into our garden and house. The current layout has increased the space at the front of the house at the expense of the back garden, unnecessarily reducing our privacy. It also provides for a smaller back garden: undesirable if the tenants have young children.”
17. In response to the second set of amended plans, the occupier of 22 Granary Way remains concerned about the floor levels and associated ground levels of plots 1-4 which he feels will result in water runoff into his garden.
18. The occupier of 20 Granary Way agrees with the occupier of 22, having also suffered considerable waterlogging.

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

19. With regard to the issue of numbers, it is acknowledge that there are more units here than in the ‘notional’ allocation in the original Masterplan. However it is important that

schemes are design led and I am mindful that (as explained above in paragraph 5) this will actually assist with making up the overall shortfall.

20. The comments of the Landscape Design Officer, Highway Authority and Police Architectural Liaison Officer can be addressed by conditions.
21. The first amended plans pushed two of the units back towards existing dwellings by 5m, although still retaining a rear garden length of 17m. I have obtained a second set of amended plans that move the houses further forward again (as far as possible in the circumstances of the changes to the road) which now leave a 20m back garden depth to plots 7 and 8. I am satisfied that this will not result in undue overlooking.
22. Waterlogging and floor / ground levels. I am satisfied that there will not be a significant change in levels that would exacerbate this problem, but will add a condition requiring levels to be agreed prior to work commencing on site.
23. Roof pitches, overall heights and their proximity to existing development were addressed at the last Committee.
24. In terms of possible overlooking from the first floor lounge windows of the flats, these are not orientated in a way that will overlook the existing property to the north (3 Granary Way). The oblique view across the road is 17m to the nearest back garden (22 Granary Way) and 28m to the rear of the house. I am satisfied that this will not cause undue overlooking.

#### **Recommendation**

25. Approve, subject to conditions addressing, inter alia, the following matters:
26. Highway changes, landscaping and boundary treatment, prevention of windows in certain elevations to avoid overlooking, levels, drainage, materials, lighting, construction access, contractors' compound.

#### **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), Cambourne 1 and 2 and SE7 (development in accordance with Cambourne Masterplan and Design Guide)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity including overlooking issues
  - Highway safety
  - Visual impact on the locality

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

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: **S/6227/03/RM**

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/0483/05/F - Castle Camps****Change of Use of Agricultural Land to Paddock, Erection of Boundary Fence and Excavation of Open Ditch at Land Adjacent Sunnyside, Haverhill Road for Mr & Mrs O'Malley****Recommendation: Delegated Approval****Date for Determination: 5<sup>th</sup> May 2005**

Members will visit the site on Wednesday 11<sup>th</sup> May 2005.

**Site and Proposal**

1. The 0.228 hectare site forms part of a large open field that is situated immediately to the north of the Castle Camps village framework, within the countryside. There is a wide grass verge comprising a number of trees and an open ditch that adjoins Haverhill Road to the west. Sunnyside is a modern dwelling that is situated to the south. It has a hedgerow along its northern boundary. Open fields lie to the north and east.
2. The application, received on 10<sup>th</sup> March 2005, proposes the change of use of agricultural land to a paddock, the erection of a boundary fence and the excavation of an open ditch. The proposed 1.5 metre high post and rail fence will enclose the site except at the point of access to Haverhill Road. The proposed landscaping includes the planting of small groups of trees within the paddock and a hawthorn hedge along the north, east and west boundaries of the site. The existing hawthorn hedge along the southern boundary will be removed. The ditch will be excavated inside the hedge on the northern boundary of the site and will link to the existing ditch along the western boundary.

**Planning History**

3. Planning permission was granted for a two-storey chalet style replacement dwelling and triple garage (ref. S/0963/01/F) on the adjacent site (Sunnyside) in August 2001.
4. A further planning application for a replacement dwelling, annexe and double garage (ref. S/1165/02/F) on the adjacent site in September 2002. This permission increased the eaves height of the house by one metre, converted the triple garage to an annexe with the addition of a single storey extension to the rear and gave consent for a double garage to the front of the house.
5. An application for a replacement dwelling (revised design) and triple garage (ref. S/0054/03/F) on the adjacent site was refused planning permission in March 2003. The application sought to increase the height of the dwelling and the size of the garage. It was subsequently dismissed at appeal in October 2003.

## Planning Policy

### *Development Plan*

6. **Policy P1/2** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to restrict development in the countryside to that which can be demonstrated to be essential in a particular location. The aim of this policy is to ensure that any new development is appropriate in nature to the open and rural character of the countryside.
7. **Policy P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to ensure that all new developments have a high standard of design that is integrated with adjoining landscapes.
8. **Policy EN1** of the **South Cambridgeshire Local Plan 2004** identifies the local landscape character areas of the district and seeks to ensure that the local character and distinctiveness of these areas is respected, retained, and wherever possible enhanced.
9. **Policy SE9** of the **South Cambridgeshire Local Plan 2004** states that development on the edges of villages should be sympathetically designed and landscaped in order to minimise the impact of the development on the countryside.
10. **Policy EN5** of the **South Cambridgeshire Local Plan 2004** requires trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.

### *National Planning Guidance*

11. Planning Policy Statement 7 (Sustainable Development in Rural Areas) seeks to restrict development in the countryside in order to safeguard its open and rural character. Paragraph 17 is particularly relevant to this application as it states that support will be given to countryside based enterprises and activities that contribute to rural economies and/or promote recreation in and the enjoyment of the countryside.

## Consultation

12. **Castle Camps Parish Council** objects strongly to this application and recommends refusal on the following grounds: -
  - "I object to change of use of land north of Sunnyside as I feel that it is just another way of pushing out the village boundary, which would be used for future development;
  - Is the change of use to paddock instead of garden significant? For example, does it leave open the case for more buildings like a stable block? What prevents the garden from extending into the paddock? Already a driveway is proposed extending into the paddock;
  - If planning permission is granted it should be on the firm basis that no further buildings of any sort will be allowed in the site in the future;
  - Trees on the highway verge are marked as though on the boundary of the land, which is incorrect."

Following the receipt of further information in relation to the application, the Parish Council wishes to maintain its objection. Further comments from individual councillors are outlined below: -

- “The present hedge on the northern boundary should be maintained. The horseshoe driveway appears to be serving the two residences on this site. Villagers have commented that they dislike the village being extended at this point. Also this is a best landscape point often used by local artists. A Committee should visit the site;
- It is important that countryside landscape on parish boundaries should be retained. I would not wish the present northbound hedge to disappear. I fully support the CPRE campaign in their continuity landscape character statement. I feel this planning application is detrimental to our village;
- Do not object to paddock use but think Council must keep a much closer eye on things on this site. Work is still being done without permission;
- I feel this paddock application is just the beginning of more building work on this site so I strongly disagree to giving planning permission for this proposal;

Summary: The Parish Council has strong feelings in respect to this application due to the planning history of the site.”

13. The **Landscape Design Officer** states that if this land is to become garden/paddock, amended landscaping details are required in the form of greater tree planting with different varieties. Further details have been requested and are awaited.
14. The **Environment Agency** has no objections in principle to the application but makes comments in relation to surface water drainage and culverting that will be passed on to the applicant.

#### **Representations**

15. None received.

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

16. The main issue to consider in the determination of this application is the impact of the development upon the countryside.

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

17. The proposed change of use of the site from agricultural land to paddock together with the erection of fencing, excavation of a ditch and landscaping is considered an appropriate use in the countryside that would maintain the open and rural character of the landscape.
18. The existing dwelling on the adjacent site (Sunnyside) is highly visible across open fields when entering the village from the north. The only current form of landscaping on the village framework boundary is a mature hawthorn hedge. The proposed paddock and associated landscaping would create a softer edge to the village that would minimise the impact of the adjacent property on the open countryside.
19. The site lies within the South Suffolk and North Clayland Landscape Character Area as defined by Countryside Agency under their Countryside Character Initiative. The key characteristics of this area are isolated hamlets that are accessed via sunken winding lanes that run alongside predominantly arable fields with small wooded areas. The proposed paddock and associated works are not considered to adversely affect the character of the local landscape.

**Other Matters**

20. The village framework boundary would remain in its present position along the northern boundary of the residential curtilage of Sunnyside and along the southern boundary of the proposed paddock site. The paddock land would remain designated as countryside. Any alteration to the village framework boundary would have to be submitted as a representation to the new Local Development Framework and be considered by a Planning Inspector at a Public Inquiry. Applications for residential development would not be supported in the countryside unless there is an agricultural justification for such development.
21. If consent were granted for change of use of the land to paddock, planning permission would be required to erect any buildings on the site. The Council would therefore be able to control the size and use of any proposed buildings. A planning application would also be required to change the use of the land to garden.

**Recommendation**

22. Delegated approval subject to conditions, upon the receipt of an acceptable landscaping scheme.
  1. Standard Condition A - Time limited permission (*Rc A*)
  2. Sc52 - Implementation of landscaping (*Rc52*)
  3. Sc5f - Details of materials to be used for hard surfaced areas within the site (*Reason - To safeguard the character of the area.*)
  4. Save for the post and rail fencing shown upon the approved drawing, 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 land unless expressly authorised by the Local Planning Authority in that behalf: -  
  
Part 2 (Minor Operations) - Class A (Erection of Gates, Walls or Fences)  
(*Reason - To safeguard the character of the area.*)

**Informatives**

**Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:** Policy P1/2 (Environmental Restrictions); Policy P1/3 (Sustainable Design in Built Development)
  - **South Cambridgeshire Local Plan 2004:** Policy EN1 (Landscape Character Areas); Policy SE9 (Village Edges); Policy EN5 (Landscaping of New Development)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Impact upon the Countryside/ Landscape
  - Planning History

**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/0483/05/F, S/0054/03/F, S/1165/02/F & S/0963/01/F

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/0551/05/F - Comberton****Erection of Summer House and Swimming Pool with Filtration Shed  
4 West Street, for Mr B. Obank****Recommendation: Approval  
Date for determination: 17<sup>th</sup> May 2005****Conservation Area****Site and Proposal**

1. The application relates to part of an area of former open grazing land in the middle of the village that is bounded on all sides by other development, and which forms the rear garden area of the applicant's dwelling at No.8. There are partial views of the site across the village pond from the crossroads of Green End and West Street, however this view is significantly blocked by trees and shrubbery adjacent to the pond, and by a 1.8m high close-boarded fence on this boundary. The land lies to the rear of No.2 West Street, a grade II listed building, separated by a 1.8m screen wall.
2. The site lies within the Comberton Conservation Area.
3. The application, registered 22<sup>nd</sup> March 2005 is for full planning permission for the construction of an open-air swimming pool with a filtration shed measuring width 2.0m x depth 1.5m x height 2.1m. The filtration shed is shown to be sited on the south-eastern corner of the site adjacent to the rear garden of No.2, where there is a neighbouring shed of similar dimensions, and the boundary with the village pond. The shed is to be weather-boarded with a felt roof.
4. The application also proposes the erection of a summer-house with dimensions width 5.0m x depth 3.0m x height to ridge 3.0m. This is to be weather-boarded with a shingle roof. It is shown to be sited in the north-eastern corner of the garden, where there are no public views.

**Planning History**

5. Planning permission for the erection of a detached dwelling in the south-western corner of the garden was granted 31<sup>st</sup> March 2005 – **S/1164/04/F**. In respect of the adjoining dwelling at 8 West Street, planning permission for conversion of the former barn to a dwelling was granted 28<sup>th</sup> August 2001 – **S/0754/01/F**. Condition 9 of this permission withdrew most permitted development rights for the dwelling, including the usual rights to construct a swimming pool or outbuildings within the garden area.
6. Outline planning permission for the erection of a detached 5-bedroomed house to the rear of the converted barn was dismissed at appeal in 2000 (S/0995/99/O). The Inspector concluded that the open grazing land formed 'an intrinsic part' of the Conservation Area's character and appearance. It formed a part of the 'pleasing and

appropriate setting' to the listed buildings at No.2 and (to a lesser extent) No.10 West Street, and to the village pond. As the proposed house would be visible from the crossroads, it would 'destroy much of the open and rural character of the grazing land'.

### **Planning Policy**

7. **Policy EN30** (Development in Conservation Areas) of the South Cambridgeshire Local Plan 2004. 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 that do not specify traditional local materials or details that do not fit comfortably into their context will not be permitted.
8. The **Village Inset Plan** states that development at the north-western corner of the crossroads will not be permitted, as it would further erode the linear character of this part of the village (para.17.20).

### **Consultations**

9. **Comberton Parish Council** - Concern expressed about the excessive size of the filtration shed and its proximity to the neighbouring property (No.2), which is likely to give rise to noise disturbance to the occupiers. However, if the said neighbours do not complain then the PC will assume that they consider it acceptable. This structure is yet another building on this plot. Nevertheless, the PC has no objection to the swimming pool and recommends approval of the development.
10. **Conservation Manager** - No objection, but considers that it is probable that the filtration shed will be visible over the wall from the village pond, and that a better location for it could be found. No objection to the summer house or swimming pool, subject to details of surrounding hard surfacing to be agreed.

### **Representations**

11. In response to the comments of the Parish Council, the applicant has indicated that the shed is to be sited about 1 metre away from the neighbour's shed on the other side of the wall. The neighbouring shed is fractionally bigger and to his knowledge received no objection from the Parish Council. He has been advised by several swimming pool companies that the filtration shed will generate no noise at all.

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

12. Permitted development rights for development of this nature have been removed from this land to ensure that its open character is not compromised by domestic outbuildings. The main issue is whether the siting of the filtration shed will harm this undeveloped character and the setting of the village pond.
13. The siting of the shed adjacent to the south eastern boundary will result in some 300mm of the roof being partly visible from the village pond direction, albeit partly obscured by branches and vegetation. This is no more than the neighbouring shed, which has no significant impact on these views. I consider that the erection of the filtration shed in this position will not harm the openness of the Conservation Area, nor significantly affect the setting of the village pond.

### **Recommendation**

14. Approve, subject to the following conditions:
  1. Standard Condition A – Time limited permission (Reason A);
  2. Sc5f – Details of materials to be used for hard surfaced areas within the site (Reason – In the interests of the appearance of the Conservation Area);

### **Informatives**

#### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:** nil
  - **South Cambridgeshire Local Plan 2004: 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
  - Impact upon the character and appearance of the Conservation Area

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

- South Cambridgeshire Local Plan 2004
- Planning files Refs. S/0551/05/F, S/0754/01/F, S/1164/04/F and S/0995/99/O.

**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 13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services

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**S/0552/05/F - Comberton  
Erection of Replacement Garage, 8 West Street for Mr. B Obank****Recommendation: Approval  
Date for determination: 17<sup>th</sup> May 2005****Conservation Area****Site and Proposal**

1. 8 West Street is a detached house within Comberton Conservation Area. It is set back some 13m from the frontage onto West Street, which is marked by a mature hedge and three trees. The dwelling is served from a driveway that is shared by the adjacent house at 4, West Street. There is planning permission for a third dwelling to be served from the track, located to the rear of No.8. To the west, the site is adjoined by 10, West Street, a grade II listed building with windows at ground, first and second floor levels facing towards the front garden area of No.8.
2. The existing garage, located some 5m to the rear of no.8, has dimensions width 6.2m x depth 7.0m x height 5.0m to ridge. This full application, dated 11<sup>th</sup> March 2005, shows a proposal to demolish this and to erect a smaller single garage with shed at the rear of the garden area, 25m from the main house. The replacement garage, which is to be clad in weatherboard and roofed with pantiles, has dimensions width 6.5m x depth 6.0m x height to ridge 4.0m. The forecourt is to be gravelled.
3. A separate access from the driveway is proposed to provide a gravelled parking area at the front of the house, behind the existing hedge and trees, to afford parking provision for visitors to the house clear of the public highway.

**Planning History**

4. Planning permission for the erection of the existing garage was granted in 2001 – **S/0754/01/F**. Planning permission for the erection of a detached dwelling to the rear of No.8 was granted 31<sup>st</sup> March 2005 – **S/1164/04/F**.

**Planning Policy**

5. **Policy EN30** (Development in Conservation Areas) of the South Cambridgeshire Local Plan 2004. 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 that do not specify traditional local materials or details that do not fit comfortably into their context will not be permitted.

**Consultations**

6. **Comberton Parish Council** – The Parish Council “strongly objects to this development. The demolition of the existing garage is unnecessary and points to an

ulterior motive, namely more development on the site, which is being opened to vehicular access at an alarming rate. Garages built any distance from their house are invariably not used for the purpose they were intended for. The replacement of lawn with gravel is yet another stage in turning this land into a housing estate.”

7. **Conservation Manager** – no objection to the proposal provided the existing garage is demolished. The new parking to the front garden should not be seen as a precursor to sub-dividing the house into two dwellings, which would be a concern.

### **Representations**

8. The occupier of the adjoining dwelling at 10, West Drive has expressed objections:
- The gravelled parking area at the front of the house is adjacent to windows in his dwelling and will cause noise disturbance. It will have a negative effect on the setting of this listed building;
  - The new garage will be visible from the rear garden of his property and, being closer, will give rise to noise disturbance;
  - The only reason for the change is to please potential buyers of the dwelling. The applicant should look for a more suitable solution.

### **Applicant's response**

9. The applicant has responded to the above issues:
- The existing driveway to No.10 is gravelled and is closer to the windows in No.8, and yet the use of this driveway does not cause significant noise disturbance to No.8;
  - The new garage will come no closer than 4m to the adjoining garden and the height to eaves will be just 1.5m on the facing elevation, and the ridge height is more than 1m lower than the existing garage.

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

#### ***Conservation***

10. The new garage is located in an unobtrusive position within the Conservation Area and is shown to have a good standard of external materials. It is significantly lower than the existing garage and for these reasons I consider that it will not result in harm to the character and appearance of the Conservation Area. The formation of the parking area to the front of No.8 is located 16m from the adjacent listed building and, as there will be no public views across it to the listed building, I do not consider that the setting will be unduly harmed. The laying of a gravel surface within the curtilage of the dwelling in any case is permitted development that does not require express planning permission.

#### ***Noise and neighbouring amenity***

11. As noted above, the laying of a gravel surface within the curtilage of the dwelling is permitted development that does not require express planning permission. As the access to the new garage will be via an existing track already in use by vehicles (and with consent to serve an additional dwelling), I do not consider that any significant additional noise disturbance to the neighbouring property will arise as a result of the development requiring planning permission. The garage will be modest in scale and at a reasonable distance from the garden boundary with No.10, and in my assessment will not be overbearing when viewed from that garden.

**Necessity**

12. The Parish Council and neighbouring occupier consider the resited garage to be unnecessary. This is not a material consideration when assessing the merits of the application, neither are the alleged motives of the applicant. On the basis of the planning issues raised by the proposal I consider that the application complies with EN30 and is acceptable in terms of potential impact upon the amenity of the neighbouring dwelling at No.10.

**Recommendation**

13. Approval, subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
  2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));
  3. Before the garage hereby permitted is brought into use, the existing garage shall be demolished and all waste material removed from the site. (R- To preserve the character and appearance of the Conservation Area)
  4. The permanent space to be reserved on the site for turning and parking shall be provided and retained for that purpose. (R- In the interests of highway safety);

**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:** N/a
  - **South Cambridgeshire Local Plan 2004: 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 overbearing issues
  - Setting of a listed building
  - 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
- Planning files Refs. S/0552/05/F, S/0754/01/F and S/1164/04/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 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/2412/04/F - Cottenham**  
**Erection of Livestock/General Purpose Farm Building, Causeway Farm, Smithy Fen**  
**for Mr and Mrs R Jones**

**Recommendation: Approval**  
**Date for Determination: 28<sup>th</sup> February 2005, (Major Application)**

**Site and Proposal**

1. Causeway Farm consists of a group of barns on the south-western site of Lockspit Hall Drove, 300.0m beyond the humped back bridge, and facing the Setchel Drove junction.
2. The full application, received on 29<sup>th</sup> November 2004, proposes the erection of a livestock/general purpose farm building 22.0m to the south-east of the adjacent barn.
3. The barn would be 23.0m x 50.0m x 9.0m high and clad with Yorkshire boarding and box profile cladding.

**History**

4. Members may recall an outline application for an agricultural dwelling being presented to the September (item 4) and December Committees (item 12), this was refused for the reasons that:
5. The proposal is contrary to Policies P1/2 of the Cambridgeshire and Peterborough Structure Planning (2003) and HG16 of the South Cambridgeshire Local Plan (2004) in that a clear, existing functional need has not been put forward to justify a second agricultural dwelling on this farm holding.
6. Notwithstanding the above, the proposed site is poorly related to the existing and proposed farm buildings.

**Policy**

7. **Policy P1/2** of the Structure Plan 2003 restricts new development in the countryside to that which is essential in a particular rural location.

**Consultations**

8. **Cottenham Parish Council** "approves" the application.
9. **The Old West Internal Drainage Board** has no objections to soakaways or attenuated to existing Greenfield rates of run off prior to discharge to an open watercourse. Such a condition should be imposed on any consent.
10. **The Environment Agency** originally objected to the application as no Flood Risk Assessment had been submitted. The applicants have subsequently commissioned

such a document whereby the Agency has now withdrawn its objection. In arriving at this view the Agency has asked for two conditions to be imposed, - one that the minimum floor level should be 300mm above ground level, the other that drainage details be submitted.

11. **The Chief Environmental Health Officer** has no objections.

### **Representations**

12. The Cottenham Village Design Group is generally opposed to new building outside the village because of the disruption to the open character of the landscape.
13. Here, there may be a strong need for such a building, but it appears to be poorly integrated with the existing buildings. More details should be submitted.
14. A resident further down Lockspit Hall Drove (Fenleigh Farm) objects for the reasons:
- Site chosen is on arable land and away from other buildings
  - Materials not sympathetic
  - Impact on the countryside
  - Is there a need for a building of this size bearing in mind others on the farm?
  - The viability of the cattle enterprise should be assessed first based on the other, recently constructed barn.
  - If there is a slump in the beef rearing market there may be an application for a change of use to industrial which would have a huge detrimental effect on the fen.
15. Agents for the owner of Turks head Farm, to the south east, object for the reasons:
- No statement of need has been submitted by the applicant as to why such a large building is required, what "general purposes" are, or the breakdown between need for livestock and other purposes.
  - The position chosen appears rather arbitrary, poorly related to other buildings.
  - Problems of noise pollution and odour nuisance, given that the building will be 85.0m from my client's curtilage and 90.0m from the house itself. Reference is made to the Town and Country Planning (General Permitted Development) Order 1995 which states that livestock buildings within 400.0m of another property require consent.
  - Prevailing winds will blow from the barn towards my client's house
  - Impact on the countryside.

### **Planning Comments**

16. The main issues for this application are need, siting, effect on the area and effect on Turks head Farm.

#### **Need**

17. The applicants farm a total of 124 hectares of which 102 ha is owned; the remaining 22 ha are held on a variety of tenancy agreements.
18. In 2003 the majority of the land was used for a variety of arable crops; in addition there were 120 calves for growing on. This building, together with that recently completed (planning application approved under delegation), will enable the number of calves to increase to 275-300 per annum.

19. The calves/cattle are fed on home grown cereals, with some concentrates brought in. 330 tonnes of cereals would be required to feed 275 head of cattle, 564 tonnes is cropped at present. Dependant upon the time of year, the building will fulfil different functions at different times i.e. young calves under cover or grain storage.

**Siting/Affect on Area**

20. The building will be 22.0m from the adjacent barn. Whilst it would, perhaps, be preferable to site the building nearer, it allows flexibility of use, and access around the building. Should the need arise there would be scope for a lean-to to be built. The gap in between the two barns also means that, when viewed from the roadway or even over a greater distance, there would be an element of space to break up the combined bulk of this group of buildings. I agree that it will be visible in the fen landscape but it is a traditional agricultural building, not dissimilar to others in the area, and is, after all, what one expects to see in the countryside.

**Affect on Turks Head Farm**

21. The barn will be visible from this property, sited 85.0m - 90.0m to the north west. Prevailing winds are from the south-west.
22. Legislation was tightened ten years ago with regards to the siting of livestock buildings but the 400.0m threshold does not mean anything within this limit should be refused. It precludes Livestock buildings being erected under permitted development rights. Merits have to be considered by way of a planning application.
23. Members will note that the Chief Environmental Health Officer does not raise objections to the proposal.
24. For the above reasons I am able to support the application and recommend approval.

**Recommendation**

25. Approval, as amended by letter and Flood Risk Assessment dated 14<sup>th</sup> March 2005, reference FRA02/3\_jed., subject to:
1. Standard Condition "A" - RC "A"
  2. SC51 Landscape Scheme RC51.
  3. SC52 Implementation of landscape scheme RC52.
  4. SC5 materials "walls and roof" RC5a)ii)
  5. The minimum ground floor level of any building involved in the development must be at least 300mm above ground level unless otherwise agreed in writing by the Local Planning Authority. Reason - To provide reasonable freeboard against extreme flooding.
  6. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment, 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 foul and surface water drainage and to prevent the increased risk of pollution to the water environment.

## Informatives

### Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/2** Development in the Countryside
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Need
  - Siting
  - Detrimental impact on adjacent property.

### General

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1. Where 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 acceptable depth 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.
2. Only clean, uncontaminated surface water may be discharged to any soakaway, watercourse or surface water sewer.
3. 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.
4. Notwithstanding the above, the proposed development is adjacent to a watercourse, and may produce contaminated water/slurry from use as storage/livestock building, therefore suitable drainage must be in place. Specific details of surface or foul water drainage would be required were planning approval forthcoming
5. Surface water from roofs must be directed to an approved existing surface water system and not to any slurry storage facility.
6. Dilute effluent such as dirty yard water, run-off from solid manure stores in yard and washing from buildings/yards used by livestock is considered to be slurry under the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, as amended.
7. Where applicable, slurry storage should comply with the requirements of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil)

Regulations 1991, as amended. These Regulations apply to all installations constructed, substantially reconstructed, or substantially enlarged after September 1991.

8. In the event that disposal to foul sewer or slurry storage is not possible, any other contaminated surface waters (not defined as slurry under the above Regulations) should be stored within an adequately sized sealed system in accordance with the MAFF "Code of Good Agricultural Practice form the Protection of Water" for subsequent off-site disposal.
9. All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer.
10. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.
11. Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter shall not be connected to the surface water drainage system.
12. Any liquid fertiliser storage facilities must be sited in properly constructed bunded areas of sufficient capacity to avoid contamination of any watercourse, surface water drains or water source in the event of spillage, and shall comply with the fertiliser Manufacturer's of Fluid Fertilisers.
13. Any granular fertiliser storage must be sited, preferably in a covered area, to avoid contamination of any watercourse, surface water drains or water source in the event of spillage.

**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/2412/04/F and S/1093/04/O.

**Contact Officer:** Jem Belcham – Area Planning Officer  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0467/05/RM - Duxford**  
**4 Houses and Garages on Land off Moorfield Road for Rusfer Properties Ltd**

**Recommendation: Refusal**  
**Date for determination: 4<sup>th</sup> May 2005**

**Site and Proposal**

1. The application relates to a 0.25 hectares/0.6 acres (excluding the access) site which has now been cleared but was previously occupied by a storage building and hardstanding associated with the turf farm business which was being run from the site. A public footpath runs east-west to the north of the site with fields to the north beyond. A field extends to the south and west. Residential properties in The Firs, which share the existing access to the site from Moorfield Road, are located to the east. The site is bounded by close boarded fencing on the east, south and west sides. A chain linked fence and planting marks the northern boundary.
2. This reserved matters application, registered on the 9<sup>th</sup> March 2005, proposes the erection of 4 no. 5-bedroom detached houses, 2 of which would have detached double garages with the other 2 having integral double garages, with ridge heights ranging from 7.3m to 9m and eaves heights ranging from 4.2m to 5.5m. Siting, design and means of access forms part of the application. Landscaping would still need to be agreed. Access would be achieved by extending the existing access off Moorfield Road into the site. The density equates to 16 dwellings to the hectare.

**Planning History**

3. Outline planning permission to erect 4 dwellings and garages on this site was granted in 2004 under reference **S/1410/03/O** following the completion of a S.106 Agreement requiring the transferral of an area of land off Lacey's Way to a Registered Social Landlord before any of the dwellings on this site are occupied. Outline and reserved matters consents for the erection of 6 affordable dwellings on the Lacey's Way site have been granted under references **S/1409/03/O** and **S/1650/04/RM** respectively and development has commenced.
4. Planning permission was granted in 2000 to use the previous buildings on the site for B1 and/or B8 use (**S/1830/00/F**).
5. Outline planning permission for residential development on the site and the adjacent field was refused partly because most of the site was outside the village framework (**S/2276/89/O**). A previous application for residential development on this land was withdrawn (**S/0595/89/O**).
6. Permission for a materials store for the turfing business was refused in 1986 (**S/0644/86/F**). A subsequent application for materials and equipment store was approved under reference **S/1379/86/F**.

7. Planning permission for the erection of garages and workshop for repair of horticultural machinery was granted in 1977 under reference **S/1192/77/F**.
8. Permission was granted in 1977 for demolition of office/garage and erection of office/machine store (**S/1660/76/F**).

### **Planning Policy**

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 SE4** states that residential development up to a maximum scheme size of 8 dwellings (and, exceptionally, up to 15 dwellings if this would make the best use of a brownfield site) will be permitted within the village framework of Duxford 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 which relates to the loss of employment sites. It also states that all developments should provide an appropriate mix of dwelling size, type and affordability.
11. Local Plan 2004 **Policy SE9** states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
12. 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 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.

### **Consultation**

13. **Duxford Parish Council** recommends approval with the following provisions:
  - “Concern was raised at the traffic flow where the junction of the existing access road meets the slip road to Nos. 1, 2 and 3 The Firs;
  - The Council feel that the main access road from Moorfield Road should be brought up to adoptable standard to accommodate service and emergency vehicles;
  - The Council feel that the installation of an electric gate is not appropriate in a small village environment and would be seen to ‘isolate’ the new residents from the rest of the community. The question of access by emergency vehicles was also a concern.”
14. **Landscape Design Officer** makes the following comments: given that this is an edge of village site, greater space should be afforded to boundary areas to achieve practical appropriate planting; boundary fencing type will be important; can road be aligned so as not to swing towards southern boundary? No details of planting are included but, given extent of hard driveways proposed, some trees would be

expected; the dwellings on plots 1 and 2 are too close to boundaries and, ideally, the dwelling on plot 3 would be eased away from the boundary; and, given the small gardens proposed, there would be great pressure by residents to remove planting to achieve space for sheds/swings etc.

15. **Chief Environmental Health Officer** raises no objections but refers to conditions attached to the outline permission which would need to be complied with.
16. The **Trees & Landscape Officer** and **Cambs Fire and Rescue Service** were consulted but no comments had been received at the time this report was compiled. Any comments received will be reported verbally.

### **Representations**

17. The occupier of No. 1 The Firs states that she has no objections to the properties but is concerned about the road safety element of the access road given that the access to the site and the access to The Firs are blind to each other at the point of convergence.
18. She also asks what is proposed with regard to the making up of the access road from Moorfield Road and states that, like her and other residents of The Firs, residents of the new dwellings would have to wheel their green and black bins down to Moorfield Road each week for emptying.

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

19. The key issues in relation to this application are:
  - a. Whether the development respects the character and appearance of this part of the village and would be assimilated into the surrounding countryside; and
  - b. Impact on neighbours.
20. The principle of erecting four dwellings on the site has already been established by the granting of the outline permission. Permission was granted for only four dwellings as visibility from the access onto Moorfield Road is restricted and the Local Highway Authority would not support an application for more than four dwellings.
21. Due to the proximity of the dwellings (particularly the dwellings on plots 1 and 2) and the access road to the site boundaries, there would be insufficient space for the boundary planting considered essential on this edge of village site and likely pressure from future residents to remove any landscaping that was planted. Furthermore, due to the height and bulk of the proposed dwellings combined with the lack of space for the necessary boundary planting, the development would not provide for the necessary soft edge to the village and would not be satisfactorily integrated with the adjoining landscape. The designs of the dwellings and the lack of cohesion between them would also result in a development that would not reflect the character of dwellings in this part of the village and, in relation to the dwelling on plot 4 in particular, is not of the necessary high standard. It is acknowledged that smaller units are being erected on the linked site off Lacey's Way and, in view of the relatively low density, I would not expect the dwellings on this site to be small. However, I would still expect some variety in terms of dwelling size. The proposed dwellings are all 5-bedroom and would provide a similar amount of accommodation. In my opinion, for these reasons, the application should be refused.

22. The proposal is considered to be acceptable in other respects. There would be no serious impact on the amenity of neighbours through overlooking, overshadowing or overbearing. The proposed access arrangement is considered to be acceptable in relation to highway safety. Whilst I appreciate the concerns of the occupier of No. 1 The Firs in relation to the convergence of the access to this site and the access to The Firs, this arrangement is existing and the number of vehicular movements generated by the proposed development is likely to be similar to the number of movements generated by the turf business which, until recently, was run from the site.
23. None of the dwellings are required to be affordable as the development of this site has been tied to the development of 6 affordable dwellings off Lacey's Way by means of a legal agreement which required the Lacey's Way site (which was in the same ownership as this site) to be transferred to a Registered Social landlord before any of the dwellings on this site are occupied.

### **Recommendation**

24. Refusal of reserved matters (siting, design and means of access) pursuant to outline planning permission dated 19<sup>th</sup> July 2004, reference S/1410/03/O for the following reason:

Due to the proximity of the dwellings (and the dwellings on plots 1 and 2 in particular) and the access road to the site boundaries, there would be insufficient space for the boundary planting considered essential on this edge of village site and likely pressure from future residents to remove any landscaping that was planted. Furthermore, due to the height and bulk of the proposed dwellings combined with the lack of space for the necessary boundary planting, the development would not provide for the necessary soft edge to the village and would not be satisfactorily integrated with the adjoining landscape. The designs of the dwellings and the lack of cohesion between them would also result in a development that would not reflect the character of dwellings in this part of the village and, in relation to the dwelling on plot 4 in particular, is not of the necessary high standard. By proposing all 5-bedroom dwellings of similar size, the development would also not provide the necessary mix of dwelling sizes.

25. The proposal is therefore contrary to: Cambridgeshire & Peterborough Structure Plan 2003 Policy P1/3 which requires a high standard of design for all new development which responds to the local character of the built environment and is integrated with adjoining landscapes; South Cambridgeshire Local Plan 2004 Policy SE4 which requires residential development in the village to be sensitive to the character of the village; South Cambridgeshire Local Plan 2004 Policy SE9 which states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside; and South Cambridgeshire Local Plan 2004 Policy HG10 which states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes and affordability and requires the design and layout of schemes to be informed by the wider character and context of the local townscape and landscape and to achieve high quality design and distinctiveness.

**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/0467/05/RM, S/1650/04/RM, S/1410/03/O, S/1409/03/O, S/1830/00/F, S/2276/89/O, S/0595/89/O, S/1379/86/F, S/0644/86/F, S/1192/77/F and S/1660/76/F.

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation Control Committee
13<sup>th</sup> May 2005**AUTHOR/S:** Director of Development Services**S/1154/04/F - Fulbourn**

**Change of Use of Agricultural Buildings to Storage (Class B8) with Associated Parking, Together with Improved Access/Junction, Queens Farm, off Wilbraham Road for G. C. Lacey & Son**

**Recommendation: Approval****Date for Determination: 2<sup>nd</sup> September 2004 - Major Application****Site and Proposal**

1. Queens Farm lies to the north of Fulbourn, accessed off Wilbraham Road at the point where the road turns east towards Great Wilbraham. At the entrance to the farm drive is a relatively modern farmhouse to the west of the driveway with another farmhouse, on the eastern side, some 100.0m further on. 120.0m beyond this house is a large range of farm buildings at present/previously used as turkey sheds, machinery workshops, machinery stores and grains stores. With the exception of a well screened car-storage compound to the rear and another large range of farm buildings 200m to the north, the farm is surrounded by open, arable fields.
2. The full application, originally received in June last year, proposes the widening of the farm access off Wilbraham Road and the change of use of three buildings, total floor area 2538m<sup>2</sup>, to storage, Use Class B8.

**Planning History**

3. Main farmhouse, Queens Farm, built 1976 with the second in 1998. Various barns and grain stores were built in the 1970's and early 1980's. Not all buildings required consent.
4. With the down-turn in the turkey market, consent was granted in January 2002 (**Application Ref: S/1825/01/F**) to change a turkey rearing shed, floor area 912m<sup>2</sup>, to storage and light industrial purposes. For similar reasons another two former turkey buildings gained consent in June 2003 (**Application Ref: S/0852/03/F**) for light/general industrial purposes. Floor area 1292m<sup>2</sup>. Although not made personal, the buildings were for the use of an engineering company which was re-locating from Little Walden in Essex.

**Planning Policy**

5. The site lies in the Green Belt.

Structure Plan (2003):

- **P2/6** Rural economy supports re-use of farm buildings to encourage diversification and maintain/review the vitality of rural areas.
- **P9/2a** Provision of Green Belt around Cambridge.

Local Plan (2004):

- **GB2** Green Belt; supports re-use of buildings within the Green Belt subject to no detrimental impact.
- **EM10** Employment in the Countryside; supports the re-use of agricultural buildings. The buildings should be of permanent construction capable of re-use without alteration and with satisfactory access. Traffic flows should be able to be accommodated on the existing road system.

### **Consultations**

6. **Fulbourn Parish Council** makes no recommendation, asking for additional information before comments can be made.

Following concerns from the Highway Authority a revised access improvement plan, and a Transport Assessment report, have been submitted; these have been forwarded to the Parish Council for comment. Any views will be reported verbally.

7. **The Local Highways Authority** originally expressed concerns at the traffic generation from the change of use; these have now been withdrawn following the receipt of the above-mentioned documents.
8. **The Chief Environmental Health Officer** has asked that details of all power driven plant are submitted and agreed to avoid any possible noise nuisance.
9. **Cambridgeshire Fire and Rescue Service** asks for the provision of fire hydrants or a private tank/reservoir as an alternative.
10. **The Environment Agency** has no objections but asks for details of foul and surface water drainage, plus pollution control as a planning condition. The site is not liable to flooding.

### **Representations**

11. None received.

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

12. The main issues to be considered in respect of this proposal are the quality of the buildings for the proposed change of use, the effect on the Green Belt and surrounding area, including any neighbours, and the scope of the improved access to cater for the additional traffic generated.

#### ***i. The Buildings***

These are large concrete/steel portal framed buildings with part blockwork/grain walling walls, and clad with sheeting. Access is by tall roller-shutter doors. There is a large concrete forecourt in front of the buildings.

The buildings are ideal for a B8/storage use and would require little or no change to their external appearance.

#### ***ii. Effect on Green Belt/Surrounding Area***

As there will be little or no change to the buildings, there will be no detrimental change to the area. All car-parking will be to the rear of the building where it would be screened by existing earth banking.

The nearest house, 26 Wilbraham Road, is 270.0m to the south, so there should be no loss of amenity to that property. Nevertheless, I would still recommend a condition be imposed for the submission of details of power driven plant and machinery.

**iii. Access**

The Local Highway Authority has requested the widening of the farm access to a width of 7.3m for a distance back of 50.0m which will allow for two vehicles to pass; kerb radii to the east will be increased to 15.0m. Visibility exiting the access is good in both directions but somewhat limited when approaching from the Wilbraham direction. With traffic speeds slow on this sharp corner, there should not be a problem. The Local Highway Authority now supports the change of use.

Some vegetation will be lost in front of the adjacent farmhouse; replacement planting will be essential.

I am satisfied that the scheme, as amended, complies with development plan policies, and approval is recommended.

**Recommendation**

13. Approval as amended by letter and Traffic Analysis dated 1<sup>st</sup> February 2005, and letter and Drawing No. 6799/SK002/A.

1. Standard Condition A - Time limited permission (Reason A);
2. SC51 - Landscape Scheme (RC51);
3. SC52 - Implementation of landscaping scheme (RC52);
4. No external alterations to the building shall be made without the prior written approval of the Local Planning Authority following the submission of such details. (RC - To ensure that the character of these former agricultural buildings is retained);
5. Para C36 - Parking (RC Para RC10);
6. No development shall be commenced until the junction improvements and road widening shown on Drawing No. 6799/SK002/A have been satisfactorily completed. (RC - para - RC10 safety);
7. No development shall be commenced until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved by the Local Planning Authority; no development shall take place otherwise than in accordance with the approved scheme. (RC - To ensure adequate provision is made for fire fighting.)
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 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/foul water drainage and to prevent the increased risk of pollution to the water environment.)

9. 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(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) of such plant or equipment, shall be submitted to and approved, in writing, by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.

(Reason - To minimise noise nuisance to nearby residents.)

### **Informatives**

A reservoir or elevated private tank may be considered as an alternative to fire hydrants.

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
- **Cambridgeshire and Peterborough Structure Plan 2003:**  
P2/6 (Rural Economy)  
P9/2a (Green Belt)
  - **South Cambridgeshire Local Plan 2004:**  
GB2 (Green Belt)  
EM10 (Employment in the Countryside)

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

Cambridgeshire Local Plan 2004  
Cambridgeshire and Peterborough Structure Plan 2003  
Planning File Refs:

S/1825/01/F  
S/0852/03/F  
S/1154/04/F

**Contact Officer:** Jem Belcham - Area Planning Officer  
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**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  
Date for Determination: 16<sup>th</sup> January 2002**

Members will visit site on Wednesday 11<sup>th</sup> May 2005

**Site and Proposal**

1. Members may recall deferring this application at the July 2004 meeting in order that the applicant could supply additional information in respect of the vehicular access to the site, ecology matters and the risk of flooding. The applicant was also encouraged to submit additional information in respect of the possible impact on the livestock from aircraft from the nearby Fullers Hill Airfield.
2. A copy of the previous report to Committee is attached as Appendix 1. Members should refer to the previous report for background information, including policies, consultation replies and representations.
3. Since the 2004 report was written, but prior to that meeting, revised drawings were received relocating the proposed main egg production building to the east of an existing hedgerow within the site and turning the building through 90°. The building, as now proposed, measures 84.0m x 18.6m, with a ridge height of 6.85m.
4. Additional information from the applicant was received on 11<sup>th</sup> March 2005. Relevant extracts are attached as Appendix 2.
5. The additional consultation replies below refer both to the revised drawings submitted prior to the July 2004 meeting in addition to the recently received information.

**Consultations**

6. **Gamlingay Parish Council** continues to recommend refusal of the scheme as a whole.
7. In respect of the revised drawings submitted in 2004 the Parish expresses concern about the inaccuracies of the plan detailing Station Road and road curve when approaching the village. The access point also appears inaccurate on the plan
8. The comments of the **Local Highway Authority** in response to the additional information containing a detailed survey of Station Road are awaited. Previously it has not raised an objection to the proposed access however to avoid crossing third party land the current submission indicates a revision to the previously proposed splays.

9. The **Ecology Officer** states that he has read the recently submitted report and still objects on the grounds that the Environmental Statement is incomplete. The Ecology Officer has written to the applicant outlining his concerns. A copy of that letter is attached as Appendix 3.
10. The **Chief Environmental Health Officer** has made no additional comments
11. The **Environment Agency** has made no additional comment.

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

12. The key issues to be considered with this application are the visual impact of the development in the countryside; highway safety and; environmental issues, including neighbour impact.
13. **Visual Impact.** I expressed the view in the previous report that I was of the opinion that the visual impact of the building, with appropriate landscaping, was acceptable. I remain of that view. The building has been resited as suggested in the previous report.
14. **Access.** I will report any additional comments from the Local Highway Authority at the meeting. It has not previously objected to the proposal. However whilst the revised details do not alter the dimensions of the proposed visibility splays along the Station Road frontage, the depth of the splay back from the road has been reduced from 4.5 metres to 2.4 metres in order to avoid crossing over third party land. At the present time I am not sure whether this reduction will be acceptable to the Highway Authority.
15. My comments in respect of **Odour, Noise, Lighting, Dust, Pest Control, and Pollution Control** remain as set out in my previous report.
16. **Ecology/Wildlife.** Although English Nature has accepted the information set out in the Environmental Impact Assessment the Council's Ecology Officer remains concerned as outlined in his letter attached as Appendix 3. In my view the concerns of the Ecology Officer should be fully addressed by the applicant. I will report any additional information received.
17. **Impact of Aircraft.** The additional information submitted by the applicant includes a letter from the East Anglian Sales and Advisory Manager employed by Country Fresh Pullets Ltd, which is part of Appendix 2. It concludes that if the minimum legal level for flight is 500ft above ambient ground level the chickens are unlikely to be troubled very much by aircraft at this minimum level or above and that they are more likely to be troubled by hot air balloons. In addition the evidence put forward by the applicant points to the apparent lack of any objection from other such enterprises in the area.
18. As the previous application was deferred Members have not debated the above issues in detail. In my view, provided the applicant can satisfy the outstanding matters raised by the Ecology Officer and the further comments of the Local Highways Authority on the revised access details, approval can be granted.

#### **Recommendation**

That, subject to the further comments of the Local Highways Authority and the receipt of additional information satisfying the outstanding issues raised by the Ecology Officer, consent is granted. Conditions to be imposed to include the requirements of the Local Highways Authority (assuming its support), Chief Environmental Health Officer, Drainage Bodies, English Nature and Ecology Officer.

**Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2**
  - **South Cambridgeshire Local Plan 2004: CS3; CS4; CS5; EN1; EN3; EN5; and EN9**
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 locality
  - Environmental Issues

**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/2194/01/F (including EIA)

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

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**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 5<sup>th</sup> July 2004

**Site and Proposal**

1. This full application, submitted on 19<sup>th</sup> 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 25<sup>th</sup> 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 (1230m<sup>2</sup>) 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 (300m<sup>2</sup>) 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 exiting properties in the area.

### **Applicant's Representations**

65. A letter from the applicant dated 17<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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<sup>o</sup> (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

**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 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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

**Recommendation: Delegated Approval  
 Date for Determination: 16<sup>th</sup> January 2002**

Members will visit this site on Wednesday 11<sup>th</sup> May 2005

**Site and Proposal**

1. Members may recall deferring this application at the July 2004 meeting in order that the applicant could supply additional information in respect of the vehicular access and other matters pertaining more specifically to the preceding item
2. A copy of the previous report to Committee is attached as Appendix 1. Members should refer to the previous report for background information, including policies, consultation replies and representations.

**Planning Comments – Key Issues**

3. The determination of this application is linked to the decision on the preceding item. The key issues remain as outlined in the July report. I have not received any further comments from the Senior Farms Manager

**Recommendation**

4. Subject to approval being given in respect of the preceding application that consent be granted 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

**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**
  - **South Cambridgeshire Local Plan: HG18**
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 locality

**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/2193/01/F

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

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

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**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 5<sup>th</sup> July 2004

**Site and Proposal**

1. This full application, submitted on 19<sup>th</sup> 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 4<sup>th</sup> 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 17<sup>th</sup> 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

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

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**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

**TOWN AND COUNTRY PLANNING ACT 1990**

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

**1. Decisions Notified By The Secretary of State**

<b>Ref. No.</b>	<b>Details</b>	<b>Decision and Date</b>
S/0676/04/F	Mr & Mrs D. Godfrey 49 Pelham Way <b>Cottenham</b> Extension (Delegated refusal)	Dismissed 01/04/2005
S/0579/04/F	Mr and Mrs Payne Land R/O 59 Fowlmere Road <b>Foxton</b> Dwelling (Delegated refusal)	Dismissed 01/04/2005
S/0899/04/F	Mrs K I Touhey R/o 41 & 43 Church Street <b>Haslingfield</b> Dwelling (Delegated Refusal)	Dismissed 01/04/2005
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 (Officer recommendation to Refuse)	Dismissed 05/04/2005
S/0918/04/F	K Dyer Adj 72 Kingsway (Duxford) <b>Thriplow</b> 2 houses (Delegated Refusal)	Dismissed 05/04/2005
S/6253/04/RM	MCA Developments Ltd Land off Jeavons Lane (GC27) <b>Cambourne</b> 30 dwellings (Delegated Refusal)	Dismissed 07/04/2005

**2. Summaries of recent decisions of interest**

None

**3. Appeals received**

<b>Ref. No.</b>	<b>Details</b>	<b>Date</b>
S/0682/95/O	Peter L Stroude Land West of Longstanton (Home Farm) <b>Longstanton</b> Increase number of dwellings from 500 to 630 (Non-Determination)	02/03/2005
S/2271/04/F	Mr & Mrs P Hobbs 56 High Street <b>Teversham</b> Dwelling (Delegated Refusal)	17/03/2005
S/2542/04/F	Mr & Mrs M Johnstone Birdcage Row, 101 Frog End <b>Shepreth</b> Erection of outbuilding for cattery and garage with recreation rooms over, following demolition of existing cattery (Delegated Refusal)	23/03/2005
S/2397/04/F	P Biggs Enterprise Nursey, Ely Road <b>Landbeach</b> Deletion of Condition 4 of planning permission C/73/1286/F (which restricted use of building to the sale of greengrocery and market garden produce only) to permit unrestricted retail use (Class A1) (Delegated refusal)	24/03/2005
E499	Mr F Cooke Hilltrees, Babraham Road <b>Stapleford</b> removal of motor vehicles etc	29/03/2005
S/0019/05/F	Mr J and Mrs R Davey 125 The Causeway <b>Bassingbourn-cum-Kneesworth</b> Extension (Officer Recommendation to Refuse)	30/03/2005

**4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 1<sup>st</sup> June 2005**

<b>Ref. No.</b>	<b>Details</b>	<b>Date/Time/Venue</b>
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 Council Chamber 10.00am

**5. Appeals withdrawn or postponed**

None

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

<b>Ref. No.</b>	<b>Details</b>	<b>Date</b>
E483D	Mr & Mrs Ryan 15 Angle End <b>Great Wilbraham</b> Enforcement against the erection of a single storey, flat roofed extension to form a lobby at the rear of the building. (Hearing)	14/06/2005 Confirmed
E483C	Mr & Mrs Ryan 15 Angle End <b>Great Wilbraham</b> Enforcement against the erection of a single storey, flat roofed, rear extension to the dwelling to form a lobby (Hearing)	14/06/2005 Confirmed
E493	Miss Lovitt & Mr Scrafton 6 Honey Hill <b>Gamlingay</b> Enforcement for removal of 5-bar gate and gate posts (Hearing)	30/06/2005 Confirmed
S/0246/04/RM	Cofton Ltd., Peter Stroude, George Wimpey East Anglia, Kings Oak Homes Ltd Phase 2, Home Farm <b>Longstanton</b> Erection of 200 dwellings and ancillary works (Local Inquiry)	07/07/2005 Confirmed
S/0761/04/F	B Gemmil, A Sheridan, E Sheridan & K Sheridan Plots 1-11 Victoria View, off Orchard Drive <b>Cottenham</b> Use of land for gypsy caravan site, (11 pitches) part Retrospective (Local Inquiry)	12/07/2005 Confirmed

S/1569/04/F	Mr M Hegerty Land off Victoria View, Smithy Fen <b>Cottenham</b> Siting of 4 gypsy caravans (Local Inquiry)	12/07/2005 Confirmed
S/1589/04/F	M Quilligan Land off Water Lane, Smithy Fen <b>Cottenham</b> Siting of 2 gypsy caravans (Local Inquiry)	12/07/2005 Confirmed
E353	Mr P McCarthy Plot 2 & R/o 2 Setchel Drove <b>Cottenham</b> Enforcement against change of use of site to use as a residential Caravan site (Re-Determination following High Court Challenge) (Local Inquiry)	12/07/2005 Confirmed
S/1020/03/F	Mr P McCarthy R/o 2 Setchel Drove <b>Cottenham</b> Siting of 2 gypsy caravans and shower block (Re-Determination following High Court Challenge) (Local Inquiry)	12/07/2005 Confirmed
S/0682/95/O	Peter L Stroude Land West of Longstanton (Home Farm) <b>Longstanton</b> Increase number of dwellings from 500 to 630 (Local Inquiry)	26/07/2005 Confirmed
S/0629/04/F	Mr and Mrs Noyes 22 North Brook End <b>Steeple Morden</b> Extension	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 to study and garden room (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 (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 (Hearing)	09/11/2005 Confirmed
S/2062/04/F	R W S Arnold Bennell Farm, West Street (Comberton) <b>Toft</b> Erection of B1 offices (Hearing)	09/11/2005 confirmed

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<b>SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING APPEAL STATISTICS</b>
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<b>FROM 1<sup>ST</sup> JANUARY 2005 TO 31<sup>ST</sup> MARCH 2005</b>
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<b>Total Number of Appeals Received</b>	<b>36</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	21
	Informal Hearings	4
	Local Inquiries	5
Appeals Against Enforcement Notices	Written Representations	2
	Informal Hearings	2
	Local Inquiries	2

<b>Total Number of Decisions Received</b>	<b>32</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	15
	Informal Hearings	3
	Local Inquiries	12
Appeals Against Enforcement Notices	Written Representations	0
	Informal Hearings	1
	Local Inquiries	1

<b>Number and % of Decisions Received Dismissed</b>	<b>25</b>	<b>78%</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	9	60%
	Informal Hearings	2	67%
	Local Inquiries	12	100%
Appeals Against Enforcement Notices	Written Representations	0	-
	Informal Hearings	1	100%
	Local Inquiries	1	100%

<b>Number and % of Decisions Received Allowed</b>	<b>7</b>	<b>22%</b>
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Appeals Against Planning Decisions and Non-Determination	Written Representations	6	40%
	Informal Hearings	1	33%
	Local Inquiries	0	0%
Appeals Against Enforcement Notices	Written Representations	0	-
	Informal Hearings	0	0%
	Local Inquiries	0	0%

<b>Total Number of Appeals Withdrawn</b>	<b>1</b>
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**REPORT TO:** Development Control & Conservation Committee.

13<sup>th</sup> May 2005

**AUTHOR/S:** Director of Development Services

**ANTI-SOCIAL BEHAVIOUR ACT 2003 – IMPLEMENTATION OF HIGH HEDGES PROVISIONS.**

**Purpose**

1. To advise members of the implications of the enactment of Section 8 of the Anti-Social Behaviour Act relating to High Hedges control and enforcement and to outline a protocol for dealing with such complaints, until the full resource implications can be determined.

**Effect on Corporate Objectives**

2. Quality, Accessible Services	The High Hedges regulations are due to be enacted from 1 <sup>st</sup> June 2005 and will require the Council to implement the service, funded by a fee.
Village Life	N/a
Sustainability	N/a
Partnership	N/a

**Background**

3. The Anti-Social Behaviour Act 2003 includes provisions for addressing perceived problems caused to neighbours by High Hedges by authorising local authorities to take enforcement action in certain circumstances. These provisions commence from 1<sup>st</sup> June 2005. The ODPM has indicated that training on the implementation of the new powers will be available during May 2005.
4. Section 8 of the Act sets out the main provisions with respect to High Hedges. In essence these are :
  - (a) A definition of a high hedge as being formed wholly or predominantly of a line of two or more evergreens, that rise to a height of more than 2 metres above ground level.
  - (b) The right for someone to make a formal complaint to the Council that their reasonable enjoyment of domestic premises are adversely affected by a high hedge.
  - (c) The right for the authority to dismiss a complaint if they feel it is frivolous or vexatious; or if they feel that the complainant has not taken all reasonable steps to resolve the complaint through other means.
  - (d) The power for the authority to decide whether or not action should be taken in response to a complaint.

- (e) If the authority determines that action should be taken, a remedial notice is issued that specifies the action that must be taken to remedy the complaint and also what action must be taken in future to prevent a recurrence.
  - (f) A right of appeal to the Planning Inspectorate, against all or part of the Council's decision.
  - (g) The right for the authority to set fees at a level that may be self-financing, but no greater than any sum determined by the Regulations.
  - (h) The power for the authority to withdraw a remedial notice and to relax or waive a requirement of a remedial notice.
  - (i) The power to take direct action to secure compliance with remedial notice, after the compliance period has expired, and to recover the costs of the direct action. The costs may be made as a charge against the property.
  - (j) Failure to comply with the provisions of a remedial notice constitutes an offence which, on summary conviction, brings liability for a fine not exceeding level 3 scale (currently £1,000) and the court may order steps to secure compliance with the remedial notice.
  - (k) In the case of a continuing failure to comply, following conviction, a person is guilty of a further offence, which carries a fine not exceeding one-twentieth of a level 3 fine (£50), for each day on which the failure has so continued.
5. It will be noted that this authority does not have specific staff to focus on the implementation of this legislation, without diverting resources from other key tasks. It will be evident from the above that the skills required by the local authority officers in intervening in such cases will largely be those of the ability to determine facts related to the very specific criteria of the 'nuisance' and then to make a judgement or recommendation based upon those facts. The focus of the act is on those fast growing evergreen, non-native conifers which are unlikely to be protected by a Tree Preservation Order or be considered to contribute positively to a Conservation Area or the district's natural heritage. The task requirement is largely one of enforcement.
6. It is also impossible to determine the potential impact of the imposition of this legislation on the authority, as the number of potential complaints is unknown and extremely difficult to estimate.
7. The legislation does, however, make it clear that the authority's involvement should only be seen as a "last resort" and, therefore, gives a requirement to a potential complainant to document a series of attempts to resolve the issue between neighbours over a period of at least three months. The proposed protocol for dealing with High Hedge Complaints, outlined below, is therefore, proposed as initially a temporary measure to enable the likely extent of complaints to be determined and the impact on staff resources to be established.
8. In the event that a significant number of complaints are being received, resulting in at least one case per week, it may be necessary to appoint a specific "High Hedges Enforcement Officer" to manage the scheme of delegation and carry out this function on a part-time basis, reporting to the Director of Planning and based within the Development Services Department. The intention of the act is that the procedure would be self-financing by setting fees on a cost recovery basis. A suitable fee will therefore need to be set (see below).

9. Given the above an initial protocol for dealing with High Hedge complaints under the provisions of the Anti-Social Behaviour Act 2003 needs to be established. The following sets out the proposed details of the procedure.

### **Considerations**

10. Members are asked to consider the proposed initial protocol for dealing with High Hedges Complaints. This is suggested as an initial procedure only, until such time as the full implications on staff resources can be determined.
11. **Initial Inquiries.**  
Initial inquiries by telephone, fax, e.mail or letter should be channelled through the Contact Centre, who should be able to direct complainants to initial advice and be able to provide guidance notes and complaint forms. The ODPM web page has extensive documentation and have produced a guidance booklet on this issue.
12. Formal complaints should then be submitted to the Director of Development services for the allocation of staff resources.
13. **Receipt of complaints.**  
Complaints that are received should be verified by an administrative officer, in the Planning Section, to ensure that the complaints are valid. This will involve assessment of the Complaint form and documentation to determine that the submitted complaint includes :
- (a) the appropriate forms and includes copies of relevant plans and dated photographs to clearly identify the site and 'nuisance hedge' and all signed by the applicant.
  - (b) Documentary evidence that reasonable attempts have been made to resolve the complaint with the hedge owner over a minimum three month period.
  - (c) The relevant fee.
14. The 'High Hedge' which is subject to the complaint must meet the definition of a nuisance hedge, defined by Section 66 of the Act as a hedge which :
- (a) Is evergreen or semi-evergreen.
  - (b) is formed by a line of 2 or more evergreen or semi-evergreen trees or shrubs.
  - (c) rise to more than 2 metres above ground level.
  - (d) forms a barrier to light or access.
15. If the 'high hedge' comprises trees which are subject to the protection of a Tree Preservation Order or Conservation Area control then any decision made by the Council must have regard to this as when considering works to such protected trees in relation to other Acts. It is considered unlikely that there will be many if any such instances in South Cambridgeshire, given the focus of the High Hedges legislation on evergreen or semi-evergreen trees and shrubs (essentially Leylandii).
16. Formal high hedge complaints should only be made when all other attempts to resolve the dispute have failed. This may include ensuring that both parties have

had the option to consider undertaking formal mediation before they are accepted as complaints by the authority. The requirements will be for the complainant to demonstrate that reasonable attempts have been made to resolve the issue with the hedge owner before making the complaint. This should include documentary evidence of at least three pieces of correspondence with the hedge owner, over at least a three month period, commencing with the date of the imposition of the legislation on 1<sup>st</sup> June 2005.

17. The requirement to demonstrate a period during which attempts were made to resolve the issue between neighbours from the 1<sup>st</sup> June 2005 will :
  - a. Enable both neighbours to fully consider the implications and cost associated with a complaint being taken forward by the local authority, in the light of the published legislation.
  - b. Enable the authority to undertake an initial assessment of staff resource implications.

It will, therefore, also mean that full applications for consideration of a High Hedges Complaint will not be investigated by the authority until this initial 3 month period of focused neighbour discussion has elapsed.

18. The legislation makes it clear that a complaint to the Council should be viewed as the *last resort*. An incentive to ensure that neighbours are fully exploring appropriate resolution will be to make a fee allowance where evidence is produced that formal mediation has been entered into by the parties. This will be only appropriate where a recognised firm of mediators registered with Mediation UK (an umbrella organisation with a database of recognised mediation organisations) has been used and the reduction in the fee will be given equivalent to the costs incurred by that mediation, up to a maximum of £150. (The minimum fee advised by the ODPM is £300).
19. Where a complaint has been considered and rejected, within a six month period a further complaint will not be entertained. In these cases the complaint form and fee will be returned.
20. **Assessment of valid complaints.**

Once a complaint has been accepted as valid, a site visit will be made by an appropriate officer. This would probably have to be an enforcement officer in the first instance. However, if it is clear that the number of complaints results in a significant diversion from other duties, by means of having to spend more than one-half day in a week, making a site visit and making a report, then the appointment of a specific 'High Hedges Enforcement Officer', funded by the receipt of fees will need to be considered. It is considered that the receipt of an average of 1 case per week (52 in the year) would require the addition of a specific High Hedges Officer to be employed on a part-time basis, funded by the fee.
21. The site visit will be to make an assessment of the hedge and report on :
  - (a) its impact on the complainant's reasonable enjoyment of their property. The ODPM provide detailed guidance on how to measure this issue.
  - (b) The contribution of the hedge to the wider amenity value of the area.

- (c) If necessary, a technical assessment, by an arboricultural officer will be made to determine the species and health of the hedge.
  - (d) The consequences of a proposed height reduction on the health and long-term survival of the hedge.
  - (e) Whether the hedge contains any species worthy of a Tree Preservation Order. If this is the case, then the complaint will be determined on this basis and the full fee returned.
22. It should be noted that the Council does not have the power to require the *removal* of the hedge. It, therefore, follows that the Council cannot require a reduction in its height that will cause the hedge to die.
23. Once an assessment has been made, a report will be presented to an appropriate senior officer, setting out the recommended decision (see Appendix 1). A draft report outlining the circumstances of the case will then be sent to the local ward member before a decision is confirmed by the Director of Development Services, or in the event that the local ward member disagrees with the recommendation, by the Development Control & Conservation Committee, in accordance with the list of delegations in Appendix 1.
24. If the High Hedge complaint is upheld by the Council a "Remedial Notice" (see below) will be issued to the hedge owner, setting out what they must do to the hedge and the timetable in which it must be implemented. This may also require the hedge owner to keep the hedge trimmed on a regular basis. This action will be recorded as a Local Land Charge against the property in question, while it has effect.
25. Once the decision has been made and notified, both parties have the right of appeal to the Planning Inspectorate.
26. ***Consultation on received applications.***  
No external consultations are required or proposed to be undertaken and notice of applications or decisions will not be placed on the Council's web-site. Parish Councils will not be informed.
27. The local ward member (s) will be informed when an application is received and they will be sent a draft report setting the intended decision.
28. Whilst no external consultation is proposed, the Freedom Information Act (FOIA) will require most information kept on files to be made available to anyone who requests it, unless the information falls into one of the statutory exemptions as defined by that act. A data base will need to be set up in order to maintain a record of complaints and their outcome.
29. In accordance with the proposed list of delegations (Appendix 1), the local ward member will be able to refer a High Hedges complaint to the Development Control & Conservation Committee, where they express a contrary view. Only the Ward Member will be able to make such referrals and will be required to request this within 10 working days of the report of the intended decision of Officers being issued.

**30. Appeals**

Unlike other planning appeals, in the case of High Hedges both parties have the right of appeal if aggrieved by the Council's decision within 28 days of the decision. There is no right of appeal against non-determination.

31. Appeals will be made to the Planning Inspectorate and will a simplified procedure with the exchange of the case file and a questionnaire. This is considered unlikely to involve significant officer time. It will, however, involve the planning appeals administration teams to make modest revisions to existing internal procedures to accommodate the necessary monitoring of appeal submissions.

**32. Remedial Notices.**

The following recording procedure is proposed.

- (a) If a complaint is rejected a letter will be issued to the complainant setting out the reasons for this decision.
- (b) If a complaint is upheld a *Remedial Notice* will be served by the Head of Legal Services, as instructed by the Director of Development Services.
- (c) A copy of the *Remedial Notice* will be sent to the complainant and all owners and occupiers of the neighbouring land. This Remedial Notice will set out : the reasons for the decision; the works that are required to be undertaken; and the timescale for these works to be completed.
- (d) A *Remedial Notice* will be recorded as a Local Land Charge against the property in question while it has effect.
- (e) If the date for compliance with the *Remedial Notice* passes without compliance, the Council will have two options, either to prosecute or to take direct action.

33. It is considered that there should be a presumption in favour of officers taking direct action, rather than prosecute as this is likely to be the most cost effective way of securing the purposes of the legislation. Direct Action will only be undertaken following consultation with the Head of Legal Services, in accordance with the list of delegations (See Appendix 1).

**34. Fees**

The Council has the right to set fees on a cost recovery basis. To date the Office of the Deputy Prime Minister has not issued guidance imposing an upper limit. Research carried out by the ODPM suggests that a fee range of £380 to £468 would be realistic to allow for the cost of a proportion of complex cases which may go to appeal. On this basis, and in line with similar rural district authorities, it is proposed that the normal fee charged with effect from 1<sup>st</sup> June 2005 should be £450. This would enable a specific "*High Hedges Enforcement Officer*" to be appointed should there prove to be the need by reason of demand reaching an average of 1 per week.

35. There are resource and cost advantages to the Council in encouraging complainants to use a formal mediation service prior to seeking resolution through the authority's action. Formal mediation can be relatively expensive. It is, therefore, proposed that the fee should be reduced by the cost of the mediation, up to a maximum of £150.

This will take place where the complainant is able to produce evidence that formal mediation involving payment of a fee has been tried, but failed.

36. The level of fee charged should not only recover the Council's reasonable costs, but also act as a practical deterrent to frivolous or vexatious complaints. It would however, not be reasonable to take a rigid approach that disadvantaged persons on a limited income. Therefore, in accordance with the Council's corporate charging policy, it is proposed to allow that the scheme of delegation should allow for the discretion to waive all or part of the fees charged. Such discretion will need to be delegated to the Director of Finance and Resources on receipt of appropriate evidence.
37. Where a complaint made about a high hedge leads to a decision to place a Tree Preservation Order on the 'hedge', and therefore no further action is to be taken to reduce the height of the 'hedge' in question, a full refund of the fee will be made.

### **Options**

38. The following options are relevant :
- (a) To consider and confirm the above proposed protocol, fee level and Scheme of Delegation (Appendix 1) as the Council's initial approach to dealing with High Hedge Complaints, until the extent of the impact on resources can be fully determined.
- Or
- (b) Not to confirm the proposed protocol as the Council's approach to dealing with High Hedge Complaints, suggesting amendments to the outlined scheme to enable these complaints to be considered using existing resources.

### **Financial Implications**

39. The full financial implications can not be determined at this stage, other than that the ODPM expect the scheme to be "self-financing" by imposition of a relatively high fee (which also has the purpose of discouraging frivolous and vexatious complaints). A fee of £450 is being set by similar rural district authorities and is deemed to be appropriate for this authority. This fee could enable a specific officer to be employed should the number of cases average 1 per week.
40. In the event that the received complaints are deemed to be absorbing and diverting existing officer resources a new post of "High Hedge Enforcement Officer" will need to be created, financed by the receipt of fees.

### **Legal Implications**

41. The Anti-Social Behaviour Act 2003 has largely been implemented and enacted. The measures relating to High Hedges, was announced in April to be coming into force on 1<sup>st</sup> June 2005.

### **Staffing Implications**

42. There may be significant staff resource implications resulting from this potential new requirement to implement Part 8 of the Anti-Social Behaviour Bill. The full

extent is, as yet unknown and will only be determined by monitoring received complaints during the proposed 3 month initial assessment period. This initial assessment period will enable the demand to be determined and clarity be given to the need to recruit a specialist High Hedges Enforcement Officer.

43. The focus of the act is on those fast growing evergreen, non-native conifers which are unlikely to be protected by a Tree Preservation Order, or be considered to contribute positively to a Conservation Area or the district's natural heritage. It also appears evident that the consideration of the implications on the district's valued tree stock, requiring detailed arboricultural expertise would be necessarily limited to exceptional cases. In these circumstances the case officer would seek the advice of the Trees & Landscape Officer, the Trees and Landscape Assistant or the Landscape Design Officer.
44. It will be evident from the above that the assessment of High Hedge Complaints will involve intervening in disputes neighbours, requiring the skills of : tact; diplomacy; objectivity; and a methodological approach to fact gathering. It is therefore, considered that the key site assessment and reporting role is best suited to the Planning Enforcement Team, as their quasi-legal role is closely reflected by the proposed High Hedges assessment procedures reflect the current method of resolution of such disputes.
45. However, should the number of complaints become a significant drain on resources, requiring allocation of staff resources for the equivalent of 1 working day a week, a new post of "*High Hedges Enforcement Officer*" may need to be created, funded by the fees received and able to undertake other enforcement duties if necessary. It will be noted that some of the more sub-urban local authorities, who anticipate a considerable workload in this area are already establishing such posts, with the intention of creating such a post. The above South Cambs. arrangements are proposed as 'temporary measures' to enable the Council determine whether such a post will need to be established in SCDC.

### **Risk Management Implications**

46. High Hedges are a potentially sensitive issue that can cause great distress and anxiety to the parties involved. It is important, therefore, that officers are not put in a position which would generate significant stress or danger, by focusing on the objective assessment of the nuisance caused by the hedge. The proposal is, therefore, to encourage the resolution of these complaints by neighbours, backed by the knowledge that the Council 'could' intervene if an accord can not be reached by agreement.
47. If a complaint is accepted officers' will need to focus efforts on the objective collection of information to determine whether a Remedial Notice should be issued or not. It is not any part of the Council's role to undertake any form of mediation between neighbours.

### **Consultations**

48. The Comments of the Head of Legal Services and Director of Finance and Resources will be reported to committee.

### Conclusions/Summary

49. The full implications of the enactment of Part 8 of the Anti-Social Behaviour Bill can not be determined at this point. However, it is evident that should the number of cases exceed more than 1 a week, over a sustained period, then it is likely that the appointment of a "*High Hedges Enforcement Officer*" would be justified by the time resources and financed by the receipt of fees at the proposed rate.

### Recommendations

50. That the protocol for dealing with complaints about High Hedges, under Section 8 of the Anti-Social, as outlined above is adopted and approved and :
- (a) That the scheme of delegation of powers to officers, as set out in Appendix 1 to this report is approved.
  - (b) That the fee charged in respect of complaints under these provisions be a fee of £450, to be charged, if there has been no formal mediation.
  - (c) In the event that formal mediation has been undertaken there will be a reduction in the fee, equivalent to the costs incurred by attempting formal mediation, upto a maximum reduction of £150. Evidence will need to be provided that formal mediation has been tried and failed and the cost of this exercise.
  - (d) A full refund will be given of the fee paid where a Tree Preservation Order is place on the hedge in questions.
  - (e) That in event of the number of received cases exceeding the equivalent of 1 day per week, assessed during an initial three month period, that Cabinet is recommended to authorise the establishment of a new post of a "*High Hedges Enforcement Officer*", financed by the receipt of fees.

**Background Papers:** the following background papers were used in the preparation of this report: Reports on the Anti-Social Behaviour Act 2003 – High Hedges. May 2005. Office of the Deputy Prime Minister. [WWW.ODPM.Gov.uk](http://WWW.ODPM.Gov.uk)

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**ANTI-SOCIAL BEHAVIOUR ACT 2003 – HIGH HEDGES  
DELEGATION OF POWERS**

SOURCE	POWER DELEGATED	DELEGATION TO
Anti-Social Behaviour Act 2003 s68 (2)	To determine whether or not to proceed with a complaint.	Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers; or Planning Policy Manager; or Conservation Manager.
Anti-Social Behaviour Act 2003 s 6 (3) (4) and (5)	To decide whether a high hedge is affecting the complainant's reasonable enjoyment of a domestic property and, if so, what action (if any) should be taken to remedy the adverse effect or prevent its recurrence.  To issue such notifications, other than remedial notices, required by these sections to give effect to that decision.	Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers; or Planning Policy Manager; or Conservation Manager in consultation with the local SCDC ward councillor(s) *  * Where the ward Member disagrees with the assessment by officers, the matter will be referred to the Development Control & Conservation Committee.
Anti-Social Behaviour Act 2003 s 68 (4) and s 69	To issue Remedial Notices.	Head of Legal and Services, or Solicitors, or Employed Barrister as instructed by the Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers.
Anti-Social Behaviour Act	To determine the level of	Director of Finance &

2003 s 68 (1)	fee to be charged.	Resources.
Anti-Social Behaviour Act 2003 s 68 (8)	To refund the fee paid when a Tree Preservation Order is placed on the hedge subject of the complaint.	Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers.
Anti-Social Behaviour Act 2003 s 70	To withdraw a Remedial Notice , waive or relax a requirement of a remedial notice.	Head of Legal and Democratic Services, or Solicitors, or employed barrister in consultation Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers; or Planning Policy Manager; or Conservation Manager.
Anti-Social Behaviour Act 2003 s 75	To institute proceedings where action has not been taken to comply with a remedial notice	Head of Legal Services, or Solicitors, or employed barrister as instructed by Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers; or Planning Policy Manager; or Conservation Manager.
Anti-Social Behaviour Act 2003 s77	To execute works required by a remedial notice	Director of Development Services or; Deputy Director of Development Services; or Development Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; or Area Planning Officers; or Planning Policy manager; or Conservation Manager in

		consultation with Head of Legal Services, or Solicitors, or employed barrister.
Anti-Social Behaviour Act 2003 s77	To take appropriate action to recover costs reasonably incurred by the Council in securing compliance with a remedial notice	Head of Legal Services, or Solicitors, or employed barrister.

**AUTHORISATION TO ENTER PREMISES**

Anti-Social Behaviour Act 2003 s 70	To enter land for the purposes of the Act and any amending statutes or regulations made pursuant to the Acts	Director of Development Services or; Director of Planning; or Deputy Director of Development Services; Control Quality Manager; or Area Planning Officers; or Senior Enforcement Officer; Enforcement Officer; or Area Planning Officers, Enforcement Officers, Tree & Landscape Officers, Landscape Design Officer; High Hedges Officer, Planning Officers, Assistant Planning Officers.
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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**13<sup>th</sup> May 2005**REPORT TO                    Development and Conservation Control Committee****AUTHOR/S                    Director of Development Services****Cambourne Section 106 Agreement:  
Facilities and Timing of Provision****Purpose**

1. Members will recall lifting 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. This report updates Members on progress with the trailer park, as requested at the March meeting.

**Background**

2. Several community facilities had not been provided by the 1000 occupations trigger point, as required by the Cambourne S106 agreement. Progress had been made on most of the facilities, to the point where some are now in use and ready to be formally handed over to the Parish Council. Only the trailer park had failed to commence on site or to be at a stage where it was likely to commence and Members had used the “embargo” to push the developers towards resolving this matter, but had lifted it in March to assist the developers in finalising their legal processes, on the strict understanding that officers should report progress in May.

**Updated position**

3. Progress at the time of writing this report (26<sup>th</sup> April 2005) is that the developers are in the process of finalising a supplemental legal agreement to bring the site under the umbrella of the main Cambourne legal agreement, and are also hoping to commence on site by the end of April. A verbal update will be given at the meeting.

**Financial Implications**

4. None.

**Legal Implications**

5. Completion of supplemental S106 Agreement required.

**Staffing Implications**

7. Officers will continue to monitor the provision of this and other community facilities.

**Sustainability Implications**

8. Provision of these facilities is important for community sustainability.

**Recommendation**

To be reported verbally depending upon progress.

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

Cambourne Section 106 Agreement dated 20<sup>th</sup> April 1994.

Cambourne Play Strategy December 2000, approved under conditions of the outline permission.

Outline planning permission dated 20<sup>th</sup> April 1994, reference S1371/92/0

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