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26 July 2005

To: Chairman – Councillor Dr JPR Orme
Vice-Chairman – Councillor NIC Wright
All Members of the Development and Conservation Control Committee

Dear Councillor

You are invited to attend the next meeting of **DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE**, which will be held in the **COUNCIL CHAMBER** at South Cambridgeshire Hall on **WEDNESDAY, 3 AUGUST 2005** at **10.00 a.m.**

Yours faithfully
GJ HARLOCK
Finance and Resources Director

AGENDA

Members should declare any interests immediately prior to the relevant item on the agenda.

Should Members wish to declare an interest in an item discussed after they have left the meeting, and wish also that that declaration be recorded in the Minutes, they should make their declarations clear to the Committee. (Members need only declare an interest in circumstances where there is an item on the agenda that may cause a conflict of interest.)

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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

At a meeting of the Development and Conservation Control Committee held on
Wednesday, 6 July 2005 at 10.00 a.m.

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

Councillors:	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	Mrs J Dixon
	SM Edwards	Mrs SA Hatton
	Mrs JM Healey	Mrs EM Heazell
	Mrs CA Hunt	HC Hurrell
	SGM Kindersley	RB Martlew
	Mrs JA Muncey	Mrs CAED Murfitt
	CR Nightingale	EJ Pateman
	JA Quinlan	A Riley
	NJ Scarr	Mrs HM Smith
	Mrs DSK Spink MBE	RJ Turner
	JF Williams	Dr JR Williamson

Councillors JA Hockney, MJ Mason and J Shepperson were in attendance, by invitation.

Apologies for absence were received from Councillors Mrs A Elsby, R Hall, Mrs DP Roberts, JH Stewart and SS Ziaian-Gillan.

1. TO AUTHORISE THE CHAIRMAN TO SIGN, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 1 JUNE 2005

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 1st June 2005.

2. MINUTES, 6TH APRIL 2005

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 6th April 2005 subject, in Minute no. 35 (Tree Preservation Order 01/05/SC in Gamlingay), to Resolution (2) being corrected to read, “that Tree Preservation Order 01/05/SC at 110 Cinques Road, Gamlingay be confirmed as modified so as, in the First Schedule, to substitute the phrase “T5 Rowan – Situated in the *Eastern* boundary of Rosehaven, 110 Cinques Road, Gamlingay” in place of the phrase “T5 Rowan – Situated in the *Northern* boundary of Rosehaven, 110 Cinques Road, Gamlingay”.

3. PINE VIEW, SMITHY FEN COTTENHAM

The Committee considered a report from the Strategic Officer Group and a detailed supplemental report, prepared by the Council’s external legal advisers. This supplemental report set out:

- relevant Government guidance
- Planning Policy Guidance
- the planning status of the site
- personal circumstances and human rights

- legal implications (including racial equality considerations) and
- enforcement options open to the Council.

The Deputy Director of Development Services updated Members on developments following the Deputy Prime Minister's decision, in March 2005, which required the illegally-camped travellers at Pine View, Smithy Fen, Cottenham to vacate the site within three months. As that direction had not been complied with by the due date of 11th June 2005, Members had now to decide how the Council should enforce the Secretary of State's decision that the travellers had no legal right to remain at Pine View.

The Deputy Director of Development Services guided Members through a series of updated Needs Audits (labelled A to F), required as part of the Council's Human Rights obligations. Having done so, the Committee was satisfied that, in connection with the factors taken into account by the Secretary of State, there had been no significant change since then. The Council had canvassed the views of local people and a number of relevant organisations, although one Member of the Council expressed some misgivings about the comprehensiveness of that consultation. Members further considered the impact of the South Cambridgeshire Local Plan 2004, and were of the view that the Council had acted proportionately throughout, and that all issues of equality had been addressed satisfactorily.

The legal advisers highlighted the principle issues contained in their supplemental report, and set out a likely timetable for taking Injunctive action under section 178 of the Town and Country Planning Act 1990 and prosecution action under section 179. In both cases, the process was similar, but Members noted that, in the case of section 179 proceedings, the only remedy was that of a fine.. Members noted the significance of the final paragraph of section 6 (Legal Implications) of that report.

A Member urged officers not to dismiss the idea of applying for a Compulsory Purchase Order, subject to the final outcome in the case of *Leeds City Council v Price and Others [2005]*. He also urged the Council to consider instigating prosecution proceedings in respect of every breach of the Enforcement Notices.

The Head of Legal Services stated, for the record, that all the Needs Audits had been reconsidered, both individually and collectively. However, there remained a need for the Quantitative Needs Assessment to be concluded as soon as possible.

The Chairman thanked officers and the Council's legal advisers for their contribution to the debate, and for their work in progressing enforcement action at Pine View, Smithy Fen, Cottenham.

The Committee **RESOLVED** unanimously, by 26 votes to Nil, with no abstentions and no Members not voting

- (1) That comments received in response to public consultation about the situation at Pine View, Smithy Fen, Cottenham be duly noted;
- (2) That Injunctive proceedings be commenced at Pine View, Smithy Fen, Cottenham as recommended by the Development and Conservation Control (Advisory) Committee at its meeting on 14th June 2005, and that breaches of Enforcement Notices be enforced by any means available;
- (3) That the Council instigate prosecution proceedings in respect of breaches of enforcement notices concurrently with it taking Injunctive action; and

- (4) That the Director of Development Services or, in his absence, the Deputy Director of Development Services, in consultation with the Chairman or, in his absence the Vice-Chairman, of the Development and Conservation Control Committee, be given delegated authority to instigate, respond to or defend all legal proceedings at Pine View, Smithy Fen, Cottenham, such authority to include authority to take any action in connection with the proceedings as appears appropriate, and to settle proceedings.

Councillor Mrs J Dixon declared a personal interest in this item as a resident of Smithy Fen.

Mrs Paula Johnson, Chairman of Cottenham Parish Council, addressed the meeting.

4. SAWSTON - S/0711/05/F

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to the applicant contributing £10,000 towards the provision of public transport in Sawston and to the Conditions referred to in the report

5. SAWSTON - S/0967/05/F

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

6. SAWSTON - S/1071/05/F

APPROVAL contrary to the recommendation contained in the report from the Director of Development Services. Wishing to support local business, Members considered that such a measure aimed at improving health and safety and reducing the potential for crime should override any adverse impact caused to the Conservation Area.

7. SAWSTON - S/1993/02/F

APPROVAL of the amendment.

8. SWAVESEY - S/1000/05/F

DEFERRED to enable the applicant to investigate the feasibility of relocating the access to School Lane and to submit accurate site and block plans incorporating parking and turning space

9. FEN DITTON - S/0970/05/F

DELEGATED APPROVAL, subject to the prior completion of a Section 106 Legal Agreement securing Affordable Housing and an educational contribution, to the satisfactory conclusion of negotiations referred to in the report, and to safeguarding Conditions. As a development within the village framework, bringing forward affordable housing, not materially affecting the openness of the Green Belt and having regard to local representations, it was decided that there was no need to refer the application to the Secretary of State as a departure from the Development Plan.

10. WEST WRATTING AND GREAT WILBRAHAM - S/2494/04/F

DEFERRED to enable officers to commission an independent highways assessment.

Mrs Sally Ramus, Chairman of Great Wilbraham Parish Council, addressed the meeting.

11. STEEPLE MORDEN - S/0945/05/F

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

12. WATERBEACH - S/0789/05/F

APPROVAL, as amended by letter dated 25th May 2005 and plan date-stamped 1st June 2005, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

Councillor CR Nightingale declared a personal and prejudicial interest by virtue of his acquaintance with the applicant, and withdrew from the Chamber.

Councillor Dr J Williamson attended the Parish Council meeting at which this item had been discussed, but took no part in that debate.

13. THRILOW - S/0713/05/O

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

14. WHITTLESFORD - S/0995/05/F

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

15. WHITTLESFORD - S/1007/05/F

DELEGATED APPROVAL/REFUSAL. The application would be approved (with the withdrawal of permitted development rights if deemed necessary, and a Condition stating that no windows or openings of any kind shall be inserted in the northeast facing roof slope of the building unless expressly authorised by a further planning permission) if the applicant agreed to remove the roof lights. If the applicant declined to delete the roof lights, then the application would be refused for the reason set out in the report from the Director of Development Services.

16. WILLINGHAM - S/0788/05/F

APPROVAL, following the receipt of car parking layout to the satisfaction of the Local Highway Authority, as amended by Drawing No. P1 date-stamped 29th June 2005, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

17. OVER - S/0367/05/F

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement ensuring that the development is used as an annexe only in association with, and ancillary to, the adjoining dwelling, and to the Conditions referred to in the report.

18. OVER - S/0959/04/O

REFUSED contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the removal of the frontage pillars and railings would detract from the street scene, and that use of the access and extra domestic activity would have an adverse impact on the amenity of no. 39 and 47 The Lanes and no. 2 Cottenham Close, thus conflicting with Policies SE/3 and HG/11 of the South Cambridgeshire Local Plan 2004.

Councillor NJ Scarr did not attend the site visit and was not familiar with the site. Accordingly, he did not vote on this item.

19. LITTLE ABINGTON - S/0826/05/F

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

The Vice-Chairman took the Chair for this item although Councillor Dr JPR Orme, as local Member, remained in the Chamber.

20. PAMPISFORD - S/0805/05/F

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, and a letter to be sent with the Decision Notice encouraging the provision of replacement cycle parking

The Vice-Chairman took the Chair for this item although Councillor Dr JPR Orme, as local Member, remained in the Chamber.

21. PAMPISFORD - S/1751/04/F

The Committee was **MINDED TO APPROVE** the application for the reasons set out in the report from the Director of Development Services, subject to it not being called in by the Secretary of State, to the prior completion of a Section 106 Legal Agreement reflecting the following:

- that, in any 12 month period, turnover from retail sales to persons other than those making purchases for the purposes of a trade or business from a builders' merchants use of the site should not exceed 33% of the total turnover of business on the site;
 - that the agreement and implementation of a scheme be required for the provision of evidence to the Local Planning Authority of compliance with the above restriction, such scheme to be based upon certification of an appropriate return by a person qualifying as a company auditor for the purposes of the Companies Acts 1985 and 1989; and
 - that no more than 75% of the aggregate floor area of the buildings on the site would be used for the display of goods for sale,
- and to the Conditions referred to in the report. Members asked officers to insist that security lighting on site be directed downwards in order to minimise the effect of light pollution.

The Vice-Chairman took the Chair for this item although Councillor Dr JPR Orme, as local Member, remained in the Chamber.

**Councillor Dr JPR Orme took
the Chair for the remainder of
the meeting.**

22. LITTLE GRANSDEN - S/0607/90/F

RESOLVED that, subject to the response of outstanding consultees, no objections be raised to a temporary variation of Condition 4 to allow up to 80 aerotows a day during the period Saturday 20th August 2005 to Sunday 28th August 2005. Members asked officers to write to the Gliding Club informing it that consideration of any future proposed relaxation of Condition 4 would take account of experience and comments made following this year's Competition.

23. LITTLE GRANSDEN - S/0916/05/O

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

24. GAMLINGAY - S/1024/05/F

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to comments to be received from the Trees and Landscape Officer and Head of Shire Homes, the omission of car parking spaces from the central amenity land and to the Conditions referred to in the report. Failure to address these issues to the satisfaction of the Local Planning Authority would result in the application being refused.

25. GAMLINGAY - S/1820/04/O

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

26. OAKINGTON - S/1004/05/F

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to no objections being received from the Local Highways Authority, and to the Conditions referred to in the report.

27. COTTENHAM - S/1066/05/F

APPROVAL for the reasons set out in the report from the Director of Development Services, subject to Conditions attached to planning application S/0699/04/F, Condition 2 being varied to allow construction of Unit 4 which should be demolished again if not used for 12 months.

28. BASSINGBOURN-CUM-KNEESWORTH - S/0925/05/F

APPROVAL, in line with the recommendation contained in the report from the Director of Development Services, amended from one of refusal following the receipt of a plan addressing to the satisfaction of the Local Planning Authority issues of size and scale.

29. BASSINGBOURN-CUM-KNEESWORTH - S/1416/04/F

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

30. BOURN - S/2531/04/F

APPROVAL, subject to Conditions 1 – 10 referred to in the report from the Director of Development Services (Condition 11 being deleted) and an additional Condition requiring details of power equipment to be agreed.

31. CAMBOURNE - S/1371/92/O

APPROVAL of Masterplan 24B as submitted.

APPROVAL of Master Phasing Plan rev Q, with the exception of the Upper Cambourne development area.

32. CAMBOURNE - S/6297/05/F

DEFERRED for a site visit.

33. CAMBOURNE - S/6225/03/RM

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement securing affordable housing and maintenance of the drainage scheme, to the Conditions set out in the report, and to those Conditions attached to the consent relating to the Outline application, considered at the Development and Conservation Control Committee meeting on 4th February 2004.

34. ELSWORTH - S/0611/05/F

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

35. FEN DRAYTON - S/0013/05/F

REFUSED for Reasons 1 (as amended to refer to Policies SE8 and Fen Drayton 1 of the South Cambridgeshire Local Plan 2004) and 3 set out in the report from the Director of Development Services, Reason 2 being deleted.

36. FEN DRAYTON - S/0526/05/F

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

37. PAPWORTH EVERARD - S/0864/05/O

DELEGATED APPROVAL, as amended by letter dated 5th July 2005 changing the application to one for a single dwelling only, for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to in the report, and to additional Conditions requiring the commissioning of a tree survey and measures to address the issue of car parking.

38. FULBOURN - S/0771/05/F

DELEGATED APPROVAL, for the reasons set out in the report from the Director of Development Services, subject to the receipt of satisfactory amendments for the house type for Plot 9, the agreement of the Local Highway Authority to the revised access plan, the prior completion of a Section 106 Legal Agreement securing an Educational contribution, and appropriate safeguarding Conditions.

39. GIRTON - S/1049/05/F

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the applicant agreeing to make appropriate alterations

to the car parking arrangements and to the bin store, and to the Conditions referred to in the report.

40. GREAT SHELFORD - S/0897/05/F

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

Councillor CR Nightingale was present when Great Shelford Parish Council considered this application, but did not contribute to the debate.

41. HIGHFIELDS CALDECOTE - S/2382/04/F

DELEGATED APPROVAL for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement ensuring that the premises are used as a short-term holiday let only or as part of the existing dwelling, and to the Conditions referred to in the report.

42. HARSTON - S/1717/04/F

APPROVAL, as amended by drawing nos. 9A, 10A, 11A, 16A and 17A date stamped 26 November 2004, and drawing nos. 17D, 18C, 19B, 20B and 21A dated stamped 26 May 2005, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

43. HASLINGFIELD - S/1062/05/O

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

44. HISTON - S/0990/05/O

REFUSED, contrary to the recommendation contained in the report from the Director of Development Services. Members considered the proposal to represent overdevelopment of the site, thus posing difficulties with access, and cited concerns with flooding and drainage as other reasons for refusal. In particular, the application conflicted with Policies P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and SE2, SG10 and TP1 of the South Cambridgeshire Local Plan 2004.

45. GREAT AND LITTLE CHISHILL - S/0683/05/F

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

46. LINTON - S/0561/05/F

DELEGATED APPROVAL contrary to the recommendation contained in the report from the Director of Development Services, subject to the appearance of the garage door being agreed with the Conservation Manager and the application being amended accordingly. Having visited the site, Members did not consider the application to be detrimental to the setting of Tosca Cottage, a Grade II Listed Building.

47. LONGSTANTON - S/2481/04/O

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

48. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Hearing dates scheduled before the next meeting on 3rd August 2005
- Appeals withdrawn or postponed
- Advance notification of future local inquiry and informal Hearing dates (subject to postponement or cancellation)

49. ENFORCEMENT ACTION

Members **NOTED** the Enforcement Action Progress Report dated 6th July 2005.

50. TO CONSIDER CONFIRMATION OF TREE PRESERVATION ORDER 03/05/SC IN WILLINGHAM

The Committee considered a report reviewing Tree Preservation Order 03/05/SC, made under delegated powers at Manor Farm, High Street, Willingham on 24th January 2005.

RESOLVED that Tree Preservation Order 03/05/SC at Manor Farm, High Street, Willingham be confirmed without modification.

51. MR CHRIS TAYLOR - HEAD OF LEGAL SERVICES

Councillor SGM Kindersley, Leader of the Council, led tributes to Mr Chris Taylor, who would be retiring from the Council on 8th July 2005.

Mr Taylor responded.

The Meeting ended at 3.20 p.m.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

3rd August 2005

AUTHOR/S: Director of Development Services

**S/1121/05/O - Teversham
Erection of Village Meeting Hall, Recreation Ground Car Park,
High Street for Teversham Parish Council**

**Departure Application
Recommendation: Approval
Date for Determination: 6th September 2005 – Major Application**

Members will visit the site on Monday 1 August.

Site and Proposal

1. Existing car-park, 0.15 ha in area, on the south-eastern edge of the village. There are houses on High Street to the north-west; to the rear and opposite, is arable land. The north-eastern and south-eastern boundaries are well screened by existing hedges and trees, whilst the north-western boundary is defined by a concrete road which leads to the Recreation Ground and the Teversham sewage works.
2. The outline application, received 7 June, proposes the erection of a Village Meeting Hall which will consist of a basic hall, plus kitchen area, storage facilities and toilets. A garden area will be provided (for play groups etc) and the car-park, at present unsurfaced, will be properly laid out. It is anticipated that approximately 28 parking spaces could be achieved. All matters are reserved other than means of access.

Planning History

3. Access to the car-park was originally taken off the concrete road but in 1996 consent was granted for a new vehicular access direct to High Street.

Planning Policy

4. The site lies in the Green Belt and outside the village framework. As such the following policies are relevant.
 - i) Structure Plan. **P1/2 Environmental Restrictions on Development.** Restricts development within the countryside unless it can be demonstrated to be essential.
P/3/4 Rural Services and Facilities. Encourages village shopping facilities and key community services.
P9/2a Green Belt. Restricts inappropriate development within the Green Belt to maintain its openness and character.
 - ii) Local Plan: **GB1 Green Belt.** Seeks to protect the character of Cambridge.
GB2 Green Belt. Inappropriate development will not be permitted unless very special circumstances can be demonstrated.

Consultation

5. **Teversham Parish Council** “unanimously supports the application”.
6. The **Local Highway Authority** recommends refusal, stating:
7. “The site is located right on the edge of the village, hardly convenient for most residents. As a consequence, it is highly likely that most trips to the hall will be by motor car.
8. Visibility to the north of the existing access is severely restricted. The High Street is subject to a 30mph speed limit requiring a visibility ‘y’ distance of 90.0m. Due to the horizontal alignment of High Street, the actual visibility that can be achieved to the north is only some 41.5m.
9. In addition, on-street parking within High Street in association with the houses on the east side adds to the problem.
10. I acknowledge that the access exists and that it serves the parking area for the recreation ground. However, a village hall is likely to generate substantially more vehicular traffic, on a daily basis, than could be expected to be generated by the recreation ground. As in other villages, various village groups will be encouraged to utilize the facility during the day and evening to make the hall viable.
11. I appreciate that, when football matches are played on the recreation ground, the car park is sometimes full and indeed on-street parking occurs. However, this is a scenario that occurs very occasionally and the incidence of on-street parking illustrates that the existing parking area should not be reduced.
12. I realize that the Parish Council has investigated other sites, and that my negative comments and recommendation will not be welcome. However, due to the access problems, it remains my view that this is not the right location for this facility and this application should be resisted unless and until the visibility to the north is improved.”
13. **The Environment Agency** requests the imposition of conditions requiring the submission and agreement of details of both foul and surface water drainage.

Representations - Applicant

14. Attached as Appendix 1, is a supporting statement from the Teversham Village Hall Committee.
15. Attached as Appendix 2, is a breakdown of comments from the village survey.
16. Also submitted with the application were letters of support from the SCDC Returning Officer who would be interested in using the Hall for all future elections, James Paice, MP, County Councillor Robert Turner, the Secretary of Teversham Terriers FC and the headteacher of Teversham Primary School. There were also two letters from residents.

Representations - Neighbours

- i) **Support:**
 - a) Will provide a focus for the community
 - b) Facility is essential for all uses
 - c) Will mean the school not having to close for elections

- ii) **Oppose:**
- a) Whilst good facilities must be provided for the youth of the village, a village hall cannot be supported.
 - b) Access is highly dangerous
 - c) Suitability of site has not been discussed by the Village Hall committee
 - d) Parking is already a problem on site, with overflow parking on the farm road and the highway
 - e) The site is rather remote from the village which is why the present Recreation Ground is under-utilised by villagers.
 - f) A more central site should be closer
 - g) Increased noise pollution, traffic and lighting
 - h) Possibility of vandalism

Other, non-planning, points raised include:

- a) The site address is Fulbourn Road, not High Street
- b) The adjacent concrete road serves the Sewage Works, the Recreation Ground, various arable fields and No. 105 High Street
- c) Has building been properly costed? - could become a "white elephant"
- d) Problems with hiring the School should first be resolved
- e) A community hall is to be built during the airport development, - this scheme is premature

Planning Comments

17. There are two fundamental issues with this proposal, - Green Belt and access, balanced against gain to the community.
- i) **Green Belt**
A Village Meeting Hall in the Green Belt is, by definition, "inappropriate development". That said, the building would be sited immediately adjacent the village framework on the edge of the village which here comprises a continual row of 2 storey houses. Neither the character or openness of the Green belt would be affected as the north-east and south-east boundaries are well treed/hedged. Additional planting could be achieved if felt necessary.
- ii) **Access**
I cannot dispute what the Local Highway Authority has said with regards the access to the site. Being on the edge of the village it is extremely likely that many of the users of the Hall, despite living in the village, will drive there rather than walk/cycle. Although the access has limited visibility the majority of users will be local and therefore be aware of the situation.
18. It is clear from the statement which accompanied the application, see Appendix 1, that the present facilities in the village are sadly lacking resulting in some groups only meeting for part of the year, others probably not being able to expand/increase membership for lack of space whilst others, perhaps, are never formed because of lack of facilities. Appendix 2 shows the level of support for the scheme.
19. Officers are aware of the length of time, and the difficulties, that the Parish Council has been trying to find a suitable site. As one objector points out, this site is on the

edge of the village and a site more central would be better. Unfortunately there isn't one, nor is one likely to be available.

20. With such support in the village and this site being available I feel able to recommend the scheme for approval with "community gain" outweighing both Green Belt and access issues.

Recommendation

21. As a Departure application, the proposal will be referred to the Secretary of State, subject to the Secretary of State not calling in the application. It is recommended that Members are minded to approve the Village Meeting Hall and car-park subject to the following conditions:

1. Standard Condition B - RCB
2. SC1 Reserved matters a) b) c) and d) RC1
3. SC52 Implementation of landscaping RC52
4. SC5 Submission of details:
 - a) Materials "walls and roof" RC5 a) ii)
 - b) s.w. drainage RC5b
 - c) Foul drainage RC5c
 - d) Refuse storage accommodation RC5d)
 - e) Floor levels RC5e
 - f) Hard landscaping RC5f)
 - g) All external lighting RC To ensure excessive illumination does not damage the character of the area, cause nuisance to neighbours or damage to motorists.
5. Before development starts a scheme to acoustically insulate the building shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the use hereby permitted commences. RC25.
6. SC27 Control of emissions. RC25.
7. The existing trees and hedgerows on the north-eastern and south-eastern boundaries of the site shall be fenced off and protected during all building operations; details of such protective fencing shall first be submitted to and approved in writing by the Local Planning Authority. RC56.
8. SC60. Boundary treatment. RC60.

Reasons for Approval

1. Although the development represents inappropriate development in the Green Belt, it is considered that the provision of an essential facility for the village and the lack of an alternative site outside the Green Belt represent very special circumstances justifying support for the application.
2. The following policies of the Development Plan were taken into consideration in the determination of this application.

Cambridgeshire and Peterborough Structure Plan 2003:

P1/2 Environmental Restrictions on Development
P3/4 Rural Services and Facilities

P9/2a Green Belt

Cambridgeshire Local Plan 2004:

GB1 Green Belt

GB2 Green Belt

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: **Access, parking, remoteness from village, noise, traffic and light pollution, vandalism**

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/1121/05/O

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

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1056/05/O - West Wratting
Dwelling at Land Rear of 4 High Street for Mr & Mrs J Osbourne

Recommendation: Approval
Date for Determination: 22nd July 2005

Site and Proposal

1. The application site is a 0.09 hectare plot of land located to the rear of, and forming part of the garden area to No 4 High Street, a 2 storey detached dwelling with a secondary kitchen window, fencing and hedges at the side facing the existing driveway. The driveway runs along the northwestern boundary of the site providing access to a detached double garage sited at the side of the dwelling. Beyond the existing garage is a shed and on the rear elevation of No 4 is a conservatory. Part of the rear garden is outside the village framework.
2. Surrounding development is a mix of 2 storey and single storey dwellings. To the northwest is No 6, a 2 storey house. It has a ground floor side door facing the boundary hedges adjacent to No 4's driveway. The distance between the side of No 6 and that driveway is approximately 11m. To the north of the site is a field with over 2m high hedges along the field boundary. To the southeast is No 2, a 2 storey house with an outbuilding in the garden adjacent to the common boundary with the site and the 2m high fencing and 2.2m high hedges.
3. The outline application, registered on 27th May 2005, seeks consent for the principle of erecting a dwelling on this area of garden land. Only means of access is to be determined at this stage. The proposal is to subdivide the rear garden of No 4 to create a plot for a dwelling. Access to the site is via the driveway of the existing dwelling. The plot is shown to have a depth of 33m and a width of between 16m and 22m. The illustrative drawing shows a new 1½ storey dwelling to be sited 18.29m from the rear elevation of and 4.88m from the revised rear boundary of the existing property, there will be a gap of 1.83m from the common boundary with No 2. The existing house will be provided with a garden depth of 13.41m. The gravel area to the front of No 4 can accommodate 2 parking spaces.
4. The width of the existing access entrance is 6.7m narrowing to 3.6m and the driveway length is approximately 33m. To accommodate the continuation of the driveway to the turning/parking area on the site the illustrative plan shows that the half of the existing garage will be retained. The proposed development represents a density of 11.1 dwellings per hectare

Planning History

5. S/0900/83/O - Planning permission was granted for one dwelling
6. S1449/84/F - Planning permission was granted for a house

7. S/1855/93/F- Planning application was refused for extension and double garage
8. S/0391/94/F- Planning permission was granted for extensions
9. It is considered that a recent permission granted for backland development at High Street is relevant to the consideration of this application:
S/2121/03/F – Permission for house and garage at land rear of 3 High Street.

Planning Policy

10. **Policy P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** requires a high standard of design which responds to the local character of the built environment for all new development.
11. **Policy SE5** of the **South Cambridgeshire Local Plan 2004** states that residential development within the village will be restricted to no more than two dwellings provided the site does not form an essential part of village character and development is sympathetic to the character and amenities of the locality.
12. **Policy HG10** of the Local Plan states that the design and layout of residential development should be informed by the wider character and context of the local townscape and landscape.
13. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - a) Result in overbearing, overlooking or overshadowing of existing residential properties;
 - b) Result in noise and disturbance to existing residential properties through the use of its access;
 - c) Result in highway dangers through the use of its access; or
 - d) Be out of character with the pattern of development in the vicinity.

Consultation

14. **West Wrattling Parish Council** recommends refusal and states that 'this is backfill not infill.'
15. **The Chief Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that conditions restricting hours of use of power operated machinery be applied to any planning consent and requiring details of method for construction of any driven pile foundations and preventing burning of waste on site.

Representations

16. Residents at No's 2 and 6 High Street object to the proposal on the following grounds:
 - a) The proposal is a backfill development of the village and is contrary to the current planning regulations;
 - b) Approval of this application would set a precedent for further backland development; and
 - c) The size of the plot may not be able to comfortably withstand another property.

Planning Comments – Key Issues

17. The key issues in relation to this application are backland development, the suitability of the access, character and appearance of the area.

Backland development

18. I consider that the size of the application site is sufficiently large to accommodate a dwelling, together with a reasonable garden area and room for turning and parking. It is in excess of 18 m away from the rear elevations of No 4 High Street as shown on the indicative plan. The new dwelling, if sited carefully, will not have an adverse impact upon the residential amenity interests when viewed from the habitable rooms and the garden of the existing house, and the private garden areas of the neighbouring properties.

Access

19. The proposal includes an access 33m long and minimum width of 3.65m. Existing pedestrian visibility splays are provided. The shared access drive and the visibility provided are both considered acceptable. The access is a minimum of 5m wide for a distance of some 13m back from the highway boundary. There is enough room for 2 cars to pass for a sufficient distance back from the highway to ensure that vehicles would not be forced to back out onto the road. The remainder of the access is 3.65m wide which is sufficient for fire engines. The width of the access is acceptable and will not result in highway dangers.

20. No 4 has a secondary kitchen window at the side facing that driveway. I do not consider that the use of the access will cause undue noise and disturbance to the occupiers of No 4. Given that only a small part of the access will be shared by No 4 and the new dwelling, and the parking for the existing house will be relocated to the front, the use of the driveway is not likely to increase significantly.

Character and appearance of the area

21. The properties along High Street predominantly form a linear development pattern, although there are precedents for backland development in the vicinity of the site, namely planning permission granted for a backland development at No 3 High Street under reference S/2121/03/F and the housing development at Spicer's Close off High Street. I have also viewed from a public right of way to the east of the site leading to Hall Dairy farm. From there a limited view of the proposed dwelling will be afforded existing hedgerows along the rear boundary of the site. I do not consider that a 1½ storey dwelling will be a prominent feature from public spaces outside the site. The dimensions of the application site are sufficient to accommodate a modest dwelling without unduly impinging on the appearance of the adjoining countryside and the creation of a backland plot would not be out of keeping with the character of the area.
22. In light of the above considerations, I believe that the proposal complies with the criteria set out in Policy HG11 for backland development.

Recommendation

23. Approval subject to conditions:
1. Standard Condition B – Time limited permission, 3 years reserved matters (Reason B);
 2. Standard Condition 1 – Reserved matters
 - a) The siting of the building;

- b) Design and external appearance of the building;
 - c) The landscaping of the site.
(Reason – The application is for outline permission only and gives insufficient details of the proposed development.)
3. No development shall be commence until details of materials to be used for hard surfaced areas within the site including driveways and car parking areas 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 minimise disturbance to the occupiers of No 4 High Street.)
4. 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 disturbance to adjoining residents.)

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 SE5 (Development in Infill Villages);
Policy HG10 (Housing Design); and
Policy HG11 (Backland Development).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: backland development, **Impact upon the character and appearance of the area.**

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

Cambridgeshire and Peterborough Structure Plan 2003

South Cambridgeshire Local Plan 2004

File references: S/0900/83/O, S/1449/84/F, S/1855/93/F, S/0391/94/F, S/2121/03/F and S/1056/05/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/0881/05/F - Barton
Overflow Car Park (Retrospective Application), Land At Burwash Manor Barns For M Radford

Recommendation: Refusal
Date for Determination: 29th June 2005

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

1. Burwash Manor Farm comprises a Grade II Listed house and farmyard served by a long driveway (approximately 150 metres) from New Road at the eastern end of the village. A group of buildings within the site are in commercial use and occupied by a number of small businesses, which includes a significant amount of retail activity.
2. This retrospective application, registered on 4th May 2005, proposes the change of use of a 0.120ha area of agricultural land to the east of the current site to a car park. A plan submitted with the application shows the provision of 37 parking spaces.
3. The site is outside the village framework and Conservation Area but in the Cambridge Green Belt.

Planning History

4. Planning consent was granted for the commercial use of the site in 1993 (**Ref: S/0491/93/F**). The layout plan approved as part of that application showed the provision of 50 car parking spaces within the site.

Planning Policy

5. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") restricts development in the countryside unless it can be demonstrated to be essential in a particular location.
6. **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.
7. **Policy GB2** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Car parking is not one of the categories of development listed as being appropriate. This reflects the objectives of Policy P9/2a of the Structure Plan 2003.

8. **Policy EN28** of the Local Plan 2004 seeks to preserve the setting of Listed Buildings. It states that the District Council will resist and refuse applications which would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; would harm the visual relationship between the building and its formal or natural landscape surroundings; or would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.
9. **Policy EN30** of the South Cambridgeshire Local Plan 2004 seeks to ensure that new development preserves or enhances the special character and appearance of Conservation Areas and their setting.
10. Advice contained in **Planning Policy Guidance Note 2 – Green Belts** states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

Consultation

11. **Barton Parish Council** recommends approval but comments: “Concerned that it is a retrospective application. Suggest a condition requiring vegetative screening to mitigate the impact on views from New Road. Request a condition that it is not used for overnight or permanent parking – especially of vans or vehicles larger than cars.”
12. The **Conservation Manager** states that this development has a clear and significant impact on the setting of the listed agricultural group and the open countryside. While it would appear that the parking is necessary to service the business, the current form of the car park is of a rough appearance, which detracts from both the approach to the historic building and is evident across the open countryside. It is suggested that the boundaries of the site need to be properly enclosed by extending the hedgerow around the parking area, to include tree groups. The objective should be to minimise the visual impact of the car parking area by extensive boundary and internal planting. The rows of parking spaces should be divided by new standard (semi-mature) tree planting. The Conservation Manager is of the opinion that the application should not be approved in this form and that the applicant be advised that detailed landscape plans are a minimum requirement if this proposal is to be considered appropriate.

Representations

13. Letters have been received from the occupiers of 19 and 21 Mailes Close, objecting to the application on the following grounds:
14. The description ‘overflow’ implies that the car park will be used only in busy periods. This is not the case; vehicles are parked there on a daily basis, although the car park is most heavily used at weekends and holidays when its impact on the amenities of local residents is greatest. Commercial vehicles are parked there overnight.
15. This development is on ancient meadow land outside the built up area of the village, within the Green Belt. As such it is an unnecessary and unsightly intrusion into the

open countryside. In addition to it being visually unattractive the car park generates noise and in the winter months light pollution from car headlights as it is used after dark.

16. The development, associated as it is with a commercial use, represents the kind of creeping urbanisation, which can only threaten the character of Barton as a small village in a rural location.
17. The development sets a precedent for commercial uses within the Green Belt and open countryside separating Barton from Cambridge
18. There are other locations within this site where the car park could be located where it would be less intrusive as it would be within the built up area of the village and surrounded by buildings.

Applicants' Representations

19. In a letter accompanying the application from the applicant's agent it is pointed out that the application site comprises an area of 0.120ha and is accessed from the approach road to Burwash Manor Barns (from New Road). The surface of the car park, currently laid out as a mix of hogging and gravel, provides an informal and reversible form of development and has been used for overflow purposes for more than four years. The site itself is well screened from the public domain (which includes the public highway) benefiting from the established on-site boundary hedging.
20. It is acknowledged that the site lies within an area of designated Green Belt and that at all tiers of development planning policy the accepted approach to development in the Green Belt is consistently articulated. The objectives of Green Belt policy are clearly understood (firstly, the permittance of 'appropriate' development only, and secondly, the preservation of the rural character and openness of the Green Belt) and based upon this approach it is suggested that the development, in its proposed form, is compliant.
21. GB2 lists criteria in which development is considered appropriate, although the list is arguably 'buildings based' and not directly applicable to land use in which an engineering operation (i.e. the layout of a car park) is still considered development. It goes on to add that development is defined as inappropriate unless it comprises buildings providing essential facilities for outdoor sports and recreation, for cemeteries, or for other uses of land which preserves the openness of the Green Belt and do not conflict with Green Belt purposes. Whilst it is acknowledge that the proposed does not fully comply with the above in the definitional sense, it remains to be a use of land which adequately preserves the openness of the Green Belt, compounded by the fact that any such use will only be in instances where an excess arises over and above the identified parking provision contained within the courtyards. Furthermore the policy in the emerging Local Development Framework suggests that associated uses, such as car parking will be considered against the need to maintain the openness and landscape character. The proposed car park, in terms of size, materials used, function, and the landscape context in which is located, is not considered to be contrary to these policies on the basis that 'openness' will be retained.

Planning Comments – Key Issues

22. The key issue to consider with this application is whether the proposal is 'appropriate development' in the Green Belt and if not whether very special circumstances have been demonstrated to warrant approval of the proposal as a Departure.
23. In my view the construction of a car park in the Green Belt is inappropriate development. The parking of cars and other vehicles is clearly visible from New Road and prejudices the openness of the Green Belt, although suitable landscaping could help to reduce this impact.
24. If the car parking requirements for the existing commercial use of the site are assessed against the maximum car parking standards set out in the Local Plan 2004 a maximum provision of 63 spaces could be justified. The approved layout plan for the site provides for 50 car parking spaces. Having visited the site I accept that it may be difficult to provide the car parking as shown in its entirety in a safe manner, however, there are areas within the site where car parking is indicated on the approved plan but not currently being used for that purpose. In my view an additional area of car parking which is shown as being capable of accommodating 37 cars cannot be justified, as it would result in a total provision above the maximum standards set out in the Local Plan 2004. In addition the applicant has not demonstrated that additional car parking could not be provided elsewhere, on land outside of the Green Belt. No very special circumstances have been demonstrated to justify inappropriate development in the Green Belt.

Recommendation

25. Refuse
 - A. The proposed creation of a car park in the Cambridge Green Belt is inappropriate development by definition and as such is contrary to the provisions of Policies P9/2a of the County Structure Plan 2003 and GB2 of the South Cambridgeshire Local Plan 2004. In addition the creation of a car park in this position would prejudice the openness of the Green Belt. It is the view of the Local Planning Authority that the applicant has not demonstrated that very special circumstances exist to warrant a departure being made from the Development Plan and Planning Policy Guidance 2, "Green Belts" aimed at protecting the integrity and openness of the Green Belt.
 - B. Enforcement Action be instigated to cease the use of the land for the parking of vehicles and to secure the removal of hoggins, gravel or other material which has been deposited on the land. Compliance period 3 months. Subject to a review of all material considerations appertaining at the time, to instigate prosecution proceedings in the event of non-compliance with the Enforcement Notice(s).

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
- S/0881/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/1321/05/F - Grantchester
 Extension (Amended Design) at Chapel House, 39 Broadway
 for J Goddard and E Widdis**

**Recommendation: Delegated Approval
 Determination Date: 30th August 2005**

Members will visit the site on Monday 1st August 2005.

Conservation Area

Site and Proposal

1. The dwelling sits perpendicular to the road within the village framework. An adjacent 'chapel' building is linked to it with a flat roof element. The rear (west elevation) of the property abuts the large garden to No. 43, a large dwelling set well back from the road and accessed to the side of the old chapel.
2. The full planning application, received on 5th July 2005, proposes the extension of the property, chiefly over the existing flat roof element, to provide additional living accommodation. The approach is to use a contemporary design and materials essentially forming a glazed link between the existing dwelling and old chapel building. The application seeks to change the fenestration detail on the west elevation to address privacy concerns in a previous withdrawn application.

Planning History

3. A planning application was submitted on 25th April 2005 and withdrawn on 20th June 2005 to enable negotiations over changes to the fenestration detail on the west elevation to take place (to address privacy concerns).

Planning Policy

4. Policy HG12 of the South Cambridgeshire Local Plan 2004 (the Local Plan) – Extensions to dwellings within frameworks states:

"Planning permission for the extension and alteration of dwellings will not be permitted where:

- (1) The design and use of materials would not be in keeping with local characteristics;
- (2) The proposal would harm seriously the amenities of neighbours through undue loss of light or privacy, being unduly overbearing in terms of its mass, or would adversely affect surrounding properties by virtue of its design, layout, location or materials;

- (3) There would be an unacceptable loss of off-street parking or garden space within the curtilage;
 - (4) There would be an unacceptable visual impact upon the street scene;
 - (5) Boundary treatment would provide an unacceptable standard of privacy and visual amenity”.
5. Policy EN28 of the Local Plan - Development within the Curtilage or Setting of a Listed Building seeks to ensure that development will not damage the setting of Listed Buildings.
 6. Policy EN30 of the Local Plan - Development in Conservation Areas seeks to ensure that proposals preserve or enhance the special character and appearance of Conservation Areas.

Consultation

7. **Grantchester Parish Council**
The Parish Council comments are awaited.
8. **Conservation Manager**
“I had pre application discussions with the applicants and their agent. The existing dwelling comprises two buildings joined by a single storey link of no architectural interest. The scheme proposes to replace this link with a new 2 storey link of contemporary design. The architectural language of the existing buildings are very different from each other, and the decision to use a contemporary architectural form for this link is therefore appropriate though its treatment should be kept very simple to avoid drawing the eye from the original buildings. I would therefore wish to see a condition requiring agreement of large-scale details to ensure the architectural intentions are translated into reality.
9. I am satisfied that the proposals will not impact unduly on the setting of the Conservation Area. It will be important to prevent a first floor from being installed over the kitchen at a future date, since this would result in unacceptable overlooking of the house to the rear (No. 43).
10. No objection to the overall concept and approach. Conditions required on details”.

Representations

11. The report is written early in the consultation period. No comments have been received though the occupiers of No. 43 Broadway objected to the previous application on grounds of overlooking, light pollution, unsympathetic design, loss of light and light reflection and are likely to oppose the current proposal. The comments will be reported verbally. The neighbour consultation period expires on 4th August 2005.

Planning Comments – Key Issues

12. The key issue is the impact of the proposal on the amenities of adjoining neighbours and the character and appearance of the Conservation Area and the setting of the adjacent Grade II Listed Building, No. 35 Broadway, to the south.
13. ***Impact on No. 43***
West elevation

The west elevation of the building is approximately 27m away from the east wall of No. 43 and its south facing patio. The revised proposal has been carefully designed to ensure that no overlooking of the house or garden to No. 43 occurs. A first floor window is to be inserted into the western elevation where there is currently an existing blocked up opening. This window would have to be obscure glazed and fixed. The glazed roof element that links the main part of the dwelling to the old chapel building is to provide light to the ground floor only. A condition to prevent the insertion of an additional internal floor will ensure that no overlooking from this glazing is possible.

14. The only other opening on this west elevation is a bathroom window which the applicants wish to be clear glass. A 'blinker wall' is proposed to restrict views to and from the garden to No. 43. Existing trees will help screen any further views in to and out of this window. Members will be able to judge the impact of this on the site visit.
15. It will be important to use non-reflective glass on the rear glazed element above the kitchen to minimise the amount of glare from the sun as it sets in the west. This can be achieved through a condition requiring the submission of details of glazing materials.
16. North elevation and fire escape
The north elevation lies adjacent to the driveway for No. 43 and is to remain unaltered apart from the insertion of a glazed element to the roof which is intended to provide borrowed light into a bedroom. A new internal staircase is to be inserted linking the ground floor study/library and the first floor bedroom in the chapel building. The window to this staircase is existing and is proposed to provide emergency fire access. This is not possible as the access would be onto land that is not within the ownership or control of the applicants. However, a minor internal alteration could achieve the necessary requirements for Building Regulations. I am therefore satisfied that the proposal can be achieved with regard to fire escape without impacting adversely on the occupiers of No. 43.
17. ***Conservation Area and setting of Listed Building***
The north and south elevations remain largely unaltered apart from some minor door and fenestration alterations. The east elevation is altered only by the new link element which is set back from the front facades of the dwelling and chapel. I am mindful of the Conservation Managers comments and I do not therefore consider that the street scene, Conservation Area or setting of the adjacent Listed Building will be adversely affected.

Recommendation

18. Delegated approval subject to no new material planning issues being raised as a result of consultations and with the following conditions:
 1. **The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which would not have been acted upon.)
 2. **No development shall commence until precise details of the external cladding, at a scale of 1:10, and materials to be used for the external walls, glazing 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 - To ensure that visually the development accords with neighbouring buildings and is not incongruous in accordance with the requirements of Policies HG12, EN28 and EN30 of the South Cambridgeshire Local Plan 2004).

3. **No further windows, doors or openings of any kind shall be inserted in any elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason - To safeguard the privacy of occupiers of the adjoining properties and to protect the setting of the adjacent Listed Building, No. 35 Broadway and the character and appearance of the Grantchester Conservation Area in accordance with the requirements of Policies HG12, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)

4. **The first floor windows in the west elevation of the development, annotated No. 12 and No. 13 on plan reference BR0.0.11A, hereby permitted, shall be fitted and permanently maintained with obscured glass. These windows shall be fixed and incapable of being opened.**

(Reason - To safeguard the privacy of occupiers of the adjoining property No. 43 Broadway in accordance with the requirements of Policy HG12 of the South Cambridgeshire Local Plan 2004.)

5. **No internal first floor shall be inserted above the kitchen as indicated on plan reference BR0.0.09B.**

(Reason – To safeguard the privacy of occupiers of the adjoining property No. 43 Broadway)

6. **The ‘blinker wall’ on the west elevation, shown on drawing no. BR0.0.10A, shall be erected prior to the occupation of the development and thereafter maintained.**

(Reason - To safeguard the privacy of occupiers of the adjoining property No. 43 Broadway in accordance with the requirements of Policy HG12 of the South Cambridgeshire Local Plan 2004.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Plan 2004: HG12** (Extensions to dwellings within frameworks),
 - **EN28** (Development within the curtilage or setting of a Listed Building) and **EN30** (Development in Conservation Areas)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity
 - Visual impact on the locality

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/1321/05/F and S/0836/05/F, South Cambridgeshire Local Plan 2004.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/6297/05/F - Cambourne
Extension Over Garage and Dining Room to Form Annexe at
11 Shearling Drive for Mr and Mrs Goundry**

**Recommendation: Approval
Date for Determination: 4th July 2005**

1. Members will visit this site on 1st August 2005.
2. This item was previously discussed at the 6th July 2005 Development and Conservation Control Committee, whereby members decided to defer the determination of the planning application, pending a site visit by Committee members.
3. There is no further update to the July agenda report (see agenda item 32.)

Recommendation

4. Approve

Recommended Conditions of Consent

1. Standard Condition A - Time limited permission (Reason A).
2. SC5a - details of materials for external walls and roof (Reason ai and aii).
3. SC5 – details of storage area for equipment and materials during the construction of the proposed works.
(Reason - To ensure that the storage of equipment and materials during construction does not obstruct the local highway, in the interests of highway safety).
4. SC21 - No further windows at first floor level in the north-east, north-west and south-east elevations of the development.
(Reason - To protect the privacy of adjoining residents).
5. The extension hereby permitted shall not be used at any time other for purposes ancillary to the residential use of the dwelling known as 11 Shearling Drive.
(Reason - To ensure that the use of the annexe remains linked to the main dwelling in the interests of protecting the residential amenity of adjacent dwellings and preventing a loss of highway safety).
6. SC26: Restriction of Use of Power Operated Machinery during construction.
(Reason - 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)
 - **South Cambridgeshire Local Plan 2004:**
HG12 (Extensions and Alterations to Dwellings within Village Frameworks)
TPI (Planning More Sustainable Travel)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality

Other

It is noted that Condition 2 of planning application S/6102/00/RM requires the permanent space to be reserved for parking and turning on each dwelling to be provided before the occupation of each dwelling and thereafter maintained. As a result, planning permission would be required for the conversion of the garage to an alternative use.

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 Applications Ref: S/6297/05/F, S/6102/00/RM, S/6284/05/F and S/6293/05/LDC

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 6th July 2005
AUTHOR/S: Director of Development Services

**S/6297/05/F - Cambourne
Extension Over Garage and Dining Room to Form Annexe at
11 Shearling Drive for Mr and Mrs Goundry**

**Recommendation: Approval
Date for Determination: 4 July 2005**

Site and Proposal

1. No. 11 Shearling Drive is a two storey detached brick dwelling with integral double garage, situated at the end of a turninghead. The garage and dwelling are linked at single storey level. The dwelling is setback from the streetscene, behind both adjacent dwellings (10 and 12 Shearling Drive). The front elevation of the dwelling faces north-west towards 10 Shearling Drive, with a two storey blank gable and double garage facing the road. The garage is positioned 1.4m from the common property boundary with 10 Shearling Drive. Along this property boundary is a timber fence approximately 2.2m high.
2. The property is surrounded by residential properties on all sides, with the exception of a row of three garages to the south-east of the dwelling. Nearby dwellings 6-10 Shearling Drive are accessed by a semi-circular shared private drive running along the front of these properties, which joins Shearling Drive to the side of No. 5 and 11 Shearling Drive.
3. The full planning application received 20th April 2005 proposes an extension over the double garage and dining room to form a single room annexe with shower room. The proposal involves raising the ridge of the garage and dining room roof from 5m and 4.4m to 5.4m, the insertion of two dormer windows on the north-west elevation facing Shearling Drive and the creation of a box-like windowless projection on the south-east elevation of the roof pitch. The annexe is to be accessed by stairs within the existing dwelling.

Planning History

4. Planning permission was given for the erection of the dwelling as part of a larger residential estate on 8 March 2004 (**Ref: S/6102/00/RM**). Condition 13 of the above planning consent removes the permitted development right to insert additional first floor windows, doors or openings of any kind on the north-west and south-east elevations of the dwelling without the benefit of planning permission. Condition 2 requires the permanent space to be reserved for parking and turning on each dwelling to be provided before the occupation of each dwelling and thereafter maintained.
5. In January 2005 a planning application was submitted for extension over the garage to form self-contained flat and insertion of windows into existing elevations (**Ref: S/6284/05**). This application was withdrawn. The current application represents an alternative design to the previous application.

6. On 10 May 2005, A Certificate of Lawfulness for Proposed Development for Loft Conversion including Addition of 2 Dormer Windows and Insertion of 2 Rooflights in the existing roof was issued (**Ref: S/6293/05/LDC**). This certificate provides legal confirmation that the above works do not require planning permission

Planning Policy

7. **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.
8. **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.
9. **Policy TP1** of the Local Plan states that the Council will seek to ensure that every opportunity is taken to increase accessibility by non-car means by any appropriate measures, including the restriction of car parking to the maximum levels as set out in this plan.

Consultation

10. **Cambourne Parish Council** - Recommendation of Refusal for the following reasons:
 - "The overlooking of adjoining properties.
 - Overdevelopment of the property
 - Potential highway and traffic problems due to additional accommodation.
 - The application is not consistent with the development plan as it affects the number and size mix of houses.
 - The proposed development has an un-neighbourly affect on adjoining properties."

Representations

11. Letters of objection to the application have been received from the occupants of 7, 9, 10, 12 and 15 Shearling Drive and 1 Arbour Close. In addition an 'Impact Assessment Report' has been written on this application by the occupants of 9 Shearling Drive and signed by residents of 9, 10 and 11 Shearling Drive.
12. Grounds of objection raised in the above documents are summarised as follows:
 - Proposal will result in the loss of residential amenity for surrounding dwellings
 - Proposal contrary to criteria 2 and 3 of Policy HG12 of the Local Plan; the extension over the garage would result in a loss of sunlight and overshadowing to the rear garden of 10 Shearling Drive.
 - The extension over the garage would be overbearing on the property at 10 Shearling Drive.

- Proposal would lead to overlooking of garden of 9, 10 and 12 Shearling Drive and the patio area to rear of 12 Shearling Drive.
- Proposed dormer windows in roof above garage and dining room will look into rear windows (bedroom, landing and kitchen windows) at 12 Shearling Drive.
- Proposal contrary to Human Rights Act and European Convention of Human Rights, in relation to adjacent residents rights of privacy.
- Proposed extension and creation of annexe will lead to increased noise and disturbance to neighbours, in addition to materially alter the nature of the property.
- Proposal could set a precedent for other extensions and lead to a loss of medium-sized dwellings in the area.
- Proposal results in overdevelopment of the site.
- Construction of the extension will cause noise and disturbance to adjacent properties.
- The design of the extension over the garage and dining room would make the dwelling “more imposing on the streetscene and it would look too top heavy to the eye”; the design is over-complicated and “does not offer a streamlined or symmetrical appearance”.
- The extension “shows the construction on the back of the garage roof which does not resemble any type of Bovis construction which would be in keeping with the original concept of the streetscene”.
- The proposed extension in conjunction with the loft conversion permitted under permitted development rights will increase the number of bedrooms in the dwelling from 4 to 6, leading to an increased need for car parking.
- Due to high car ownership at the property, the property is already unable to provide sufficient on-site car parking, particularly as the existing garage is used for storage and not parking.
- Shearling Road due to its narrow width and cul-de-sac nature is not suitable for on-street car parking and compound existing parking problems in the vicinity.
- The proposal would lead to increased overspill car parking at the end of the cul-de-sac to the side of 11 Shearling Drive, which will result in a loss of highway safety and safety of pedestrians and children on/near road, in addition to impeding the ability of vehicles to turn within the cul-de-sac and restricting access for refuse/emergency vehicles, access to the private drive used by the occupants of 6-10 Shearling Drive and access to Arbour Close. This situation is compounded by on-street car parking at the junction of Shearling Drive and Arbour Close.
- There is insufficient room on the site to provide adequate car parking for construction related vehicles and the storage of constructed related materials.
- The increase in number of bedrooms and creation of annexe could lead to the renting out of rooms/annexe to students and other non-family members.

13. In addition, representations raised the following points which I am of the view are not material planning considerations in the assessment of the application:
- Application is intended to “merely increase the value of the applicants own property”.
 - Proposal could increase number of children playing on nearby grassed area to the front of 6-10 Shearling Drive.
 - Proposal would result in a loss of property value.
 - Applicant intending to change address in the short to medium-term.
 - Objections to the Certificate of Lawfulness for Proposed Use granted on the site.
 - No objection has been received from the occupants of 8 Shearling Drive, as the property is currently vacant.
 - The proposal does nothing to enhance the locality.
 - Extension blocks view from bedroom window of 12 Shearling Drive.
 - Consultation of application should have been extended to Arbour Close.
14. It is noted that whilst no letter of objection was received from the residents of 16 and 18 Apley Way to the current application, they did object to the previous planning application S/6284/05/F.

Planning Comments - Key Issues

15. The key issues for consideration in this assessment of this application are impacts on the residential amenity of adjacent properties and highway safety, and whether the proposal has an unacceptable visual appearance on the streetscene.

Impacts on Residential Amenity

16. One of the dormer windows on the north-west elevation serves a shower room, with the other dormer window serving a bedroom. This latter dormer window faces the length of the drive on 11 Shearling Drive and principally looks down the length of Shearling Drive between 10 and 12 Shearling Drive. The dormer window serving a habitable room is setback 5.4m from the common property boundary with 10 Shearling Drive and the orientation and position of these two dwellings, is that views over the rear elevation of 10 Shearling Drive are very oblique. There are no views over the rear elevation of this dwelling from either dormer window within a 45 degree angle of the centrepoint of each window.
17. Views from the dormer window serving the shower room over the rear garden of 12 Shearling Drive are largely obscured by the projecting two storey gable on the north-west elevation, with this gable partially obscuring views from the other dormer window. The dormer window serving the habitable room is positioned approximately 8.8m from the property boundary with 12 Shearling Drive and 15.4m from the rear elevation of the dwelling itself. I am of the view that views over 12 Shearling Drive from both dormer windows are oblique and do not justify the refusal of the application on the grounds of undue loss of privacy for this dwelling. It is noted that windows above ground floor level in 10 and 13 have existing oblique views over this property.

18. The proposed extension does not include any windows on the south-east elevation and hence preserves the privacy of the dwelling to the rear, 9 Woolthwaite Lane.
19. Whilst the height of the garage and dining room roof has been raised by 0.4m and 1m respectively to 5.4m, the garage roof remains hipped away from 10 Shearling Drive. It is noted that ridge height of the existing garage is 5m at 3.7m from the common property boundary, with the proposed roof having a ridge height of 5.4m at 4.5m from the property boundary. The box-like roof projection on the south-east elevation is setback 6.7m from the property boundary with 10 Shearling Drive and is of modest depth and size. I am of the view that the proposed extension is not overbearing to adjacent properties.
20. In the above assessment of the impacts of the proposed extension on the residential amenities of adjacent properties, regard has been given to the provisions of the Human Rights Act 1998 and the European Convention of Human Rights.

Impact on Highway Safety

21. The proposal does not result in a loss of on-site car parking and I am satisfied that adequate car parking space will remain on the site for four vehicles (including the use of the double garage), in excess of the Council's maximum standard of car parking provision of two vehicles for a dwelling with three or more bedrooms in poorly accessible areas.
22. I am of the view that the proposed extension will not generate a level of traffic that would result in a loss of highway safety for residents of Shearling Drive and Arbour Close.
23. The obstruction of the public highway by parked vehicles is dealt with under separate legislation. The planning application process for an extension to a dwelling is not able to be used to address existing parking problems in an area.

Visual Impact on the Streetscene

24. I am of the view that the extension has an acceptable visual impact on the streetscene when viewed from Shearling Drive and Woolthwaite Lane. Whilst the proposed extension alters the original design for this section of Cambourne, this by itself, is not reason to refuse the proposed extension. The unusual box-like projection on the south-east elevation faces a garage block at the rear and is setback approximately 14m from Woolthwaite Lane. The absence of a window in this elevation is intended to preserve the privacy of 9 Woolthwaite Lane.

Recommendation

25. Approve

Recommended Conditions of Consent

1. Standard Condition A - Time limited permission (Reason A).
2. SC5a - details of materials for external walls and roof (Reason ai and aii).

3. SC21 - No further windows at first floor level in the north-east, north-west and south-east elevations of the development.
(Reason - To protect the privacy of adjoining residents).
4. The extension hereby permitted shall not be used at any time other for purposes ancillary to the residential use of the dwelling known as 11 Shearling Drive.
(Reason - To ensure that the use of the annexe remains linked to the main dwelling in the interests of protecting the residential amenity of adjacent dwellings and preventing a loss of highway safety).
5. SC26: Restriction of Use of Power Operated Machinery during construction.
(Reason - RC26).

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004: HG12** (Extensions and Alterations to Dwellings within Village Frameworks) **TPI** (Planning More Sustainable Travel)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality

Other

It is noted that Condition 2 of planning application S/6102/00/RM requires the permanent space to be reserved for parking and turning on each dwelling to be provided before the occupation of each dwelling and thereafter maintained. As a result, planning permission would be required for the conversion of the garage to an alternative use.

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 Applications Ref: S/6297/05/F, S/6102/00/RM, S/6284/05/F and S/6293/05/LDC

Contact Officer: Allison Tindale - Planning Assistant
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1239/05/F - Caldecote
Erection of Building and Use of Land as a Cattery at The Shieling, Highfields Road, Highfields for Mr M Rush

Recommendation: Refusal
Date for determination: 18th August 2005

Members will visit the site on Monday 1st August.

Site and Proposal

1. The application relates to land located in the open countryside to the north west of the Highfields area of Caldecote. The site is a grazing field adjacent to the applicant's house which is not screened on its boundaries. Access to the site is via an unmade single-width track between Highfields Road and the A428 St Neots Road. This is also Public Right of Way 38/1 (Caldecote).
2. The full planning application, received 23rd June 2005, proposes the erection of a single-storey building for use as a cattery. Dimensions 18.5m x 12.1m x 3.2m height. The proposed external materials are black stained shiplap boarding and green uPVC profiled sheeting roof. The plan shows 20 'cabins' with runs for the cats. The applicant's wife would operate the cattery herself, as the sole employee.
3. Car parking adjacent to the house is proposed. The applicant estimates that the use will generate 1 traffic movement a day. The plan indicates that traffic would be encouraged to access the site from the south via Highfields Road.

Planning History

4. S/0034/04/F Erection of cattery: refused under delegated powers 10th Nov 2004
 S/0033/04/F Erection of replacement outbuilding: approved under delegated powers 2nd November 2004
 S/0313/03/F Erection of replacement dwelling and garage: approved 8th April 2003
 S/1270/01/F Erection of replacement dwelling and garage: approved 6th September 2001

Planning Policy

5. Cambridgeshire and Peterborough Structure Plan 2003
P1/2 (Environmental Restrictions on Development)- development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
Policy P2/6 (Rural Economy) – sensitive small-scale development in rural areas will be facilitated where it contributes, *inter alia*, to supporting new and existing businesses; to farm or rural diversification where appropriate to the rural area; to the re-use of existing buildings; towards helping to maintain or renew the vitality of rural areas.

P8/1 (Sustainable Transport – Links between Land Use and Transport) – LPA's should ensure that new development provides appropriate access from the highway network that does not compromise safety.

6. South Cambridgeshire Local Plan 2004
EM10 (Conversion of Rural Buildings and Future Extensions) – outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use subject to a number of provisions.

Consultations

7. **Caldecote Parish Council** – refusal on the grounds that there will inevitably be an increase in traffic movements onto a busy and fast section of an A classification road (A428). If approved, a condition should be imposed that there is no right turn across traffic. A legal agreement should be secured for maintaining the road/public right of way (Path 1 Caldecote) and a flood risk assessment should be provided.
8. **County Highway Authority** – to be reported verbally. In response to S/0034/04/F, the HA was not satisfied that vehicles could be prevented from accessing the site direct from the A428. The HA was not in favour of the access road being gated due to the public footpath running along. The use of bollards should be investigated. Improvements to the Highfields junction should be put forward. If vehicles cannot be prevented from accessing the property direct from the A428, the application should be refused on highway grounds.
9. **County Council Footpaths Section** - to be reported verbally
10. **Environment Agency** – Highfields Caldecote has a history of poor drainage and the proposed use of soakaways is unlikely to be satisfactory. Recommends conditions requiring details of foul and surface water drainage to be submitted.
11. **Council's Environmental Health Officer** – no objection.

Representations

12. Letters of strong objection have been received from the occupiers of an adjacent dwelling. The concerns are:
- a) Need – there is already a cattery and kennels in the village; no need for another;
 - b) Unsuitable commercial use in a rural area;
 - c) The private track serves only four other dwellings. It is liable to be used as a short cut between Highfields Road and the A428, so as to avoid the Highfields Caldecote roundabout on the A428. The development of a cattery served from this track will increase awareness of this potential short-cut, bringing unwelcome traffic into the area;
 - d) Access to the cattery, if allowed, should be limited to the north end of the track, as this would involve least disruption to existing residents. The track should be sign-posted to indicate a private road – access only – at both ends. An electronically operated gate on across the track close to The Shieling' entrance would also minimise the disruption to residents from visiting traffic.
 - e) It is unlikely that a commercially viable cattery with 20 cabins would generate only one car per working day.

Representations from the Agent

13. The applicant has investigated the location of other catteries and has found the majority to be in rural or edge of village locations. "It is obvious that the construction of catteries within built-up areas is not practical or economic".
14. The applicant is willing to accept a condition linking the operation of the cattery to the occupation of the applicant's dwelling.
15. The applicant has a right of way for any purpose along the full length of the private road.
16. Vehicle movements from catteries are different from kennels. Most cat owners will make their own arrangements for short periods of absences, and consequently will seek to board their cat at a cattery generally for longer periods. There are therefore far fewer traffic movements than kennels would attract.
17. The applicant is willing to instruct clients to access the site from Highfields Road only, and to place appropriate signage. The applicant is also willing to make improvements to the access track, but not to place gates or bollards on the section close to the A428 as this would require the consent of other owners and may obstruct the public right of way.
18. The concerns of the Highway Authority are noted but the applicant cannot prevent the track from being used as a 'rat-run'. It is hoped that the above measures will be adequate to cater for one vehicle visit a day. The agent understands that, with the proposed construction of the new A428, this section of the track will be downgraded for local/access use only.
19. This application has been referred to the Development and Conservation Control Committee at the request of Council R Martlew.

Planning Comments – Key Issues

Countryside

20. The proposal is for a new building in the countryside, which has no connection to agriculture. The case put forward in support of the application indicates that the siting adjacent to the applicant's dwelling would be convenient and economic, but the test set out in policy P1/2 is that it should be essential for the development to be in the countryside. The proposal does not relate to the conversion of any appropriate existing building (when policy EM10 would apply), and it is not in a sustainable location. As submitted, the proposal represents the sporadic proliferation of building in the countryside which, if repeated, would quickly erode the rural character and appearance of the area.

Vehicular Access

21. The applicant has not been able to devise a means to prevent access to the site from the A428. The Highway Authority has indicated that, as such, the proposal will be likely to result in highway dangers, notwithstanding the claimed low level of traffic that would be generated. The comments of the County Council Footpath's Section is awaited. The applicants do not own this road, and it is a public right of way.

Recommendation

22. Subject to the comments of Caldecote Parish Council, the County Council Footpaths Section and the Local Highway Authority, refusal for the following reasons:
1. The site lies in the rural area beyond the village framework boundary of Highfields, Caldecote as shown in Inset Plan No.12 of the South Cambridgeshire Local Plan 2004. The Local Planning Authority is not satisfied that sufficient evidence has been put forward of an essential need for the proposed cattery to be sited in the rural area. The proposal represents sporadic development in the rural area which, if implemented, would cause harm to the visual amenity of the rural area, and would be contrary to the intentions of the Cambridgeshire and Peterborough Structure Plan 2003, particularly at Policy P1/2, and the South Cambridgeshire Local Plan 2004, particularly at Policy EM10.
 2. Access to the site is via an unmade single-width track that joins to the A428 St Neots Road. Dangers would be caused because of the increased use of this junction by traffic visiting and leaving the site as a result of the proposed development. The proposal would not comply with Cambridgeshire and Peterborough Structure Plan 2003 policy P8/1 (Sustainable Transport – Links between Land Use and Transport).

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/1239/05/F

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

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/2497/04/O - Kingston
 Agricultural Dwelling at Kingston Pastures Farm for Mr S Parrish**

**Recommendation: Refusal
 Date for determination: 3rd February 2005**

Site and Proposal

1. The 0.1 hectare application site relates to land adjacent to the applicant's farm buildings in the countryside between Kingston and Wimpole Hall, at a short distance to the east of the A1198 Ermine Street. The site is set some distance back from the road, and is accessed through the farmyard. There is a farm pond to the north of the site. Kingston Pastures Farmhouse, a dwelling that stands forward of the site fronting Old Wimpole Road, does not form part of the farm holding. This is a Grade II listed building.
2. The proposal, received 9th December 2004, is for outline permission to erect a farm owner/ manager's dwelling. No details of the siting or appearance of the dwelling have been submitted. The proposed means of access is to an existing access onto Old Wimpole Road, thence through the farmyard. The case put forward in support of the application is set out below. All matters are reserved for further consideration.

Planning History

3. **S/1779/04/F** - extension and conversion of barn to form agricultural dwelling - withdrawn 15th October 2004 following concerns expressed by the occupiers of Kingston Pastures House and the Council's Conservation Manager.
4. The former owners of the farm sold off all three dwellings from the holding. In two cases, the buildings pre-dated 1948 and so were not restricted by planning permission to an agricultural occupancy. In the third case, at The Pastures, Old Wimpole Road, the occupancy condition was lifted after being unsuccessfully marketed for a period of twelve months (**S/0541/97/F**).

Planning Policy

5. **Planning Policy Statement 7: Sustainable Development in Rural Areas (2004)** states:

"One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs

of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

- (a) New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
 - (i) There is a clearly established existing functional need;
 - (ii) The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
 - (iii) The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
 - (iv) The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
 - (v) Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

- (b) A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:
 - (i) In case animals or agricultural processes require essential care at short notice;
 - (ii) To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings, or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need.

- (c) The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one. Requirements arising from food processing, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of isolated new dwellings as retirement homes for farmers.

- (d) If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

- (e) New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A *financial test* is

necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. In applying this test, authorities should take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.

- (f) Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.
 - (g) Local planning authorities may wish to consider making planning permissions subject to conditions removing some of the permitted development rights under part 1 of the Town and Country Planning (General Permitted Development) Order 1995 for development within the curtilage of a dwelling house. For example, proposed extensions could result in a dwelling whose size exceeded what could be justified by the functional requirement, and affect the continued viability of maintaining the property for its intended use, given the income that the agricultural unit can sustain.
 - (h) Agricultural dwellings should be sited so as to meet the identified functional need and to be well-related to existing farm buildings, or other dwellings”.
6. **Policy P1/2** of the Structure Plan (2003) restricts new development in the countryside unless an essential case can be demonstrated.
7. **Policy HG16** of the Local Plan (2004) states:- “In the countryside (i.e. outside village frameworks defined in this Plan), new dwellings complying with (the former) Structure Plan 1995 **Policy SP12/1** will only be permitted on well-established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation. Where a new dwelling is permitted, this will be subject to a condition ensuring the occupation will be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry or a widow or widower of such a person, and to any resident dependents.”
8. **EN28** (Development within the Curtilage or Setting of a Listed Building) - where development would damage the setting, well-being or attractiveness of a listed building, planning permission will be refused.

Consultations

9. **Kingston Parish Council:** objects to the proposal:
- “ 1. The proposed dwelling is outside the village envelope.
2. There is no evidence to support the necessity for a dwelling at the farm in order to operate the farm.

3. It is not clear why the existing dwelling is not available for use by the farmer. If this dwelling is no longer in agricultural use, the Parish Council wishes to know if the proper process was followed to achieve non-agricultural status.
4. The site for the proposed new dwelling is awkwardly sited behind the existing dwelling and in close proximity to it, and has poor access to the road."

10. **Senior Farms Manager, Cambridgeshire County Council ('SFM')**

The SFM has considered the evidence put forward with the application, and has spoken with the applicant. He has drawn attention to the specific requirements of Annex A of PPS 7 (as indicated in italics above). Initially he was unconvinced that the full functional need test has been met. The principal need arises from the rearing of game birds, which he assesses as being only "at times", this being during the rearing season from March-September. At other times the functional need is significantly reduced. In his opinion, this did not demonstrate that a worker is required to be on hand "at most times" (PPS7.A). Having received further evidence on this aspect, he has commented that he does not believe that the applicant has unequivocally demonstrated the functional need on agricultural grounds to live nearby. He would though, on balance (and only just) be prepared to suggest that he may be given the benefit of the doubt.

11. The SFM has considered accounts for years ending 31st July 2001-2004, based on ADAS methodology. Again, he does not consider that the financial test has been conclusively satisfied. With regard to the financial future of the enterprise, the SFN draws attention to the measures of Solvency Ratio (the ratio of assets to liabilities) and the Percentage Equity (the owner's stake in the business as a percentage of total assets), which are indicators of the business being likely to survive in the medium to long term. His findings are that these are lower level than necessary and indicate a slim safety margin. In 2002 and 2004 the profits were below the minimum agricultural wage. In 2003 a loss was made and in 2001 a more substantial profit. The SFN notes that the applicant's own accountant considers that "the business is currently financially sound and there is no reason at this stage to believe that it should not remain so". This is less committed than having "*a clear prospect of remaining so*" (PPS7.A para (iii) above), which he considers to be a matter of concern. The SFN would be willing to assess the accounts for the year ending 31st July 2005, when prepared.
12. New permanent dwellings should only be allowed to support "existing agricultural activities on well established units" (PPS7 Appendix A). Future plans to raise ducks and geese do not qualify as grounds for a functional need.
13. Protection of livestock from theft or injury is not in itself sufficient justification for a new dwelling (PPS7 Appendix A).
14. Four years is a comparatively short time for an enterprise to become "a well established agricultural unit" (PPS7 Appendix A).
15. The SFN would support the provision of a temporary agricultural dwelling to allow time for the business to be built up so that it could meet both functional and financial tests.
16. Copies of the SFM's reports are **attached**.
17. **Council's Conservation Manager:** Concerned about the impact of the dwelling on the setting of Kingston Pastures Farmhouse, an 18th century farmhouse which commands a prominent position in the countryside. He recommends refusal of the

application as not complying with Policy EN28. If Members wished to grant planning permission, the dwelling should be limited to single-storey height only, constructed of traditional materials and in the form of an agricultural outbuilding, not a barn.

18. **Council's Ecology Officer:** No objection provided that any new dwelling is sited at least five metres from the nearby pond.
19. **Council's Chief Environmental Health Officer:** Recommends conditions to be attached in the event of planning permission being granted, to protect adjoining residents from undue noise disturbance during the construction period.
20. **Environment Agency:** The site lies within an area of environmental concern. The EA recommends conditions to be attached to any planning permission granted to require submission of details of surface and foul water drainage.

Representations

21. **Applicant's Agent:** The supporting information with the application indicates that the applicant farms 53 hectares of land in cereal, and that he rears 15,000 game birds March - August. He keeps 600 partridges all year as laying birds in one of the buildings at the farm. He also carries out contract work for other farms, amounting to 1,670 hectares, including combining and grain carting. He has run the business since 2000. The business employs 2 persons full-time and 4 persons part-time. None is accommodated on the farm. The 2 F/T persons, which include the applicant, live five miles from the farm at Bourn, where the farm office is also located. When the farm was run by the applicant's father and uncle there were three dwellings available, but these were sold off in 1970 (approximately), 1994 and 1998. There is now no dwelling on the farm.
22. A dwelling is needed for the owner, so as to provide security for the game birds and agricultural premises and equipment, and for the cost-effective running of the business. Incidents of trespass and theft have occurred and have been reported to the police. The applicant has expanded the game bird and contracting sides of the business, but future expansion is hampered because the applicant does not live on the site. The applicant must arrive at the farm in the early hours of the morning and bed down the birds late in the evening. The inconvenience of travelling to the farm is having an adverse effect on the applicant's health.
23. The accounts show a profit for three of the four years that have been analysed. The agent considers that this shows that the business is capable of supporting at least one person full-time.
24. The applicant originally applied to convert existing buildings at the farm, but this was discouraged by the Council's Conservation Manager on the grounds of the effect on the setting of the adjoining listed house. A search for other accommodation in the vicinity has revealed that no property is available that would be suitable for the applicant and his family, and the needs of the holding.
25. The applicant's accountant has indicated that the labour paid out by the business plus the profit in respect of the year ended 31 July 2004 amounted to £43,333. In his view this sum would support at least one full-time agricultural worker, so meeting the financial test. Over the four years, the average annual sum paid out to labour by the business was £18,820.
26. The agent has disputed that it would be reasonable to allow the applicant to live on the site in a mobile home in order to give the business more time to grow. In his view,

the functional need for the dwelling over 7 months of the year, let alone the need for security and the keeping of retained birds over 12 months, does justify the provision of a permanent dwelling outright.

27. Copies of the agent's and accountant's submissions are **attached**.
28. Councillor Martlew requested that this application be referred to Committee.

Planning Comments - Key Issues

Functional Need

29. PPS7 Appendix A advises that the applicant's evidence should show that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. In the case of game birds, this need is clear for the rearing period (March - September). The case for year-round occupation relies upon the tending to retained partridges and the provision of security for farm equipment in response to reported thefts this year. The SFM is not persuaded that this evidence is unequivocal. He states that "he would though, on balance (and only just) be prepared to suggest that he may be given the benefit of the doubt". Policy HG16 requires a "clear existing functional need relating to a full-time worker" to be shown. Despite there now being no dwelling on the holding, I am not convinced, based on the evidence provided, and on the evidence of the SFM, that a clear and unequivocal case of a functional need has been made.

Financial Need

30. Advice in PPS7 Appendix A is that the Local Planning Authority should be satisfied that "the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so". Accounts for four years have been submitted, showing a profit for three of these years. The SFM is not persuaded that the return to unpaid labour to date is sufficient to meet the minimum agricultural wage for a full-time worker. He has doubts about the future viability of the enterprise, and he has not received a sufficiently complete assurance from the applicant's accountant about the future prospects of the business. The applicant has declined to provide either accounts for the current year ending 31 July, or a forward budget for the next 2-3 years as requested by the SFM, because four years' accounts have already been provided. Based on this advice, the requirements of the financial test have not been fully met, as required.
31. Both functional and financial tests need to be satisfied in order to justify an agricultural dwelling.

Siting and access

32. The position of the plot to the rear of Kingston Pastures Farm is a concern as it may affect the setting of the listed building. Further discussions are taking place with the agent to investigate alternative siting, however I consider that minimal harm would be caused if any new building were to be limited to single-storey height and designed as suggested by the Conservation Manager. The existing access onto Old Wimpole Road is adequate to take the additional traffic generated by the proposed dwelling.

Recommendation

33. Refusal

1. The proposal is contrary to Policies P1/2 of the Cambridgeshire and Peterborough Structure Plan (2003) and HG16 of the South Cambridgeshire Local Plan (2004) in that a clear, existing functional need has not been put forward to justify an agricultural dwelling on this farm holding.
2. Insufficient evidence has been put forward to meet fully the functional and financial requirements of Planning Policy Statement 7 (Sustainable Development in Rural Areas) to demonstrate that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times, and that the unit and the agricultural activity concerned are currently financially sound, and have a clear prospect of remaining so.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Policy Statement 7: Sustainable Development in Rural Areas (2004)
- Planning file Ref. S/2497/04/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/0568/05/F - Cottenham**Conversion of Workshop into Bungalow, Engineering Workshop, r/o Clements
Hardware Store, 136 High Street for J Clements**

Recommendation: Refusal
Date for determination: 18th May 2005

Conservation Area**Site and Proposal**

1. 136 High Street consists of a single storey hardware shop set back behind a shallow forecourt, behind which is a single storey brick/tile engineering workshop. Access to the side leads to a small parking/turning area. To the rear, side/north-east and opposite are houses, to the side/south-west is the former Labour Hall, used as a child nursery.
2. The full application, received 23rd March, proposes the change of use of the workshop to a 3-bed bungalow. The building has a floor area of 129.35m². A single car-parking space would be provided, together with turning space, and a small courtyard garden.

History

3. In 1988 consent was granted for the current workshop building which replaced some old sheds on site used for the same use.
4. At the June 2002 committee, item 12, consent was granted for a detached house and garage to replace the shop; the consent has not yet been implemented.

Planning Policy

5. Structure Plan: **P7/6** Historic Built Environment seeks to protect the character of Conservation Areas.
6. Local Plan: **EM8** - Loss of employment sites in the villages. Unless the commercial premises are generating environmental problems, ie noise, pollution or traffic, consent for change of use and/or redevelopment will resisted. Consent will only be granted where such problems exist or market demand, through 12 months advertising, has shown that there is no demand for such a use/building.
7. **EN30** requires new development to preserve and/or enhance the Conservation Area.

Consultations

8. **Cottenham Parish Council** “approves the application in principle with the proviso that it is regrettable to see the loss of a local business.”
9. **The Chief Environmental Health Officer** has no objections subject to a condition restricting machinery hours during construction/alterations.

Representations

10. The Cottenham Village Design Group does not support the proposal, referring to “the importance of retaining and developing Cottenham’s character as a working village offering a variety of employment.”

Planning Comments

11. There are two issues to be considered, both relating to Policy EM8 of the Local Plan, and are “is the use causing environmental problems” and “has the property been marketed?”
12. The answer to both is “No”.
13. Whilst not disputing the fact that the workshop would conveniently convert into a bungalow, the present use, light engineering, does not cause any problems to near neighbours. No marketing has been carried out to sell the premises.
14. Although Cottenham Parish Council “approves” the application, it is clear from its comments that it regrets the loss of an employment site, a view also supported by the Cottenham Village Design Group.

Recommendation

15. Refusal for the following reasons:
 1. The proposed change of use is contrary to Policy EM8 of the South Cambridgeshire Local Plan 2004 which only supports the redevelopment or reuse of existing employment sites if they are generating environmental problems such as noise, pollution or traffic or, alternatively, if it has been demonstrated via a 12 month marketing campaign that there is a lack of demand for such a site.

There is no evidence the use causes no environmental problems; nor has it been marketed.

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

- County Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning files Ref. S/0568/05/F and S/2157/01/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/0923/05/F - Cottenham
 Siting of Mobile Home (Retrospective Application)
 at Lockspit Hall Farm, Lockspit Hall Drove, Smithy Fen
 for R.T. & P.T. Smith**

**Recommendation: Refusal
 Date for Determination: 6th July 2005**

Site and Proposal

1. Lockspit Hall Farm (incorrectly shown as Plough Farm on OS maps) forms part of an agricultural small holding totalling 43 hectares, of which 14.97 hectares are owned and 28 hectares are rented on an informal agreement. The area of land on which the mobile home is sited totals 4.068 hectares. There are two farm buildings and 9 stables on this parcel of land.
2. This full planning application seeks permission to permanently site and retain a residential park home on the site. The mobile home has already been sited at Lockspit Hall Farm for several months and replaced a previous mobile home which existed on the site for a number of years.

Planning History

3. In 1990 outline planning permission was sought by the applicant for an agricultural dwelling (ref. **S/1479/90/O**). This was refused on grounds that the site is in the countryside and that insufficient justification had been made on agricultural grounds to justify a departure from policy. A Planning Inspector upheld this decision and dismissed the appeal, finding that a dwelling in this location would be 'conspicuous isolated intrusion in the flat open landscape' and that the agricultural justification for a dwelling was not 'sufficiently compelling'.
4. In 1992 two further outline planning applications for an agricultural dwelling on the site were made. **S/0167/92/O** was refused on grounds of visual intrusion and lack of agricultural justification. **S/1774/92/O** was additionally refused as being premature in advance of the development of farm buildings.
5. Planning permission was granted under reference. **S/0241/93/F** for a mobile home on the site. This temporary planning permission expired on 30th June 1996.

Planning Policy

6. **Policy HG16 (Agricultural dwellings)** of the South Cambridgeshire Local Plan (Local Plan) permits permanent agricultural dwellings in the countryside only on well established agricultural units where it has been demonstrated that there is 'a clear, existing functional need relating to a full-time worker, and that suitable existing

buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation’.

7. **Policy HG18 (Temporary permission for mobile homes to support new agricultural units)** of the Local Plan permits the provision of temporary accommodation such as a caravan where it is essential to support a new or recently created farming enterprise. Certain criteria must be met including a) clear evidence of a firm intention and ability to develop the enterprise b) functional need c) clear evidence that the proposed enterprise has been planned on a sound financial basis and d) the functional need could not be fulfilled by another dwelling on the unit or in the area which is suitable and available for occupation.
8. **Policy EN1 (Landscape Character Areas)** of the Local Plan identifies areas of particular landscape character. Development that would have an adverse impact on the character and local distinctiveness of these areas will not be granted planning permission.
9. **Policy P1/2 (Environmental Restrictions on Development)** of the Cambridgeshire and Peterborough Structure Plan 2003 (Structure Plan) restricts development in the countryside to that which ‘can be demonstrated to be essential in a particular rural location’.
10. **Policy P7/4 (Landscape)** of the Structure Plan requires development to be sensitive to the local environment and contribute to the sense of place, identity and diversity of the district landscape character area.
11. **Planning Policy Statement 7 (Sustainable Development in Rural Areas) (PPS7)** sets out the Government's planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions. Annexe A of that document sets out the relevant considerations to be made in assessing planning applications for agricultural dwellings.

Consultations

12. **Cottenham Parish Council** recommends approval of the application, commenting that it supports the continuation of the temporary planning permission.
13. **Old West Internal Drainage Board** has no comment from a drainage point of view.
14. The **Chief Environmental Health Officer** concludes that there are no significant environmental health impacts but suggests an informative drawing the applicant's attention to the need to have a Site Licence under the Caravans and Control of Development Act 1960.
15. The **Environment Agency** does not consider foul water drainage to have been sufficiently addressed within the application. If approved it recommends a condition requiring a scheme for the provision and implementation of foul water drainage be submitted and agreed in writing.
16. **Agricultural consultants** have provided a statement on the application for the Council, in order to make an assessment of it in relation to PPS7. Their report is attached at Appendix A. They conclude that the applicant does not conclusively satisfy the criteria in Annexe A of PPS7 in terms of a full time requirement to be

resident on site and that the scale and nature of this business does not justify a mobile home on site when assessed against national policy.

17. The comments of the **Landscape Design Officer** will be reported verbally at Committee.

Representations

18. Cottenham Village Design Group opposes any new development in the countryside that is likely to disrupt the locally distinctive open character of the landscape. It recognises that where there is a very strong need in relation to agriculture it is reasonable to permit limited development. Such development should be of a good design using locally appropriate materials. It does not consider that a mobile home is likely to achieve this. Should permanent permission be granted in this location it would prefer to see support given to a well designed traditional single storey dwelling.
19. Smithy Fen Residents Association has written in support of the planning application. A petition of its members is included with its letter and has twenty signatures on it. It states:

PPS7, we believe, is the essential document and with regard to same we would ask you to accept that:

- There is no damage visual or physical to the countryside from this application.
- The business conducted from the premises is part of the commercial infrastructure of Smithy Fen and, as indicated to your offices before and as a consequence of events of the past two years, continued investment here is vital to confidence and socio-economic future of the area.
- No purpose can be served by rejecting the planning application and consigning the Smiths to an uncertain future whereas the local community will continue to draw immense benefit from the respect of their presence brings.

We appreciate that planning regulations must be met and, being as the Smiths have enjoyed uninterrupted, peaceful, enjoyment of their home on this Fen these past twelve years, it seems reasonable to assume that such is already the case.

20. One letter of support has also been received from two of the signatories of the above petition reiterating the contents of the Smithy Fen Association's letter.

Planning Comments – Key Issues

21. The key issue in considering this application is whether there is an essential agricultural need, and whether the financial and functional tests set out in PPS7 have been met. Other matters raised include impact upon the local landscape and the personal circumstances of the applicant and his family.

Criteria for agricultural workers dwellings

22. The key consideration in determining this application is whether a new dwelling on site is essential to support the agricultural unit. The advice of the Council's agricultural consultants has been sought in order to ascertain whether these criteria have been met.

23. While the applicant has demonstrated that he is employed full-time in agriculture there is not a firm intention to develop the enterprise further than at present. The agricultural unit, while it has been in operation for a number of years, does not operate at a level, which equates to a requirement for a full-time worker on site.
24. The applicant also has not demonstrated that existing accommodation in the area is not suitable or available for occupation.
25. The applicant has therefore failed to meet the criteria under which a permanent, or indeed temporary agricultural workers dwelling would be permitted and therefore, a dwelling on site is not considered to be essential to support this farming enterprise. In light of this conclusion, a clear agricultural need does not exist.

Landscape

26. The mobile home is prominent within the flat, open landscape of the Fen. It is not screened, other than by the farm buildings, and as such is an inappropriate feature within the landscape. The permanent siting of a mobile home would be detrimental to the character and appearance of the area.

Personal circumstances

27. While there is clearly some sympathy for the applicants and the family's position, the personal circumstances of the applicant are not a material planning consideration.

Recommendation

28. In light of the comments above, and subject to the comments of the Landscape Design Officer, it is recommended that the application be refused for the following reasons:
 1. The site lies in the countryside, outside of the physical framework of Cottenham, as defined by the South Cambridgeshire Local Plan, adopted 2004, where development is restricted to that which is demonstrated to be essential to the particular location or to the operation of local farming by virtue of Policy P1/2 of the Cambridgeshire Structure Plan, adopted 2003. Policy HG16 of the South Cambridgeshire Local Plan, adopted 2004 states that agricultural dwellings will only be permitted where it can be demonstrated that it is essential to support a well-established farming enterprise. The applicant has failed to demonstrate that there is a clear, existing functional need for a full-time worker on site and that no suitable existing buildings in the area are available. Moreover, insufficient agricultural justification has been demonstrated to justify an agricultural dwelling on the site both in terms of the functional and financial tests identified in Planning Policy Statement 7: Sustainable Development in Rural Areas and reiterated in policy HG16 of the South Cambridgeshire Local Plan, adopted 2004.
 2. The site is located in the Fens Landscape Character area. Policy EN1 of the South Cambridgeshire Local Plan describes this landscape as a low-lying, flat and open in character, punctuated with isolated farmsteads and dissected by man-made drainage channels or dykes. There are few hedgerows or woods. The development is highly visible in this landscape and would require inappropriate landscaping to screen it from the surrounding area, with harmful impact upon the landscape character of the area, contrary to policies P7/4 of

the Cambridge and Peterborough Structure Plan, adopted 2003 and EN1 of the South Cambridgeshire Local Plan, adopted 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Ref. S/0923/05/F, S/0241/93/F, S/1774/92/O, S/0167/92/O and S/1479/90/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/1260/05/F - Gamlingay
 Temporary Mobile Home at Land at Little Heath
 for E Sale**

**Recommendation: Refusal
 Determination Date: 19th August 2005**

Departure application

Site and Proposal

1. The site lies outside of the village framework for Gamlingay and within the countryside. It is accessed from Little Heath, a private track.
2. It is currently used as a paddock with a number of run down stable and storage buildings. The western boundaries are well screened, the eastern are relatively open.
3. The closest properties are Belle Vue House to the south and Nos. 10-16 Little Heath to the north.
4. The full planning application, received on 24th June 2005, proposes the siting of a temporary mobile home. The required temporary period is not stated.
5. The application site does not include access to the public highway. However, the precise point at which the public highway joins the private track is as yet unclear. I have sought the views of the Local Highways Authority on this matter and its views will be reported verbally.

Planning History

6. The site has no recent planning history, although reference is made in paragraph 18 below to an application on a nearby site.

Planning Policy

7. Policy SE8 of the South Cambridgeshire Local Plan 2004 – Village frameworks states (in part) that “Residential development outside these frameworks will not be permitted”.
8. Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 states (in part) that: “Development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location”.

Consultation

9. **Gamlingay Parish Council**
 The Parish Council recommends approval. It states:

“No objections, providing mobile home has a personal occupancy condition, is temporary (for 5 years) and if it becomes unoccupied after 6 months it has to be removed”.

10. **Chief Environmental Health Officer**

No objections.

11. Environment Agency's comments will be reported verbally.

Representations

12. Five letters have been received from the occupiers of 16 Little Heath, Criaglea, Brook Farm and Belle Vue House.

13. Support is expressed from the occupiers of Criaglea and Brook Farm – Mrs Sale has lived at her current address in Little Heath for 29 years. She should be able to continue living in the neighbourhood that has been her home.

14. The occupiers of Belle Vue House have no objections but would like the permission to be temporary, reviewed yearly, not passed to another party and for the site to be well maintained and kept in a tidy condition. In addition trees and hedges should be put in place to screen the mobile home.

15. The occupiers of No. 16 have submitted considerable detail on the status, condition, history and ownership of the private access. They do not object stating that they understand that the applicant has been given notice to vacate her current home and wishes to simply relocate to this field that is within her ownership. However they state that some controls should be put in place, namely the permission be temporary, the site should be kept tidy and well maintained, that the owner should make a contribution to the maintenance of the access road with particular attention to the use of this road where it provides access to the site and that the existing hedge and trees should be maintained and gaps interplanted if and when necessary.

Planning Comments – Key Issues

16. The key issue is the impact of the proposal on the countryside and the aims and objectives of the settlement policies of the Development Plan and what justification if any can overturn these.

17. The planning application is for a residential use in the countryside, contrary to Development Plan policies. The application contains no justification and I therefore have to recommend refusal.

18. It is understood that the applicant lives at No. 5 Little Heath, a mobile home that has recently been part of a scheme for replacement, together with No. 4, with a permanent dwelling, granted Outline planning permission on 10th February 2005. It will therefore be necessary for the applicant to find alternative accommodation. However it was understood that a mobile home, No. 6 Little Heath, adjacent to the approved site would be available for this purpose and is currently vacant. Again, however, no information is contained within the application to substantiate this.

19. The application does not address what is meant by 'temporary'. It is unclear if the proposal is seeking a temporary period, and if so how long, or if the 'temporary' relates to the nature of the structure. However, I do not consider the proposal will result in an unacceptable visual impact on the surrounding countryside. If the proposal is required

for a temporary period the mobile home will in time be removed. If it is permanent a condition could be imposed to ensure that it is appropriately located and landscaped.

Recommendation

20. Refusal for the following reasons:

1. No justification has been given for a residential use in the countryside outside the Village Framework for Gamlingay as defined in the Development Plan. Such a use would be contrary to the aim and objective of the settlement policies of the Development Plan of preventing sporadic residential development away from the built up areas of villages which will cumulatively harm the countryside and result in a pattern of development that is unsustainable. As such the proposal is contrary to Policy SE8 of the South Cambridgeshire Local Plan 2004 and Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003.
2. Notwithstanding the above, the planning application does not contain sufficient information to allow it to be assessed, particularly in relation to the temporary nature of the proposal.

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/1260/05/F, S/2461/04/O South Cambridgeshire Local Plan 2004. Cambridgeshire and Peterborough Structure Plan 2003.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/1123/05/F - Girton
Erection of 15 Dwellings Following Demolition of Existing 8 Dwellings
at 16 – 30 St. Vincents Close
for Circle 33 Housing Group**

**Recommendation: Delegated Approval
Date for Determination: 6th September 2005**

Major application**Site and Proposal**

1. The site is an area of land occupied by eight residential properties and associated gardens and includes the current road, which will require works to be undertaken to it. The existing dwellings comprise four pairs of semi-detached 'Airey' houses which are set back from the road with front gardens between three and four metres deep. There are parking bays on either side of the road in front of the existing dwellings. St. Vincents Close, leading to Giffords Close, is relatively narrow, being approximately 3.5 metres wide where it adjoins the main stretch of St. Vincents Close. The site area is approximately 4.8 hectares, including the road. The net developable area, comprising the existing residential plots is approximately 0.4 hectares. Adjoining the site to the south and northwest are bungalows to the northeast is a pair of semi-detached houses.
2. This full planning application received on 7th June 2005 seeks permission to demolish the existing eight semi-detached dwellings and to construct 15 dwellings in their place. These will comprise of a mix of terraced and semi-detached houses, with off-road parking in the front or in a parking court. It will provide 1 no. 1 bedroom unit, 2 no. 2-bedroom houses, 11 no. 3-bedroom houses and 1 no. 4 -bedroomed house. 5 no. houses will be social rented, 7 no. shared ownership and 3 no. will be market housing. The net density of the development proposed is 37.5 dwellings per hectare. St. Vincents Close is to be altered to a shared surface with rumble strips to a ramped section.

Planning History

3. An earlier planning application ref. **S/2553/04/F** for the erection of 21 dwellings following demolition of 8 existing dwellings was withdrawn. This application was for a larger site area that included part of the rear gardens to 30-34 Pepys Way.

Planning Policy

4. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan, 2003 (Structure Plan) requires a high standard of design and sustainability for all new development, which achieves compact forms of development through the promotion of higher densities, and which responds to the

local character of the built environment.

5. **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.
6. **Policy P5/4 'Meeting Locally Identified Housing Needs'** of the Structure Plan sets out the requirement for Local Authorities to make provision to meet locally assessed housing need.
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 SE3 (Limited Rural Growth Settlements)** of the South Cambridgeshire Local Plan states:
 9. Development up to a maximum scheme size of 30 dwellings will be permitted within the village framework provided that:
 - a) The retention of the site in its present form is not essential to the character of the village;
 - b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - c) The village has the necessary infrastructure capacity; and
 - d) Residential development would not conflict with another policy of the plan, particularly policy EM8.
10. Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
11. **Policy HG7** of the Local Plan confirms that an affordable housing provision of 30% will be a requirement for developments of more than 10 dwellings in villages, such as Girton, with a population of more than 3,000.
12. 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.
13. Other policies of the Local Plan that are of relevance to this application include:
TP1 'Planning More Sustainable Travel'
CS2 'Water Resources'
CS10 'Education'
CS13 'Community Safety'
EN5 'The Landscaping Of New Development'
EN13 and EN14 'Protected Species'.

Consultations

14. **Girton Parish Council** recommend refusal of the application making the following comments:

- I. The impact of the proposed scheme on residents of the Airey Houses and in particular the owner-occupied properties who are being put under pressure by the District Council and Circle 33 Housing to move but have been offered insufficient compensation.
 - II. The increased density of traffic flow on an already busy, narrow residential road. The heavy vehicles and increased traffic flow during demolition and construction would cause major disturbance to the residents of Pepys Way and St Vincents Close and not least patients attending the doctors surgery at the top of Pepys Way.
 - III. The Council expressed concern over the proposal to remove the pavement on each side of the road forcing pedestrians to share a narrow road with cars.
15. The **Local Highways Authority** requests minor changes to the ramp/rumble strips within St Vincents Close.
 16. The **Landscape Design Officer** comments that there appears to be an excessively large area of hardstanding. At the very least the planting bed in front of plots 10 –11 could be extended forward without compromising visibility splays. The future maintenance of landscaped areas to the front of the properties is queried. Tree pit details will be required for some locations and recommends landscaping and tree protection conditions.
 17. The **Chief Environmental Health Officer** is concerned that noise problems could result and therefore, suggests conditions on the use of power-operated machinery during construction and pile foundations. An informative regarding bonfires is also suggested.
 18. The **Ecology Officer** notes that sparrows and starlings appear to be using some of the buildings for nesting. Any demolition works must avoid breeding season unless otherwise agreed. Specialist nest boxes for sparrows and starlings must be provided as compensatory habitat. There is a pond at the rear of the empty property, which although currently devoid of vegetation, frogs were present and it is holding water. Its retention and replanting should be negotiated. He advises that a bat survey be undertaken of at least no. 30 St Vincents Close, due the number of potential roost opportunities in the weatherboarding and roof soffits. It is not clear how the boundary vegetation along Giffords Close is to be treated. The elder and bramble 'hedge' is providing day cover for sparrows and other birds. This should feature should be retained and strengthened with native hedge planting. He is pleased to see that the large apple and ash trees are to be retained, these could have bird and bat boxes placed in them.
 19. **Cambridgeshire Fire and Rescue** do not require additional water supplies for fire fighting.
 20. The **Recycling and Waste Minimisation Officer** has confirmed that bin storage and collection provisions seem acceptable.
 21. The **Housing Development Manager** has confirmed that they have consulted with residents at Girton and Circle 33 have been in direct communication with various residents since the original consultations. We fully support the scheme which reflects the need of new additional housing in the area.
 22. Cambridgeshire Constabulary's **Architectural Liaison Officer** comments that:

The proposed development benefits from a layout of continuous fronts and backs, with parking close to the being in curtilage, thereby enhancing natural surveillance of the street scene and parking allocation. Other than to recommend the provision of street lighting to adoptable standards for the benefit of the car parking areas, and the surfaces of the parking areas be made of material different in type/colour as a symbolic barrier to reinforce the semi private nature of the space, I have no comments to make.

23. The **Building Control Officer** has no adverse comments to make.
24. The comments of the **Trees and Landscape Officer, Drainage Manager and Anglian Water Services** will be reported verbally to Committee.

Representations

25. Seventeen written representations have been received objecting to the proposals. Issues raised are summarised below:
 - a) Increased traffic and resultant highway dangers;
 - b) High volumes of traffic on Pepys Way increased, especially outside the doctors's surgery;
 - c) Size of plots proposed will have small gardens, children will play in the street and other open areas;
 - d) Increased pressure on local services, including schools and doctors;
 - e) Impact of construction noise on neighbouring residents;
 - f) Proposed dwellings are out of character with the area;
 - g) On-street car parking in the narrow road;
 - h) Existing tenants and owner-occupiers do not wish to move;
 - i) Requirement for a secure fence if the site is to adjoin the allotments;
 - j) Confusion over site boundary, does it include rear gardens to Pepys Way?
 - k) Development is out of scale and proportion with the rest of St Vincents Close and Pepys Way;
 - l) Application for 21 houses to the rear of Pepys Way on a larger site was refused in 1998;
 - m) The small size and privacy of proposed gardens;
 - n) Increase flooding due to frequent blockages in the drainage ditch to the rear of Pepys Way;
 - o) Inadequate car parking provision;
 - p) Highway dangers due to the narrowness of St Vincents Close;
 - q) Clear details are required as to whether pedestrians or cars will have right of way over the shared surface road;
 - r) Compulsory Purchase of the owner-occupied dwellings;
 - s) Lack of an Environmental Impact Assessment (EIA) addressing social, economic and environmental costs, plus alternative options;
 - t) Density of the development is out of keeping with existing local character;
 - u) Access for emergency vehicles.

Planning Comments – Key Issues

26. The key planning issues raised in relation to this proposal include those relating to the design and layout, residential amenities, highways, affordable housing provision, drainage and services.

Design and layout

27. The layout of the proposed development includes dwellings fronting the street. Minor amendments to the layout have been requested to ensure adequate pedestrian access, landscaping and to reduce the visual impact of parked cars. Generally the scheme fits well into its surroundings. The density is in accordance with current policy and gardens are generous.
28. The design of the dwellings proposed, while not entirely characteristic of the surroundings, will use quality materials and provide a complementary appearance within the street scene. Amendments reducing the overall height of the houses have been requested, as the proposed dwellings will be 1.5 metres higher than the existing and have a greater depth.

Residential amenities

29. Acceptable distances have been achieved to ensure that both the existing neighbouring dwellings and those proposed have adequate privacy and are not unduly overlooked. Minor alterations are required to plots 9 and 15 to ensure that acceptable levels of light are achieved and that no one dwelling has an overbearing impact upon its neighbours.

Highways

30. Subject to minor amendments to the ramp/rumble strips, the Local Highways Authority has raised no objections to the proposals, which result from pre-application discussions with that authority, therefore refusal on these grounds is unjustified. The doctor's surgery is some distance away from the development and it is unreasonable to conclude that traffic from seven additional dwellings on a road serving over 160 dwellings is likely to result in a noticeable increase in traffic or significantly impact on highway safety. Some inconvenience due to construction traffic is inevitable with development but is not grounds for refusal.

Affordable housing

31. The net gain in dwellings on this site is seven dwellings. This falls below the threshold at which planning policy HG7 requires an affordable housing provision to be secured. Notwithstanding, the majority of the scheme is to be affordable housing, either social rented or shared ownership with a small element to be sold on the open market. A legal agreement, in accordance with policy HG7 is not required, as the net gain of dwellings is more than ten. In addition, the Council cannot enter into a legal agreement with itself therefore, while not a planning matter, the affordable dwellings will be secured through the legal conveyance of the properties built.

Drainage

32. No objection on drainage grounds from the Environment Agency, Drainage Manager or Anglian Water has been received at the time of writing this report. The applicant's consultant engineers have written stating that a full survey of the ditch is required. They undertake to ensure that any development will not impact upon the current arrangement. Any new drainage, and site levels, will be designed to effectively flow/fall away from this area. Standard drainage conditions can ensure satisfactory provision is made for drainage without exacerbating any possible existing problems.

Other matters

33. Cambridgeshire County Council has not requested an educational contribution.

34. An EIA is not required for this type of development under current planning legislation.
35. The question has been raised as to whether two properties within the site area, that are owner occupied, would be compulsory purchased by the Council in order for the scheme to be developed. This is being looked into and a verbal report will be made to the Committee.

Recommendation

36. Subject to receipt of amended plans, no objections from the Trees and Landscape Officer, Drainage Manager and Anglian Water, delegated powers are sought to approve the application 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);
Sc5b – Surface water drainage (Rc5b);
Sc5c – Foul water drainage (Rc5c);
SC5e – Finished floor levels in relation to ground levels (Rc5e)
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);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc57 – Protection of existing tree (Rc57);
 6. Sc60 – Details of boundary treatment (Rc60);
 7. No development shall begin until details of a lighting scheme have been submitted and approved by the Local Planning Authority, the development of which shall be carried out in accordance with the approved details prior to the occupation of any dwelling.
Reason: In the interests of crime prevention.
 8. 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.

Plus additional conditions agreed by the Ecologist and Highways.

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.
3. See attached Environment Agency advice regarding soakaways.

Reasons for Approval

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

- **Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development), P5/3 'Density' P5/4 'Meeting Locally Identified Housing Needs' and P5/5 'Homes in Rural Areas';
 - **South Cambridgeshire Local Plan 2004:** SE3 (Limited Rural Growth Settlements), HG7 (Affordable Housing), HG10 (Housing Mix and Design), HG10 (Housing Mix and Design), TP1 'Planning More Sustainable Travel', CS2 'Water Resources', CS10 'Education', CS13 'Community Safety', EN5 'The Landscaping Of New Development', EN13 and EN14 'Protected Species'.
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
 - Car parking
 - Highway safety
 - Lighting
 - Emergency access
 - Character of the area
 - Density
 - Impact on local service
 - Design and layout
 - Landscaping
 - Wildlife
 - Drainage
 - Affordable housing
 - Compulsory purchase
 - Environmental Impact Assessment

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/1123/05/F and S/2553/04/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

3rd August 2005

AUTHOR/S: Director of Development Services

**S/0990/05/0 - Histon
Erection of 5 Bungalows, Land off Muncey Walk,
for Brook Trading Ltd**

**Recommendation: Approval
Date for Determination: 14th July 2005**

1. The above applicant was considered at the July Committee, item 44. Members are asked to refer back to their agenda papers.
2. Although recommended for approval the application was refused for reasons of overdevelopment, inadequate access and increased flooding risk. In respect of the last two matters, officers were to seek the views of the Local Highway Authority, the Environment Agency and the Council's Drainage Manager.

Update – 1

3. The **Local Highway Authority** has been consulted and confirmed that a highway reason of refusal could not be justified.
4. The **Environment Agency** has also been consulted and recommends that a Flood Risk Assessment (FRA) be submitted. With the site being well outside any known flood-risk area, an officer of the Agency advised that percolation tests should be adequate.
5. The comments of the **Council's Drainage Manager** will be reported verbally.

Update – 2

6. Following the resolution to refuse the application Councillor Mrs Muncey, having visited the site, contacted the Area Planning Officer to say that she did not feel that the reason of "overdevelopment" could be justified. Although that proposed equates to a density of 35.7 dpha; that for Narrow Lane is 26.8 dpha and Muncey Walk 22.7 dpha. As further consultations were ongoing with the other partners mentioned above, it was agreed that the matter would be reported back to Committee for re-consideration.
7. The applicants/agents are the same as for Muncey Walk and, when those properties were built several years ago, percolation tests were carried out which proved that the drainage of surface water from the site by soakaways was acceptable. It therefore follows that a drainage objection is unlikely to be sustained.

Planning Comments

8. The three local Members are happy for this item to be reported back to Committee; Councillor Chatfield was supportive of the recommendation of Approval at the July Committee.

9. As there is no access reason to refuse, and drainage is likely to be acceptable, this only leaves the matter of overdevelopment. With at least two of the local Members favouring approval, my initial recommendation remains the same.

It is recommended that the application be approved subject to the following conditions:

1. Standard Condition B - Time limited permission (Reason A);
2. SC1 a, b and d - Reserved matters (Rc1);
3. Sc5a - Details of materials for external walls and roofs (Rc5aai);
4. Sc5b - Surface water drainage (Rc5b);
5. Sc5c - Foul water drainage (Rc5c);
6. SC5d - Refuse storage accommodation (Rc5d);
7. Sc5f - Materials for hardsurfaced areas (Rc5f);
8. Sc5j - Car parking provision (Rc5j);
9. The permanent space to be reserved on the site for:
 - a. turning
 - b. parkingshall be provided before the use commences and thereafter maintained.
(Reason: In the interests of Highway safety);
10. Sc52 - Implementation of landscaping (Rc52);
11. Sc60 - Details of boundary treatment (Rc60);
12. 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.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development);
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **HG10** (Housing Mix and Design) and **TP1** (Planning for More Sustainable Travel).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Density
 - Access
 - Surface water drainage
 - Impact on trees

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Ref. S/0990/05/O, S/1434/98/F, S/0356/97/O and S/0838/96/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/1181/05/F - Histon
Replacement Windows and Shop Front
At 2 High Street Histon (Cambridge Building Society)**

**Recommendation: Approval
Date of determination: 10th August 2005**

Conservation Area**Site and Proposal**

1. No. 2 High Street, Histon is sited adjacent to The Green at Histon and opposite the top of Station Road. The site is currently occupied by the Cambridge Building Society and is located within the Conservation Area. The brick building currently includes brown stained timber window frames to the front and side elevations. The building is set back from the footpath of the High Street allowing a paved pedestrian and cycle parking area to the front; the entrance door is currently timber.
2. This application received on 15th June 2005 seeks full planning permission for the replacement windows and frames and shop front including the replacement and widening of the current entrance door, to comply with Disability Discrimination Act (DDA) requirements. The shape and design of the frames would be unchanged; the material of the new frames would be powder-coated aluminium, blue in colour to match the corporate colour of Cambridge Building Society.

Planning History

3. None relevant

Planning Policy

4. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 requires a high standard of design and sustainability for all new development
5. **Policy P7/6 'Historic Built Environment'** of the Structure Plan 2003 states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
6. **Policy SH8 'Shop Fronts'** of the South Cambridgeshire Local Plan 2004 sets out the requirements that must be met for alterations to shop fronts.
7. **Policy EN30 'Development in Conservation Areas'** of the Local Plan 2004 sets out the requirements for development within Conservation Areas

8. **Policy EN34 'Character, Materials, Features and Building Detail'** of the Local Plan 2004 seeks to retain the above details on unlisted buildings that contribute to the character of the Conservation Area
9. **Policy EN38 'Shop Fronts and Signs'** of the Local Plan 2004 seeks to resist proposals which imply the loss of traditional shop-fronts and their details.

Consultation

10. **Histon Parish Council:** Committee feel this to be out of character. There are concerns over the materials and colour
11. **Conservation Manager:**
"No. 2 High Street Comprises a late 20 Century infill development with brick walls under a shallow pitched roof that is sited gable on to the road. The design of the building is simple and restrained, with contemporary subdivision to the fenestration and a contemporary shop front. The windows are in timber, painted brown, and exhibiting significant signs of rot.
12. The proposal is to replace the windows and shop front with double glazed units in aluminium frames. The frames are to be coloured blue (to match the Building Society logo) and the shop front design is to be slightly revised to ensure compliance with DDA regulations.
13. Given the contemporary design of the existing fenestration and shop front I would not wish to oppose the use of aluminium, but would wish to see them finished in a more sympathetic colour than blue (e.g. brown or green to complement the brickwork and locality). Approval subject to agreement of an appropriate colour."

Representations

14. No comments have been received in response to press and public notice, the consultation period having expired on the 14th July 2005.

Planning Comments – Key Issues

15. The key issues to consider in respect of this application are the impact on the character and appearance of the Conservation Area and street scene in general.
16. Policy SH8 of South Cambridgeshire Local Plan 2004 specifically states that planning permission will not be granted for new shop fronts which are out of character with the building and streetscene; results in loss of architectural features or introduce 'house styles' and materials, alien to the building and surroundings. Policy EN30 of the Local Plan 2004 seeks to ensure development either preserves or enhances to character of the Conservation Area; Policy EN34 of the Local Plan 2004 seeks to preserve Character, Materials, Features and Building Detail on unlisted buildings that contribute to the area; and Policy EN38 of the Local Plan 2004 seeks to resist the loss of traditional shop fronts.
17. The building represents a contemporary style of architecture and not a traditional shop front to which the above policies are geared towards. As such it is considered that the change from timber frames to aluminium will not significantly affect the appearance of the building or the setting of the area, provided an appropriate colour can be agreed. Timber is not traditional to this building and powder coated aluminium is not uncommon throughout the High Street; as such it is considered that to request

its retention would be unreasonable given the limited impact on the Conservation Area and street scene in general.

18. The developer has expressed a willingness to negotiate an appropriate colour; the Conservation Manger has suggested a brown or green to complement the brickwork and locality. Subject to agreeing the colour it is recommended the proposal be approved.

Recommendation

19. Approve subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. No development shall commence until a sample of the proposed colour for the new window and door frames, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details. (To ensure the development does not appear incongruous)

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)
 - P7/6 (Historic Built Environment);**South Cambridgeshire Local Plan 2004:**
 - SH8 (Shop Fronts)
 - EN30 (Development in Conservation Areas)
 - EN34 (Character, Materials, Features and Building Detail)
 - EN38 (Shop Fronts and Signs)
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:
 - Concern regarding materials and colour

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

- Planning files reference S/1181/05/F
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/1039/05/O - Great and Little Chishill
Agricultural Dwelling - Land at Hall Farm For E J Wiseman and Sons**

**Recommendation: Refusal
Date of Determination 22nd July 2005**

Site and Proposal

1. Hall Farm lies at the south-eastern edge of Great Chishill. Hall Farmhouse a Grade II Listed Building sits back from the road in a landscaped garden, with the farmyard buildings adjoining to the side and rear. Another farm dwelling, the lodge (108 Hall Lane) is sited to the north of the farmhouse. The access to the farmyard is to the south-east of Hall Farmhouse and its grounds.
2. The outline application, received on the 26th May 2005 proposed the erection of an agricultural dwelling on a .09-hectare site adjoining the south-eastern side of the farmyard access, close to the entrance from Hall Lane. The site is overgrown and partly used for the storage of agricultural machinery. To the south-west is a modern agricultural barn. The south-eastern boundary to the countryside is marked by a number of young horse chestnut trees.

Planning History

3. In 2004 an outline application for an agricultural dwelling on land to the rear of The Lodge was withdrawn. A subsequent application for a dwelling (non-agricultural) was refused because the site was outside the village framework and would also harm the setting of the listed farmhouse.

Planning Policy

4. **Policy P1/2** "Environmental Restrictions on Development" of the Cambridgeshire and Peterborough Structure Plan 2003 states development in the countryside will be restricted unless the proposed can be demonstrated to be essential in a particular rural location.
5. **Policy HG16** "Agricultural dwellings" of the South Cambridgeshire Local Plan 2004 states that agricultural dwellings will only be permitted on well established agricultural units when it can be demonstrated that there is a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation.
6. Policy EN28 of the Local Plan states that applications which would damage the setting of a Listed Building will be resisted.
7. **Planning Policy Statement 7** - Sustainable development in Rural Areas (Annex A) provides criteria for assessing proposals for agricultural dwellings.

Consultation

8. **Great and Little Chishill Parish Council** has no objections to the application.
9. **The Environment Agency** has no objections subject to a standard condition concerning foul water drainage and informatives.
10. **The Conservation Manager** objects: "Hall Farm is a Grade II listed building with a number of curtilage listed outbuildings. The site is outside the village framework. It is on a very prominent location at the entrance of the village when driving north.
11. Previously the applicant had sought to erect a house for agricultural workers which was resited on the grounds of the impact on the setting of the listed farmhouse/countryside. It is considered the building of a dwelling in the new location would equally have an adverse impact on the setting of the farm. Located in a position forward of the main farmhouse a new dwelling in this location would be highly visible and would pay no respect to the hierarchy of buildings on the site.
12. The farmhouse needs to remain as the main building and any other structures must be subservient to this. It would also harm the visual relationship of the farm to the open countryside by introducing a dwelling on the southern side of the property between the farmhouse and the open countryside.
13. An assessment (desktop) would be needed to establish the likelihood of there being any archaeological remains on this site.
14. The proposal is considered to be contrary to the provisions of Policy EN28 of the Local Plan and will harm the setting of the listed building and its context. It is also considered to be intrusive on the overall setting of the village and the countryside setting."
15. **Council's Agricultural Consultant** carried out an agricultural appraisal for the Council. The full report is in appendix 1. The conclusion is as follows:
16. There is no functional need for the additional dwelling. There are 2 existing dwellings in close proximity to the farmstead. Whilst neither dwelling enables easy monitoring of the entrance and farm buildings I see no reason why a security and breakdown alarm and a CCTV system cannot be installed.
17. The farm generates the need for one full time and one part-time worker. It is considered the full time labour test is satisfied in respect of Mr Wiseman, the only farm worker available to the business.
The farm business is considered financially sustainable and the functional needs is met by the existing dwelling owned by Mr M Wiseman (The Lodge). He could move into the house owned by his father to enable him to be even closer to the entrance and farm buildings, although obviously this would require his parents' cooperation.

Representations

18. None received.

Planning Comments

19. The two key issues are whether there is a functional need for an additional dwelling on the farm and the likely impact of the proposed dwelling on the setting of the listed building.
20. The agricultural assessment commissioned by the Council concludes that there is no functional need for an additional dwelling on the farm. Improved security is the main reason advanced for the dwelling, which would be located at the entrance to the farmyard, but the report concludes that there are two farm dwellings close to the farmyard entrance and enhanced security could be achieved by a security and breakdown alarm and a CCTV system linked to these dwellings.
21. The Conservation Manager describes the proposed site as very prominent at the entrance to the farmyard and the village as a whole, and as such would have an adverse impact on the setting of the farm and its listed farmhouse. It would not respect the hierarchy of buildings on the site and compete with the traditional dominance of the farmhouse. The relationship between farm and the open countryside would also be harmed.

Recommendation

22. Refusal
 1. Hall Farm is currently served by two dwellings close to the proposed site for an additional dwelling - Hall Farmhouse and The Lodge. There is therefore no functional need for a further dwelling on the holding, as security could be enhanced by additional security systems. As such the application is contrary to Policy P1/2 "Environmental Restrictions on Development" of the Cambridgeshire and Peterborough Structure Plan 2003 which seeks to restrict development in the countryside to that which can be demonstrated to be essential in a particular rural location, and Policy HG16 "Agricultural Dwellings of the South Cambridgeshire Local Plan 2004 which states agricultural units will only be permitted on well establish agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation.
 2. Notwithstanding the above, the proposed prominent sitting of the dwelling would adversely affect the setting of the listed farmhouse, contrary to Policy EN28 of the South Cambridgeshire Local Plan 2004.

Background Papers: the following background papers were used in the preparation of this report: Structure Plan 2003, Local Plan 2004 and Planning Application File ref: S/1039/05/O.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1054/05/F- Melbourn
Erection of Dwelling (Amended Design) Land at 23 Orchard Road, for Mr Larry Pearl

Recommendation: Approval
Date for determination 22nd July 2005

Site and Proposal

1. No. 23 Orchard Road, Melbourn, is a semi-detached dwelling house located next to the Local Cemetery. No. 23 Orchard Road is a concrete block and brick building with a low sloping eaves line at the front of the property. At present the side entrance has a large gated entrance to the rear garden and adequate off road parking for more than 2 cars and is screened along the southwest boundary by thick trees.
2. The full planning application received 27th May 2005, proposes the erection of a 2 bedroom house with an amended design to that of the already approved dwelling house, file reference S/0371/05/F. The site is 5.2m wide by 41m deep. The density equates to 47 dph.

Planning History

3. **S/0371/05/F** – Erection of a 1-bedroom dwelling. Approved
4. **S/1333/04/F** – Extension. Approved.

Planning Policy

5. **SE2 “Dwellings in Rural Growth Settlements”** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states in part that redevelopment will be permitted within the village frameworks of RGS provided that the retention of the site in its present form is not essential to the character of the village, local features of landscape or ecological importance, and the amenity of neighbours and the village has the necessary infrastructure.
6. **SE8 “Village Frameworks”** of the South Cambridgeshire Local Plan 2004 states in part, there will be a general presumption in favour of residential development within village frameworks
7. **HG10 “Housing Mix and Design”** of the South Cambridgeshire Local Plan 2004 supports residential schemes where it makes best use of the site and the design and layout of the scheme is 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.
8. **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.

Consultation

9. **Meldreth Parish Council** recommends refusal.
“New rear gable proposed is overbearing and out of context with the existing building. It also appears to be an addition to the previously submitted and approved application, not an amendment.”

Representations

10. None received

Planning Comments – Key Issues

11. The key issues are the impact of the development on its surroundings in terms of its design, character and impact on the neighbouring property and its affect on the street scene.

Street Scene

12. The existing street scene has a varied collection of housing and the proposal aims to reflect the design of No.23. The main difference to the front elevation of the proposed dwelling is the addition of a dormer window; this is reflected in a similar property along Orchard Road. The rear elevation introduces a gable end. This is not common on the rear elevations of the properties along Orchard Road but cannot be seen from the street scene and has the advantage of having predominately open land (the cemetery) to the north west of the site.

Impact on the occupiers of No.23 Orchard Road

13. The proposed rear gable does not adversely affect the neighbouring property by virtue of overlooking, being overbearing, or loss of light. The introduction of the gable end does not affect the 45⁰ sight line from the first floor bedroom window and the gable end projects only as far as the single storey element of No. 23; therefore I do not consider that the projection will lead to an unacceptable loss of light. The scheme is in accordance with the requirements of the Policies mentioned above. If the scheme were to be an extension it would also meet the requirements of Policy HG12 of the South Cambridgeshire Local Plan 2004.

Recommendation

Approve

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which would not have been acted upon.)
2. The external materials of construction for the building works hereby permitted shall be identical to those used for the existing building unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To ensure that the appearance of the development blends in with the existing building in accordance with Policies SE2 and HG10 of the South Cambridgeshire Local Plan 2004.)

3. 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 Authority in accordance with the agreed noise restrictions.

(Reason – To minimise the effects of the development to nearby residents or occupiers)

4. Details of the treatment of all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the dwelling, hereby permitted, is occupied or the development is completed, whichever is the sooner.

(Reason – To protect the appearance of the site so not to detract from the character of the area, in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004)

5. Notwithstanding the Provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the order are expressly prohibited in respect of the property unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf; -

- (i) Part 1, (Development within the curtilage of a dwelling house) Classes A, B, C and E

(Reason – to ensure that additions or extensions, which would not otherwise require planning permission, do not overdevelop the site with consequent harm to the adjoining properties

6. The development shall not be occupied until the area shown hatched green on the plan attached hereto has been drained and surfaced (or other steps as may be specified), and that area shall not thereafter be used for any purpose other than the parking of vehicles.

(Reason –To ensure adequate space is provided and thereafter maintained on site for the parking of vehicles and in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004

General

The Environmental Health Officer comments

1. Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

The Environment Agency comments

1. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach

can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal, which encourages a SUDs approach.

2. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
3. Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale providing balanced surface water flows exceed the minimum feasible discharge rate (approx. 5 litres/second/hectare). Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk.
4. Further information on SUDS can be found in PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the consultation draft Framework for Sustainable Drainage Systems (SUDS) in England and Wales. The framework consultation document provides advice on design, adoption and maintenance issues. This will form the basis of a Code of Practice on SUDS and is available electronically on both the Environment Agency's website at: www.environment-agency.gov.uk and CIRIA's website at: www.ciria.org.uk.
5. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system and that they would be willing to accept any increases to flows.

Note

Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require Agency consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River held on maps by the Environment Agency and DEFRA.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) Cambridgeshire and Peterborough Structure Plan 2003: P1/3
 - b) South Cambridgeshire Local Plan 2004: HG10, SE2
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 on character of the existing building**

Background Papers: the following background papers were used in the preparation of this report: Cambridgeshire and Peterborough Structure Plan 2003

File references: S/1333/04/F
S/0371/05/F

S/1054/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1114/05/F - Melbourn
Erection 35 Flat Very Sheltered Residential Home, 18 Flats and 4 Houses, Including Demolition of Existing Residential Home, Moorlands Residential Home, The Moor, for Cambridge Housing Society

Recommendation: Refusal
Date for Determination: 5th September 2005

Site and Proposal

1. Moorlands Residential Home is located on a 0.67 ha site to the east of The Moor, Melbourn, opposite the Village College. The site currently comprises two main buildings, the main residential block and a day care unit, set within well-landscaped grounds.
2. To the north the site abuts an unmade roadway leading to a pumping station beyond which is a recreation ground. To the south the site is an industrial building fronting The Moor behind which there is a block of flats currently under construction.
3. To the east the site abuts the rear gardens of bungalows in Dickasons. These properties are set on land which is slightly higher than the main part of The Moorlands site.
4. This full application, registered on 6th June 2005, proposes the demolition of the existing buildings on the site (this element is to be phased) and the erection of a 35 flat very sheltered residential home, 18 private flats and 4 private houses.
5. The 35-bedroom residential home comprises a mainly three-storey building, rising to a height of 10m, although there are sections of the buildings which are single storey or two storeys. The building extends directly behind three of the existing bungalows in Dickasons for a length of 37m and the distance between it and the boundary varies between 14m and 15m. At this point the new building will be part single storey at its northern end and two storey at the southern end where the gardens of properties in Dickasons are deeper. There is some screening on the east boundary of the site although views into the site from the rear gardens of properties in Dickasons are still obtained.
6. The building is designed in a 'U' shape, and whilst requiring the existing day centre building to be demolished, it wraps around the existing residential building, allowing it to be retained whilst the new building is constructed. Several trees are to be removed including a mature walnut tree, lime tree and a silver birch on the site frontage.
7. At the front of the site the building is part three storeys and part two storeys. The two storey element is flat roofed with a terrace. The building is sited a minimum of 6.25m from the boundary with The Moor.

8. Fronting The Moor, to the north of the proposed entrance road which serves all properties, is a three storey 'L' shaped building containing 12 two-bedroom flats and 6 one bedroom flats. In the north east section of the site are two pairs of houses each containing a 2 bedroom (two storey) and 3 bedroom (part three storey) unit. These buildings are set minimum of 17m from the boundary of properties in Dickasons.
9. The application contains a tree survey and report, and a design statement.
10. The scheme is developed at a density of 85 dph.

Planning History

11. Members will recall discussing a similar proposal at the February meeting this year **Ref S/2305/04/F**. Having visited the site Members resolved to refuse the application on the grounds of the impact of the proposed building on the occupiers of properties in Dickasons, inappropriate design and the loss of the day care facility.

Planning Policy

12. **Policy SE2** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") designates Melbourn as a Rural Growth Settlement where residential development and redevelopment will be permitted on site within village frameworks provided that:
 - (a) the retention of the site in its present form is not essential to the character of the village;
 - (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - (c) the village has the necessary infrastructure capacity; and
 - (d) residential development would not conflict with another policy of the Plan, particularly policy EM8
13. Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
14. **Policy HG7** of the Local Plan sets out the District Councils policy in respect of affordable housing on sites within village frameworks. In villages such as Melbourn, where the population is in excess of 3000, such provision should represent up to 30% of the total number of dwellings for which planning permission may be given, dependant upon the level of clearly identified local need, although higher or lower percentages may be agreed in the light of such factors as proximity to local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case.
15. **Policy HG9** of the Local Plan states that the development of residential care homes within village frameworks will be permitted where:
 - (a) the quality of design is in keeping with surrounding properties and landscape in terms of scale, form, layout and materials;
 - (b) boundary treatment provides privacy and a high standard of visual amenity;
 - (c) the privacy and amenity of neighbouring properties is protected;
 - (d) there is safe and convenient access for vehicles, cycles and pedestrians;
 - (e) parking facilities are in accordance with District Council standards: and

(f) there is access to an adequate level of services to meet the need of the development.

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

Consultations

17. **Melbourn Parish Council** recommends refusal. "The Parish Council took the decision to recommend refusal of the application because it is felt that accepting the planning application would mean that it also accepted the extra care scheme. It feels that this scheme will not provide the care that residents of Moorlands are receiving at the present time. The charges will be higher; the level of nursing will not be as it is at present and only one hot meal a day is provided for in weekly charges."
18. The **Chief Environmental Health Officer** requests a condition restricting the hours of operation of power driven machinery during the period of construction. He also comments in respect of the use of driven pile foundations and the burning of waste and points out that a Demolition Notice will be required in respect of the existing properties.
19. The **Local Highway Authority** states that the access road serving this development is to remain private. No objections are raised to the drawings subject to conditions and that a suitable number of parking spaces are to be provided to meet the Councils' standards as on-street parking should not occur as a result of insufficient spaces on site.
20. The **Environment Agency** offers standing advice in respect of surface water drainage and recommends that the Councils' Drainage Manager be consulted in respect of surface water drainage.
21. The **Council's Drainage Manager** stated in respect of the previous application that the Council is responsible for the award drain immediately downstream of the site. As the proposal represents an increase in the impermeable area of the site, the applicant should produce a flood risk assessment that will outline the impact on the award. Proposals for the disposal of surface water from the site should then be agreed with the Council's Drainage Manager. These discussions have now taken place and the Drainage Manager has no additional comments to make in respect of the current application but points out that the contribution agreed with the applicants' agent is £9000.
22. The **Cambridgeshire Fire and Rescue Service** requests that adequate provision is made for fire hydrants.
23. The comments of the **Trees and Landscapes Officer** will be reported verbally. Previously he objected to the loss of the Walnut tree and noted that, whilst a Lime tree was shown for retention it would also be compromised by the proposal and an objection was raised. The current proposal requires the removal of both the Walnut and Lime tree along with a Silver Birch at the front of the site.
24. The **County Archaeologist** recommends that the site be subject to a programme of archaeological investigation, which can be secured through the inclusion of a negative condition.

25. The **Architectural Liaison Officer, Cambridgeshire Constabulary** comments that the layout does not appear to make optimum use of natural surveillance opportunities afforded by pedestrian and vehicular traffic using the main road, The Moor and nearby properties. The front entrances to the flats and the two northern most houses do not benefit from direct views from The Moor, while the remaining two houses are set back some distance from The Moor so reducing significantly the value of natural surveillance. The car park, which is rather large, may be vulnerable to vehicle crime. This should be provided with column mounted white down lighting to BS 5489: 1996 code of practice for outdoor lighting, which, given the layout should also be designed to cover footpaths through the development. It is not clear to what extent the area to the rear of the flats is subject to access control. Given that the dwellings are at their most vulnerable from the rear this is an area that requires attention. Given the relative remoteness of the cycle store from many of the dwellings served this should be provided with lighting and benefit from high levels of natural surveillance from the six one-bed flats.
26. The comments of the **Commercial Director** will be reported verbally.

Representations

27. The occupiers of 12 Dickasons have no objections to the proposed works and feel that for the peace of mind and well being of the present elderly residents of Moorlands it would as well if the matter could be sorted out as soon as possible.
28. A letter has been received from the occupier of 126 High Street, Meldreth expressing concern. The letter states that the plans have been presented to residents and their relatives and it is believed that what is proposed constitutes a loss of amenity and is not fit for purpose. The current residents will be offered places in the new facility provided that they pass an assessment but it is estimated that the majority will not be able to benefit from the new facilities and will not be offered places. Those not offered a place would be accommodated 'somewhere else' however the Primary Care Trust (PCT) could not name any premises nearby. The proposal therefore represents a loss of amenity for most of the current residents of Moorlands.
29. If it is the intention of the PCT to accommodate people of the level of dependency of the current residents in the new facility then it is believed it will be found not to be fit for that purpose. All flats are suitable for accommodation by couples which means that it will be more expensive than necessary for a single person and it is believed that residents who could not safely operate kitchen appliances would have their kitchens switched off. Why provide a facility which cannot be used? The majority of residents spend their day in the communal living space and do not use their bed sitting room during the day. Why is it necessary to expand the bed-sits into flatlets and contract the area available for communal care? Many of the current residents cannot use a bathroom or lavatory or return to their own room without assistance so why build en-suite bathrooms and provide only 3 assisted lavatories and 1 assisted bathroom? Why provide a computer room when none of the current residents is able to change channel on the television?
30. The letter concludes by suggesting that it is inevitable that the proposed facilities will be found to be unsuitable for residents with the level of disability of the current residents of Moorlands. It will then be rational and economic to fill the new facility with residents who are able to make the most use of the facilities. Local residents with the needs of the current residents will not be catered for and will be consigned to the non-existent 'somewhere else'. The application should be rejected until it is clear

that the new facility will be suitable for occupation by the current residents of Moorlands and people in the local community who will need this level of care in the future.

Applicant's Representations

31. The application is accompanied by a design statement, the main text of which is produced at Appendix 1. A full copy of the statement can be viewed as part of the background papers and will be displayed at the meeting.
32. In a further letter from the applicants it is stated that the building has been moved forward in order to prevent overlooking to the rear of the site. The whole building, and houses for sale are beyond the 15m overlooking/privacy building line. The building is now closer to the pavement at the front. The whole of the second floor and two thirds of the first floor to the rear elevation have been removed. The accommodation has been moved to the central section of the building. A significant proportion of the rear elevation is now single storey only. This greatly reduces the bulk of the building to the rear.
33. Creating interesting sections using materials that relate to the village has lightened the front elevation. Two of the flats have been placed elsewhere to create a terrace area that is lower than the rest of the elevation and balconies have been added for the benefit of the residents and to create a softer elevation. The window details have been altered to relate to small paned windows that are common in Melbourn, but still relate to the proportion of the building. The shallow pitched roof reduces the perceived bulk of the building and the overall impression will be pale, with white render, buff brick and seasoned timber.
34. A community facility has been included on the ground floor, designed for general use but also to be operated as a separate entity if required. This facility includes a kitchen area and assisted toilet; it is also close to other community facilities such as treatment and hairdressing facilities. It is intended that residents and the general public will have access to the community and communal facilities incorporated into the scheme.
35. The revised plans show a significant amount of landscaping included; trees to the front elevation, lining the access road, and to the rear of the properties; a buffer zone of low level planting to the front elevation to soften the effect of the buildings and heavily planted garden areas for residents. The landscaping design also accommodates changes in soil levels around existing trees to be retained. The Leylandii hedge to the north east boundary are well over the legal height limit and will be removed as part of the preliminary site works and replaced with a more suitable species.
36. The housing for sale has been adjusted to include some one-bedroom flats as well as two bedroom flats and two and three bedroom houses in line with the local housing survey and requested by District Councillors. The layout of the flats has been altered to reduce the number of flats to the front of the site to accommodate parking places and to balance the overall layout.
37. The houses to the rear of the site have been repositioned to accommodate the parking that is now located within the site and the roof line of the properties has been changed to create a lower roof line at the rear and to reflect the architecture of the flats and extra care scheme. The overall density of the site accords with current planning policy.

38. The parking at the front of the building, which was designed to replace existing parking, has been moved further into the site. There is a single access road into the site for the extra care scheme and private housing. The revised layout of the housing, access road and parking creates a tree-lined vista through the site.
39. The bid submitted to the Housing Corporation will be considered in the next round. This bid for funds is a top up to the grant already received as the Housing Corporation have indicated that this is required to be repaid. Feedback received from the Housing Corporation so far has been very positive.

Planning Comments – Key Issues

40. The site is within the village framework and therefore the principle of redevelopment is acceptable. The key issues to be considered with this application are whether the development would be sensitive to the character of the village, local features of landscape or ecological importance, the amenities of neighbours, whether safe and adequate access can be provided, and whether the proposal confirms to Local Plan Policy HG7 in respect of affordable housing. In addition the applicant should be able to demonstrate that the proposal does not result in the loss of a village service, where such loss will cause a significant reduction in the level of community or service provision in the locality.
41. In terms of the impact of the development on the amenity of neighbours I am satisfied that the revised proposal addresses the previous concerns regarding the impact of the proposed building on exiting properties in Dickasons. The gardens of these bungalows are relatively shallow, ranging from 8-13 metres. The proposed care home building will now be a minimum of 14 metres from the boundary of properties in Dickasons. This compares to a distance of 11 metres on the previous scheme. The rear elevation is in part single storey where it abuts the shallower of the gardens in Dickasons, and at this point the three storey section of the proposed building is 20 metres from the boundary. The proposed private housing in the north east section of the site is 17 metres from the rear boundary.
42. The existing building is located on attractive planted grounds, particularly at the southern end. In designing a new building for the site the applicant is constrained by the need to retain the existing residential home building while the new one is being constructed and this continues to dictate the basic footprint of the main building. Following previous concerns about the impact of the building on adjoining properties in Dickasons the main building, in addition to the design changes, has been moved forward on the site. This has necessitated the removal of additional trees within the site, including the important lime which was previously shown for retention and a silver birch on the front of the site. The Trees and Landscapes Officer objected to the previous application and I anticipate the current one will compound his concerns.
43. I did not object to the building as previously proposed in respect of its impact in the street scene. In my view however the revised position of the building, within 6 metres of the frontage of the site with The Moor, when coupled with its resultant form and mass will have an unacceptable visual impact and appear out of character in the street scene. In coming to this view I have had regard to the limited opportunity that exists at the front of the site for landscaping. Although shrub planting is shown it will have to be less than 0.6m high as it is within the visibility splay.
44. The Development Manager has previously confirmed that this scheme has been the subject of lengthy discussions with Cambridge Housing Society and that the mix of

housing is appropriate. The applicant has indicated that the private housing is required to fund the extra care home part of the scheme. I have asked the applicant to provide a detailed financial appraisal of the scheme to support this claim but to date this has not been received. It would normally be appropriate to secure a percentage of the scheme as affordable housing under Policy HG7 of the Local Plan and it is for the applicant to demonstrate whether development costs preclude such provision in this case.

45. I had hoped that prior to submission of the latest application that the applicant would have been able to satisfy Melbourn Parish Council in respect of the issue of the day care centre. Given the comments of the Parish Council this does not appear to be that case. The applicant is aware of these comments and in addition I have sent a copy of the letter from the local resident which expresses concern about whether the proposed building is suitable for existing residents. I will report the response of the applicant at the meeting.
46. Other matters raised, including the comments of the Drainage Matter could be covered by condition/Section 106 Agreement.
47. In coming to a decision on this application Members will have to have regard to the desirability of providing the 35 bed extra car home and associated housing against the impact of the proposal on the locality. I regret that I am unable to support the proposal as submitted as in my view the applicant has not been able to demonstrate that the site is capable of supporting the level of development proposed, given the constraint of the existing building within the site, without having an unacceptable visual impact on the street scene.

Recommendation

48. That the application be refused on the grounds that the quality of the proposed design is not in keeping with surrounding properties in terms of its form and scale and that the boundary treatment fails to provide a high standard of visual amenity, contrary to the aims of Policy HG9 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 files Ref. S/2305/04/F & S/1114/05/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1249/05/F - Melbourn
Wall (Retrospective Application), White House Farm, Cambridge Road for Mr Rai

Recommendation: Refusal
Determination date: 19th August 2005

Site and Proposal

1. The site at White House Farm constitutes a modest farmhouse surrounded by numerous dilapidated agricultural buildings, some of which, until recently, bordered Fowlmere Road. The dwellinghouse itself sits at the forward most part of the site close to the junction with Cambridge Road and Fowlmere Road, two highways that define the northeast and northwest boundaries of the site. The entire site falls outside of the Melbourn village framework.
2. The full application, received on the 24th June 2005 proposes to regularise the erection of a two metre high wall adjacent to Fowlmere Road. The application also shows the intention of the applicant to continue this two metre high wall around the entire site except for the frontage that bounds Cambridge Road, which will be one metre in height. The wall at the front of the site, and those parts of the two metre high wall that do not sit adjacent to a highway, would not require the specific consent of the Local Planning Authority.

Planning History

3. In 2001 planning consent was refused at Planning Committee for the extension of the dwellinghouse and a detached garage, as the increase in scale and volume proposed would have materially changed and had an adverse impact on the surrounding countryside, being out of scale and character with the existing dwelling (**S/1618/01/F**).
4. Later that year planning consent was granted for an extension of the dwellinghouse. This application was considered acceptable once the floor area of the previous application had been halved (**S/2261/01/F**).
5. **S/2262/01/F** was submitted in parallel with the previous application and sought the replacement of the existing dwellinghouse. Although recommended for refusal by officers Members approved the application at a Committee Meeting of the 6th March 2002. This replacement dwelling constitutes a 38% increase in the footprint of the existing and was approved with a Section 106 legal agreement requiring that the existing dwelling be removed prior to the occupation or completion of the replacement dwelling.

Planning Policy

6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 which seeks to limit development in the countryside to that which is essential in a particular rural location.

7. **Policy EN5** of the South Cambridgeshire Local Plan 2004 seeks to retain hedges and other natural features wherever possible in proposals for new development.

Consultation

8. **Melbourn Parish Council** has recommended that the application be approved though states that the wall in red brick is overbearing colourwise and would be better rendered and painted. They also state that it is too high, although it may comply with the 2m stipulation.

Representations

9. One letter of objection from the occupants of 'Rosslyn', Cambridge Road, This is the closest residential property. The objectors state that the two metre high wall will be two metres from their ground floor bathroom and toilet and will block light to this room.

Planning Comments – Key Issues

10. Work originally started on the wall adjacent to Fowlmere Road in breach of planning control earlier this year. After discussions with Mr Rai's agent it was agreed that a retrospective application would be submitted for the area of wall adjacent to the highway that exceeds one metre in height. Although not requiring the specific consent of the Local Planning Authority there are issues of change of use as a result of the rest of the wall that will be discussed as part of the following application **(S/1250/05/F)**.
11. Before the wall was erected the agricultural buildings were set back approximately 5m from Fowlmere Road. Although dilapidated these buildings appeared in keeping with the rural surroundings. The new wall that has been built sits approximately 3m back from the highway and not 10m as shown in the submitted plans. The development replaces the informal boundary treatment with one that would be more in keeping with an urban residential estate. White House Farm represents a focal point in this flat landscape and the redbrick wall is overbearing in terms of its height, colour and proximity to the highway, all of which materially change the impact of the site on the countryside.
12. Aside from the impact upon the countryside the erection of a two metre high wall to the rear of the neighbouring properties on Cambridge Road will impact upon the amenity of the residents of both these properties. However this section does not require planning permission. The one metre high section will also impact upon the vegetation that presently bounds the site. It appears that columns have also been constructed on top of the one metre high section. These would therefore require the specific consent of the LPA.

Recommendation

- A. Refusal of the application.

Reasons for Refusal

1. The proposed wall adjoining Fowlmere Road would materially change the impact of the site on the countryside, thus being contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy EN5 of the South Cambridgeshire Local Plan 2004. Such an expanse of wall would be

overbearing in terms of its mass, colour and proximity to the highway and would not be in keeping with the informal, rural nature of the site and surrounding landscape.

- B. In addition to the refusal it is also requested that enforcement action be taken to secure the removal of the two metre high section of wall that has been constructed adjacent to Fowlmere Road and the parts of the wall adjacent to Cambridge Road that exceed one metre in height. A three month period for compliance is recommended.

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/1249/05/F; and related history files S/1618/01/F, S/2261/01/F and S/2262/01/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1250/05/F - Melbourn
Replacement Dwelling, White House Farm, Cambridge Road for Mr Rai

Recommendation: Refusal
Determination date: 19th August 2005

Site and Proposal

1. The site at White House Farm constitutes a modest farmhouse surrounded by numerous dilapidated agricultural buildings, some of which, until recently, bordered Fowlmere Road. The dwellinghouse itself sits at the forward most part of the site close to the junction with Cambridge Road and Fowlmere Road, two highways that define the northeast and northwest boundaries of the site. The entire site falls outside of the Melbourn village framework.
2. The full application, received on the 24th June 2005 proposes to replace the existing dwellinghouse with another larger property. The application also indicates a larger site edged red (1.34 hectares) than the already accepted residential curtilage (0.4 hectares); therefore it would also constitute a change of use in respect of the extended curtilage.

Planning History

3. In 2001 planning consent was refused at Planning Committee for the extension of the dwellinghouse and a detached garage, as the increase in scale and volume proposed would have materially changed and had an adverse impact on the surrounding countryside, being out of scale and character with the existing dwelling (**S/1618/01/F**).
4. Later that year planning consent was granted for an extension of the dwellinghouse. This application was considered acceptable once the floor area of the previous application had been halved (**S/2261/01/F**).
5. **S/2262/01/F** was submitted in parallel with the previous application and sought the replacement of the existing dwellinghouse. Although recommended for refusal by officers Members approved the application at a Committee Meeting of the 6th March 2002. This replacement dwelling constitutes a 38% increase in the footprint of the existing and was approved with a Section 106 legal agreement requiring that the existing dwelling be removed prior to the occupation or completion of the replacement dwelling.

Planning Policy

6. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 which seeks to limit development in the countryside to that which is essential in a particular rural location.

7. **Policy HG15** of the South Cambridgeshire Local Plan 2004 seeks to reduce the impact of replacement dwellings in the countryside by only permitting dwellings that are in scale and character with the dwelling they are intended to replace.

Consultation

8. **Melbourn Parish Council** has recommended that the application be approved. The Parish Council would like clarification of the status of the rear of the plot, which only has agricultural use permission. Also the orientation of the proposed house should have the white rendered face towards Cambridge Road.
9. **Chief Environmental Health Officer** has considered the implications of the proposal in terms of noise and environmental pollution and has concluded that there are no significant impacts from the Environmental Health standpoint.

Representations

10. One letter of representation from the occupants of 'Rossllyn' Cambridge Road, who notice that the new dwelling is not to be built on the footprint of the existing dwellinghouse and that the existing dwellinghouse is being repaired.

Planning Comments – Key Issues

Increase in gross floor area and visual impact on the countryside

11. Planning officers originally saw this proposal at an informal stage at which time it was stated that it would not receive their support. The existing dwelling has a gross floor area of 141 square metres and the already approved replacement dwelling would have a gross floor area of 236 square metres. In comparison the proposed dwelling would have a gross floor area of 409 square metres, an increase of 290% over the existing.
12. Aside from the percentage increase the first floor frontage of the dwelling will increase in length from 9.8m to 18.3m. However it should be noted that the proposed dwelling is no taller than the existing. Apart from materially increasing the impact of the site on the surrounding countryside this increase in length will make the dwellinghouse a more prominent feature in the rural landscape. Together with the proposed wall and associated development the site would take on a distinctively urban character that would not sit well within the context of the surrounding properties and countryside location.
13. It has been brought to the attention of planning officers that the existing dwelling is presently being repaired. As noted by the neighbouring residents the proposed dwelling will not sit on the same footprint as the existing. Therefore there is some concern about why the existing dwelling is being repaired and why the new dwelling would not be located on its footprint.

Change of Use of land to the rear and side of the site

14. The area of land associated with the dwellinghouse was previously part of an agricultural holding that is no longer operational. When planning consent was granted for the replacement dwelling in 2001 a smaller site edged red was submitted and accepted as the residential curtilage of the dwelling. The remaining parcel of land, although under the same ownership was never considered acceptable for residential purposes. The site edged red for both the replacement dwelling and the associated

wall (**S/1249/05/F**) would also result in the change of the additional area of the site. Were this application to be approved then the change of use of this once agricultural land would also be considered acceptable.

15. It is this area of land that lies to the rear of the two neighbouring properties, where the new two metre high wall would be used to define the boundary of the newly approved residential curtilage. As mentioned in the previous report the occupiers of Rosslyn have some concerns about such a high wall being built in close proximity to their property. Although the removal of the dilapidated outbuildings would be beneficial it is not considered appropriate for such a large area of agricultural land to become residential curtilage. It would further harm the rural character of the area.

Recommendation

16. Refusal

Reasons for Refusal

1. The proposed replacement dwelling would not be in scale and character with the dwelling it is intended to replace and would materially increase the impact of the site on the surrounding countryside by virtue of its increase in gross floor area (290% of the original) and mass, thus contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan and Policy HG15 of the South Cambridgeshire Local Plan 2004, which seek to protect the countryside from inappropriate development in order to maintain its rural character.
2. Moreover the change of use of adjacent agricultural land and its over-urban boundary treatment would further harm the rural character of the site and result in a loss of amenity to the occupiers of the neighbouring property (Rosslyn).

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/1250/05/F; and related history files S/1618/01/F, S/2261/01/F and S/2262/01/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/2408/04/F - Elsworth**Erection of 12 Houses Following Demolition of 6 Houses, 9-11 Boxworth Road and 2-8 Paddock Row for Circle 33 Housing Group**

Recommendation: Approval
Date for Determination - 21st January 2005

Adjoining Conservation Area**Site and Proposal**

1. The application, received 26th November 2004 and amended most recently on 15th June 2005, proposes the erection of 12 houses following the demolition of 3 pairs of semi-detached Airey houses on a site of 0.3 hectares located in the centre of the village north of Boxworth Road and east of Paddock Row. The density is 40 dph. The application is accompanied by a Flood Risk Assessment (FRA).
2. The mix comprises one 1 bed, two 2-bed, eight 3-bed and one 4-bed house.
3. The site adjoins but is outside the Conservation Area. The frontage of the site is within the medium risk flood zone 2. The site rises from The Brook and Paddock Row. There are a number of trees on the south west, south and east boundaries of the site. Dwellings largely 2 storey, surround the site, although there are bungalows on the opposite side of Paddock Row.
4. All the houses would be affordable (either shared equity or for rent) and such terms and nomination rights would be controlled under the ground lease.

Planning History

5. No relevant history has been identified.

Planning Policy

6. 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.
7. **Policy P5/5** allows for small-scale housing developments in villages subject to a number of criteria.
8. 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 Elsworth 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) 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.

9. 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.

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

Consultation

10. **Elsworth Parish Council.** The Parish Council has asked for assurances that the redevelopment will not add to the flood risk of other houses in the village and in particular those flooded in 2001. Despite two meetings and specific requests nothing has been said by the architects or SCDC to indicate that this issue has been addressed.
11. The Parish Council is satisfied that the amendments have addressed previous concerns regarding cladding, height of buildings and paving but it comments:
- a) The shape of windows does not reflect the scale of the buildings; windows should not be pvc;
 - b) There should not be vehicular access from the proposed car park direct to Boxworth road in front of No. 13;
 - c) The Parish wishes to be consulted upon the choice of external materials;
 - d) There is concern as to what will happen to the existing dwelling at No. 10 Paddock Row (this is outside the site);
 - e) All cables and wires should be underground;
 - f) Ground surfaces should not create water run-off into The Brook.
12. Essentially the Parish Council is pleased that the amended scheme is a big improvement on the original submission and it has welcomed the improved consultation and discussion between the architects and the Council.
13. **Local Highway Authority** has no objections. It notes that a 6 metre wide access road is acceptable, although a 5 metre width would be acceptable. Radius kerbing should not be used. A standard access crossing will be quite acceptable and suitable to serve the parking court.
14. **Conservation Manager** comments:
- “The latest revisions to the design include some positive enhancements. These include:
- a. The provision of roof vents that are a contemporary re-interpretation of a chimney stack.
 - b. The introduction of a wide frontage dwelling adjacent to No. 10 will improve the integration of the new housing with the existing surrounding housing, keeping a similar ridgeline etc.

The revision also includes changes to the fenestration and the introduction of render in place of timber cladding to some blocks. These two changes are to alleviate some of the concerns expressed by the Parish Council. I was not particularly concerned over either the fenestration or the timber cladding, but do not wish to object to the revised elevational treatment. However, I would note that the introduction of a render finish will also require movement joints and I would recommend that in the event of the scheme being approved, a condition should be added to agree the location of all movement joints before work commences - in that movement joints can be visually intrusive in render finishes.

15. The colour of the render will also need to be agreed in advance and be considered alongside the proposed brickwork. I would also wish to see the windows in the rendered dwellings painted while those in the timber clad dwellings should be stained.
16. I am satisfied that the scheme will now not adversely impact on the setting of the adjacent Conservation Area. No objections.”
17. The **Ecology Officer** comments: “During a brief visit it was found that the buildings proposed for demolition have 2 sparrow nest and 1 starling nest. Both of these species are on the RSPB’s Red List due to their rapid decline. The minimum that should be done is to provide sparrow and starling nest boxes on each of the new buildings. The best that could be done would be to provide suitable nest boxes on retained properties in the area that are within the Councils control.
18. I cannot rule out the presence of bats. However, the roofs were in relatively good condition and the concrete rendering/slabs fit together quite tightly thus minimising crevices. A dilapidated garden pond is present - would we create a new pond in the garden?”
19. Two conditions are recommended: One to preclude the demolition of buildings in the bird breeding season; and the other requiring a scheme of nest boxes.
20. The **Trees and Woodlands Officer** has no objections.
21. The **Landscape Design Officer** comments that some of the planting indicated may be impractical. Details of tree pits are required. No details of boundary treatment submitted. The issues can be the subject of planning conditions.
22. **Environment Agency** comments that the Flood Risk Assessment (RA) would appear satisfactory although surface water drainage remains outstanding.
23. The **Building Inspector** comments that the FRA covers all aspects. No storm water proposals have yet been received. No Building Regulations application has yet been received.
24. **Police Architectural Liaison Officer** comments that the exposed side elevations of plots 4 and 11 (now 3 and 10) should benefit from areas of clearly identifiable defensible space to protect against damage or disturbance from other users of the open space afforded by the car parking area.
25. The parking area and public footpaths should be provided with lighting by means of column mounted white downlighters.
26. **Fire and Rescue Service** comments that additional water supplies for fire fighting are not required.

27. **Chief Environmental Health Officer** requests a condition be imposed to control hours of working during the construction period. An informative should be added in respect to driven pile foundations.
28. **County Archaeology Officer** recommends a condition be imposed to require a programme of archaeological investigation given that the site lies in an area of high archaeological potential.

Representations

29. The occupiers of 16 Paddock Row object to the removal of a line of trees and the erection of houses immediately to the rear of their garden. These will overlook their house and garden, causing loss of privacy.

Planning Comments - Key Issues

30. The redevelopment of this site with a net gain of 6 houses accords in principle with the settlement policies of the Local Plan 2004.
31. A mix of dwellings is proposed and the density of the development makes the best use of the site without compromising the quality of the scheme or harming the appearance and character of the adjoining Conservation Area.
32. Eighteen car parking spaces are proposed in the central car parking area. This achieves an average of 1.5 spaces per dwelling. Members may consider that up to a maximum of 2 spaces per 3 or more bedroom house should be required, together with short term parking for visitors and service vehicles, at a standard of 0.25 spaces per dwelling provided with 2 spaces. This would equate to a total provision of 24 spaces. However, such provision would have a negative impact upon the design of the scheme and would almost certainly result in a reduction in the number of houses in the scheme.
33. A number of matters raised by consultees can be reserved by conditions, particularly landscaping, tree protection, external materials, including windows, access details, hard surface materials, surface water drainage, undergrounding of cables and wires, ecology, lighting of footpaths and parking area, archaeology, construction hours and the provision of parking before the occupation of the houses.
34. The house at 16 Paddock Row is located some 25 metres north of the boundary of the site. Its rear garden faces south and adjoins the boundary of plots 4 and 5. The houses on plots 4 and 5 will be 18.5 metres and 23.5 metres respectively south of that boundary. Each has one bedroom window in the rear first floor elevation facing north. But, given the adequate distance that is proposed to the north boundary of the site and the distance of No. 16 from the site boundary, I consider that the proposal will not overlook that property or cause loss of privacy.
35. The trees to be removed are noted in the tree schedule as either ash or "unknown" of heights and spread of 6-8 metres. One is a holly, 10 metres high. The Trees and Woodlands Officer does not object to their loss. The better quality trees are located in the southern half of the site.
36. The FRA recommends minimum finished floor levels of 22.8 m AOD. This should be bettered because the approximate site level at the Paddock Row frontage is 23.5 AOD. It recommends that runoff from the site to the watercourse shall be restricted to

the existing runoff for an equivalent area of roof/hardstanding on the present development (16.2% of the site area). Any excess surface water run off is to be detained on site and released within the permitted discharge rate.

37. I am satisfied that, subject to the imposition of conditions (see para. 33 above), the scheme is acceptable

Recommendation

38. It is recommended that the application is approved, subject to conditions relating to:
1. External materials
 2. Window materials
 3. Landscaping, including boundary and tree pit detail
 4. Tree protection
 5. Access details
 6. Hard surface materials
 7. Surface water drainage
 8. No overhead wires or cables
 9. No demolition during the bird breeding season
 10. Provision of nest boxes
 11. Lighting of car parking areas and footpath
 12. Archaeological investigation
 13. Restriction on construction hours
 14. Provision of parking before occupation of the houses
 15. Restriction on vehicular access from the east boundary of the site.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P5/5** (Homes in Rural Areas);
 - **South Cambridgeshire Local Plan 2004: SE4** (Group Villages); and **HG10** (Housing Mix and Design)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact on the Conservation Area
 - Flooding
 - Design
 - Overlooking of neighbouring properties

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

- County Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning Application File: S/2408/04/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/0039/05/F - Swavesey
 Erection of 12 Affordable Dwellings (1 Bungalow, 7 Houses and 4 Flats) for the
 Guinness Trust Following Demolition of 4 Existing Dwellings**

**Recommendation: Delegated Approval
 Date for determination: 4th March 2005**

Site and Proposal

1. The site is located within an estate of Council and ex-Council dwellings. To the south the site adjoins open agricultural land. The southern boundary is marked with mature hedgerow and trees. Two pairs of semi-detached Airey houses stand on the frontage, and there is a mature Willow within the site. The site area is 0.33ha.
2. The full application, received 7th January 2005, as last amended by layout plan dated 18th July, proposes the demolition of the existing dwellings and the erection of 1 bungalow, 7 houses and a two-storey block of 4 flats. The development will be served by a small estate road to adoptable standard. A total of 22 car parking spaces are proposed. The Willow tree is to be removed. The design of the development is different to the other dwellings on the estate, having asymmetrical roofs and material finishes combining brick, render and red cedar timber cladding. The application has been accompanied by a flood risk assessment, a tree survey and a design statement.
3. The development represents a density of 36 dwellings/hectare on a site of 0.33ha.

Planning History

4. **S/2285/04/F** Erection of 11 affordable dwellings following demolition of 4 existing dwellings. This was withdrawn in order to submit the current application.

Planning Policy

5. Cambridgeshire and Peterborough Structure Plan 2003:
Policy P1/1 (Approach to Development) – development sites involving the use of previously developed land and buildings within existing settlements should be afforded the highest priority.
Policy P1/3 (Sustainable Design in Built Development) requires compact forms of development through the promotion of higher densities that responds to the local character of the built environment. A high standard of design and sustainability for all new development will be required which provides a sense of place which responds to the local character of the built environment; is integrated with adjoining landscapes; includes variety and surprise within a unified design; and pays attention to the detail of forms, massing, textures, colours and landscaping.
Policy P5/5 (Homes in Rural Areas) – small scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of

jobs, services, infrastructure and passenger transport provision in the immediate area.

6. South Cambridgeshire Local Plan 2004
Policy SE2 (Rural Growth Settlements) – residential development will be permitted provided that the retention of the site is not essential to the character of the village, the development would be sensitive to the character of the village and the amenity of neighbours; and the village has the necessary infrastructure capacity. Development should achieve a minimum density of 30 dwellings per hectare unless there are strong design grounds for not doing so.
SE9 (Village Edges)- development on the edge of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
Policy HG7 (Affordable Housing on Sites within Village Frameworks) In settlements with a population of up to 3,000, affordable housing should represent up to 50% of the total number of dwellings for which planning permission may be given, dependant upon the level of clearly identified local need, although higher or lower percentages may be agreed in the light of such factors such as proximity to local services, access to public transport, the particular costs associated with the development, and whether provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case. Such affordable housing to be occupied by qualifying persons and to be subject to cascade provisions secured by a Section 106 Agreement or an alternative form of equally effective provision.
Policy HG10 (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.
Policy TP1 (Planning for More Sustainable Travel) – car parking requirements will be restricted to the maximum levels set out in Appendix 7/1. (For dwellings, Appendix 7/1 gives a level of an average of 1.5 spaces per dwelling, up to a maximum of two per 3 or more bedrooms in poorly accessible areas).

Consultations

7. **Swavesey Parish Council**- no objection in principle to the proposal. However it has detailed concerns about:
- a) S106 Agreement required to ensure that priority is given to future tenants from Swavesey or to persons having a strong local connection;
 - b) Additional parking for the flats – 6 spaces for 4 units are shown. An additional 2 spaces are recommended so as to avoid parking on the turning head.
 - c) Design of the houses with monopitch roofs. Although the bungalows opposite do have this type of roofline, Whitton Close is made up predominantly of standard dual-pitch rooflines on two-storey houses. The PC would prefer to see new development with dual pitch rooflines.
8. **Local Highway Authority**- No objection in principle. Final clearance of highway details awaited.
9. **Council's Trees Officer**- no objections to the felling of the Willow, which has been causing damage to the structural integrity of nearby dwellings. He recommends that care should be taken when removing the Willow to avoid further damage to properties through swelling of the soil.
10. **Council's Chief Environmental Health Officer** – No objections in principle. Recommends conditions to mitigate noise disturbance during the construction period.

11. **Environment Agency** – No comment, as the site falls within zone 1 of the Flood Zone Matrix (low risk of flooding). However, the EA recommends that a condition regarding details of drainage to be submitted for approval should be attached.
12. **Middle Level Commissioners**- Having requested the preparation of a flood risk assessment, the MLC is not convinced that the site is suitable for drainage by soakaways. Nevertheless, it acknowledges that this aspect will be carefully examined at building regulations stage.
13. **Police Architectural Liaison Officer** – Initially concerned about detailed aspects of design and layout. These have been addressed in the revised layout.
14. The **Fire and Rescue Service** does not require additional water supplies for fire fighting.

Representations

15. The occupiers of an adjoining dwelling at No 4 Whitton Close have objected on the grounds of the eyesore of the monopitch roofs which would not be in keeping; concern about the need for continued maintenance of the external cladding materials; need for more car parking for the flats, at least 2 spaces per flat; restriction of occupation to Swavesey residents or those with strong connections to the village only.

Representations from the Applicant and Agent

16. The Guinness Trust has sought to involve all neighbours or those nearby and members of the public in their consultations, including the neighbouring objector.
17. The design statement highlights that there is no particular or prevalent architectural style within this area of Swavesey. The proposed design seeks to provide a distinct but sympathetic identity for the new development, and to provide variety and interest to the Whitton Close street scene. Parking for the flats has been provided on the basis of one space per flat and two spaces for visitors.

Planning Comments – Key Issues

Design and appearance

18. The Parish Council and nearby occupier have drawn attention to the appearance of the development in contrast to existing houses in the vicinity. The scale and height of the new housing is similar to those on the estate. Monopitch roofs have already been used in single storey housing on the opposite side of the road. The existing estate has a limited range of external materials compared to the proposed dwellings, but this can be seen as attractive variety within a unified design, as envisaged in Policy P1/3. I consider the design and appearance of the development to be acceptable.

Car parking

19. The Parish Council and nearby occupier have expressed concern about the provision of car parking for the flats. Each flat has been provided with 1½ spaces, which accords with the standard set out in Policy TP1 and Appendix 7/1 of the Local Plan.

Other matters

20. The provision of affordable housing should be regulated by a S106 Agreement in accordance with Policy HG7. The consideration of qualifying persons and the cascade provisions will ensure that those that live in or employed in or have close local connections with the village will be given priority in receiving accommodation, as requested by the Parish Council and nearby objector.

Recommendation

21. Subject to no objections being received from the Local Highways Authority and to the prior signing of a Section 106 Agreement to secure affordable housing in accordance with Policy HG7, delegated powers are sought to approve the application, as amended by plans dated 18th July 2005, subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aaii);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc22 – No windows at first floor level in the north-east elevation of Plot 11 (Rc22);
 7. Before development commences details of the method of felling of the Willow within the site so as to avoid undue swelling of the soil shall be submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the agreed scheme.
 8. Surface water drainage details;
 9. Foul water drainage details;
 10. Restriction of hours of use of power operated machinery;
Plus any conditions required by the Local Highways Authority

Informatives as recommended by the Environment Agency and Environmental Health Officer. (Method of construction of pile foundations).

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 P1/1** (Approach to Development); **Policy P1/3** (Sustainable Design in Built Development); **Policy P5/5** (Homes in Rural Areas).
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements); **SE9** (Village Edges); **Policy HG7** (Affordable Housing on Sites within Village Frameworks); **Policy HG10** (Housing Mix and Design); **Policy TP1** (Planning for More Sustainable Travel).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety and car parking
 - Visual impact on the locality
 - Design and appearance of new development
 - Retention of natural features

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Refs. S/0039/05/F, S/2285/04/F

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/2495/04/O - Great Abington
Erection of Research and Development Buildings (Class B1(b)) Together with
Strategic Landscaping, Parking and Roads.
Phase II Granta Park for Granta Park Ltd**

**Recommendation: Minded to Approve
Date for determination: 10th March 2005 (Major Application)**

Departure Application

Site and Proposal

1. This site is L-shaped and extends to approximately 16 hectares/40 acres. It is bounded by Granta Park/TWI to the northwest and west, the rear of properties fronting a track off High Street to the northeast, part of an agricultural field with the rear of properties fronting High Street beyond to the east, the Avent Research Centre site (formerly Syngenta Seeds Ltd) and properties in Pampisford Road to the southeast and Pampisford Road to the south. There is a permissive path along the northern boundary of the site linking Granta Park to High Street.
2. This outline application, registered on the 9th December 2004, proposes the erection of 30,660 square metres of B1(b) (Research and Development) floor space. Details of the buildings and landscaping within each plot are reserved, but details of the strategic landscaping, grove parking, road and parking are to be considered as part of this application. A Masterplan drawing has been submitted. A central road loop is proposed connected to the existing Park road network. Access to the site would be through the Park from the existing entrance. A path link is indicated onto Pampisford Road. The built development would be confined to the western part of the site. The easternmost part of the site would be retained as agricultural land. The area immediately to the west of the retained agricultural land would be re-contoured and would become a wildflower meadow and woodland glades with the proposed grove parking area located on the area to the west of this. A plan showing proposed building height restrictions across the site, up to a maximum of 15 metres high, has also been submitted.
3. The application is accompanied by a planning statement, a draft design guide, a transport assessment and addendum, a travel management plan and an Environmental Impact Assessment with accompanying specialist reports covering visual impact, historic buildings and landscapes, soil and geology, air and climate, water and hydrogeology, noise and vibration, traffic and transport, archaeology, and flora and fauna. The text from the Environmental Statement Non-Technical Summary is attached as Appendix A.
4. The application has been amended by a Transport Assessment Addendum 1 date stamped 16.3.05 (a response to queries from the Highways Agency), drawing no. 230541SK28 Rev.

A date stamped 24.6.05 (detailing proposed changes to the signage and markings on the approach to the A1307/A11 roundabout) and Josephine Morrison Landscape Architect's letter dated 4.7.05 and enclosure (detailing percentage mixes for the woodland planting schemes).

Planning History

5. There is no planning history relating to this site.
6. Permission has been granted for approximately 69,000 square metres of B1(b) floor space on the existing Granta Park site ('Phase I').

Planning Policy

Employment/Clusters in Rural Areas

7. Regional Planning Guidance for East Anglia to 2016 (RPG6 November 2000) has two policies of relevance:

"Policy 7: Extension of the clusters of research and technology based industries

EEDA, the local authorities and other regional partners should develop a strategy to inform the RPG for the East of England for facilitating the extension of the clusters of research and technology based around Cambridge to locations beyond Cambridge and its immediate vicinity. Such a strategy would identify appropriate locations and indicate how they can provide the conditions attractive to investment by research and technology based industries and their support services.

Policy 21: Vision and planning Framework

The local authorities, supported by EEDA and other local partners, should develop a vision and planning framework for the Cambridge sub-region which will, amongst others:

- a) Allow the sub-region to develop further as a world leader in research and technology based industries and the fields of higher education and research;
 - b) Foster the dynamism, prosperity and further expansion of the research and technology based economy;"
8. The East of England Plan (Draft revision to the Regional Spatial Strategy for the East of England) (December 2004) incorporates the following policy:

"Policy CSR3: high technology Clusters

The development and expansion of high technology clusters in the Cambridge sub-region will be supported by making specific provision for:

- a) Research and development
- b) Computer services
- c) Telecommunications/information technology
- d) Biotechnology and biomedical
- e) Medicine
- f) Other emergent technologies."

9. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
10. Structure Plan 2003 **Policy P2/4** states that linkages and partnerships between successful clusters in the Cambridge Sub-Region will be facilitated to help spread the benefits of cluster growth. It states that, in allocating sites suitable for new and existing employment clusters, the Local Planning Authority will: take account of the distribution, dynamics and spatial requirements of particular clusters; ensure provision is made in suitable locations well related to the local labour market, primarily in urban areas well served by public transport; indicate appropriate contributions from cluster businesses to facilitate provision of key worker housing and public transport; and seek to facilitate cluster potential in market towns and on an appropriate scale in rural areas in accordance with Policy P2/6 (which promotes sensitive small-scale development in rural areas).
11. **Policy P9/6** states that development and expansion of high technology clusters in the Cambridge Sub-Region will be supported in accordance with Policy P2/4 by making specific provision for development in specific categories, including biotechnology and biomedical and research and development.
12. Local Plan 2004 **Policy EM4** states that proposals for the expansion of existing research establishments will normally be permitted if it can be demonstrated that: (a) such development is intended to provide accommodation for organisations whose primary purpose is to research or investigate ideas, theories and concepts and/or to design and develop instruments, processes or products, up to and including production for testing, but excluding manufacture; and (b) that the organisations are required in the national interest to be located close to existing major establishments in related fields (such as the universities, the teaching hospital or private research establishments) in order to share staff, equipment or data, or to undertake joint collaborative working for the purposes specified in (a). It states that where there is any conflict between such proposals and other policies and proposals in the development plan this must be outweighed by evidence of need in the national interest. It also states that development under this policy will be regulated by way of a condition(s) or, where appropriate, a planning obligation, to restrict the future occupation and use of the premises for the purposes specified.

Landscaping/Visual Impact of Development

13. Local Plan 2004 **Policy EN3** states that, in all cases where new development is permitted in the countryside, the Council will require that development and landscaping works are appropriate to the particular Landscape Character Area, the East Anglian Chalk Landscape Character Area in this instance.
14. Local Plan 2004 **Policy EN5** states that landscaping schemes will be required to accompany applications for development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality.

Nature Conservation and Ecology

15. Local Plan 2004 **Policy EN8** states that the District Council will seek to ensure that the distinctive habitats, natural features and species characteristics of natural areas are respected, retained and wherever possible enhanced.

Setting of Abington Hall, a Grade II* Listed Building

16. Structure Plan 2003 **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
17. Local Plan 2004 **Policy EN28** states that the District Council will refuse applications for development which damage the setting of a listed building.

Sustainable Transport

18. Structure Plan 2003 **Policy P8/2** states that new development will be expected to make provision for integrated and improved transport infrastructure to increase the ability to move by cycle, public transport and on foot.
19. Local Plan 2004 **Policy TP1** states that the Council will seek, through its decisions on planning applications, to promote sustainable transport choices, to improve access to major trip generators and to reduce the need to travel, especially by car. It states that this will be achieved by, amongst others, adopting on-site and/or off-site design features that promote and facilitate access by non-car modes (including walking and cycling), restricting car parking, requiring safe and secure cycle parking and, where a proposal is likely to have 'significant transport implications', require the preparation of a Travel Plan.

Consultations

20. **Great Abington Parish Council** recommends approval and states that the issues raised at pre-application meetings, including a public meeting, have been addressed. These issues were principally covenanting the land to the east to remain in perpetuity as agricultural land; traffic calming on Pampisford Road; re-contouring Ricketts Field and tree planting on both the field and along the Pampisford Road frontage near New House Farm; and the creation within the site of a permissible cycle/footpath from Pampisford Road to connect with the existing path from Phase 1 to the High Street. It also welcomes the proposal to partly fund a cycle path to the Babraham Park and Ride site from Four Wentways.

Whilst unanimously recommending approval, it thinks that the concrete blocks, currently used across the emergency exit, should be replaced by a more readily opened system and seeks assurances from Anglian Water through SCDC that the sewerage mains in the village can handle the additional discharge. It also wishes to see the Section 106 Agreement before it is signed and asks whether it should be a signatory.

21. **Little Abington Parish Council** recommends approval. It welcomes the agreement of use of land between Great Abington High Street and the development as agricultural land, imaginative landscaping on the eastern side of the development and the traffic measures along Pampisford Road. It urges that the traffic situation at the entrance roundabout to the Granta Park site is monitored to ensure that villagers using the A11 road are not held up and light pollution on the site is kept to a minimum.
22. **Conservation Manager** raises no objections. He states that the development would not impact on the principal elevation to the northern side of Abington Hall, a Grade II* listed building. He also states that the proposed height regime and landscaping is logical, respects the setting of the site and mitigates the potential impacts of the development. He supports the proposed design criteria but states that provision for

public art also needs to be included. As a planning gain, he recommends that, as part of any permission, provision is made to secure the long-term future of South Lodge, which is a 'Listed Building At Risk'.

23. **Landscape Design Officer** raises no objections and comments that the creation of limited mounding is acceptable and there are similar slopes nearby (eg. up from the river). While she states that the gradients shown are generally acceptable, she would prefer the proposed 4 metres raise to be reduced but states that, given the planting that is going on top of this area, she does not formally object.
24. **Ecology Officer** accepts the contents of the submitted ecological report and has no objections. He does however suggest further discussions in relation to: a slight realignment of the woodland edge to allow a greater proportion of the meadow to be south facing; provision of telegraph mounted barn owl boxes adjacent to the meadow to provide future nest site for desired species; the erection of nest and bat boxes within the larger hedgerow trees; consideration to incorporating a bat cave within the contours of the new meadow. He also recommends a condition is attached to any approval to protect the hedgerows during the construction period and would prefer the ecological management of the site to be secured by a S.106 rather than condition, as the woodland glades will require management beyond 5-10 years and the meadow management will require specific cutting regimes. He also comments that the provision of green roofs would demonstrate an excellent approach to sustainable development and integration of biodiversity within the built environment.
25. **Chief Environmental Health Officer** recommends that conditions relating to noise emitted from the use of plant and machinery, limits on hours within which landscaping/contouring and general construction can take place and an Environmental Management Plan are attached to any permission.
26. **Local Highway Authority** notes that this is a substantial development and the level of additional trips that would be generated (predicted to be 777) will not be insignificant. It states that the majority of these will access the Park from the A11 but that any further rat running along Pampisford Road should be discouraged.

It welcomes the proposed traffic calming on this road but states that the proper channels of consultation with local residents will need to be gone through, the scheme worked up and implemented by the developers and secured through an appropriate legal agreement. It confirms that the development would not exceed the capacity of the Pampisford Road roundabout and the junction of Station Road with the A505. It also states that it would be appropriate for the applicant to contribute towards the A1307 cycle scheme and seeks a contribution towards or provision of a section of the scheme. Finally, it recommends that the proposed signage scheme at the A11 Four Wentways junction is implemented.
27. **Highway Agency** confirms that it is content with the application provided the proposed changes to the signage and markings on the approach to the A1307/A11 roundabout are implemented.
28. **County Archaeology** recommends that a condition requiring a programme of archaeological work to be agreed and implemented is attached to any approval.
29. **East of England Development Agency** states that the development would undoubtedly make a valuable contribution to meeting the goals and priorities of the recently adopted Regional Economic Strategy but acknowledges that the District Council will need to balance these contributions against other important planning

considerations. It suggests that a full 'economic impact assessment' would assist in the consideration of the proposals, particularly with respect to the relative importance of the proposals to the wider regional and national economy.

30. **The Countryside Agency** was consulted but does not wish to comment.
31. **English Heritage** does not wish to make any representations and recommends that the application should be determined in accordance with government guidance, development plan policies and with the benefit of conservation advice locally.
32. **Environment Agency** raises no objections subject to the imposition of conditions relating to surface water drainage, foul water drainage and pollution control are attached to any approval. It also makes advisory comments for the applicant.
33. **Anglian Water** has no objections to the application subject to the imposition of a condition requiring details of foul and surface water drainage to be approved. It also states that foul drainage from the site will connect to the pumping station constructed as part of Phase 1 Granta Park and this station will not be permitted to increase the pumped discharge rate to the public foul sewer.
34. **English Nature** does not object but makes the following suggestions: the approval and implementation of a management plan, encompassing future management of wildlife habitats as outlined in the Environmental Statement (ES), should be a condition of any approval; no work should take place within 6 metres of hedgerows (not 3 metres as stated in the ES) in order to fully protect the hedgerows (which may be used by as flight lines and/or feeding stations by bats) from damage whilst works are taking place; and an area dedicated to annual cultivation with no agricultural inputs within Granta Park may prove of benefit to annual arable plant species.
35. **Cambs Fire & Rescue Service** asks that adequate provision is made for fire hydrants by way of S.106 Agreement or condition.
36. **RSPB, CPRE, Cambridge & District Chamber of Commerce, Wildlife Trust, Cambridge Water Company, CCC Biodiversity Officer and Go-East** were consulted but no comments have been received to date.

Representations

37. Occupiers of 2 New House Farm Cottages, Pampisford Road makes the following concerns/comments: light and noise, including noise from air conditioning units, which should be minimised by coniferous screen landscaping; the lowest buildings should be sited near houses; the security of footpath needs to be considered; and speeding is a problem on Pampisford Road.
38. Occupier of 2 Pampisford Road comments that the effect of the development on properties in Pampisford Road has not been given any consideration and highlights the following concerns: light pollution, which should be minimised by the construction of a bund with coniferous trees on top and a restriction on construction hours; visual pollution, which should be minimised as above plus by more sympathetically designed and coloured buildings in keeping with the surrounding countryside; increased traffic; in the absence of public transport, trips to the Park would be by car; traffic calming and an extension of the 30mph zone on Pampisford Road should be a condition of any approval; improved bus services needed; and noise pollution, particularly during the construction period, which should be minimised by restricting construction hours and a bund.

39. Occupiers of 4 Pampisford Road make the same comments as the occupier of 2 Pampisford Road above.
40. A separate letter from another occupier of 2 Pampisford Road expresses concern in relation to the intrusive nature of this large-scale, semi-industrial development that in no way reflects the rural nature of the existing landscape; and the need for a bund and landscaping to minimise the impact of the development on properties in Pampisford Road. He/she also states that the LPA should obtain the view of Cambs Constabulary who has independently surveyed traffic in Pampisford Road in recent months and states that suitable speed reduction measures and an extension of the 30mph zone on Pampisford Road are required if the development is to proceed. He/she is also concerned about light pollution and the need to time restrict any lighting; and noise pollution/biohazard/procurement. In a subsequent letter, he/she states that, to his/her knowledge, the police have attended at least 2 accidents in Pampisford Road in the 5 months since his/her original letter, both involving overturned cars on the bend to The Cutting House.
41. Occupier of New House Farm, Pampisford Road is concerned about the landscape impact of the development and makes the following comments: public meetings have focused on the impact on properties in the High Street only with little consideration given to the numerous properties along Pampisford Road; need for bund and coniferous planting to help minimise the impact of the development from Pampisford Road during the winter months; buildings should be a soft green colour; need for strict control over lighting of buildings and car parks; and need for public consultation in respect of traffic calming on Pampisford Road.
42. Occupiers of 8 Pampisford Road object on the following grounds: visual impact; height of buildings close to their property (should be a max of 5m rather than 11m as proposed); lighting of car parks; increased traffic on Pampisford Road; need for consultation in respect of any traffic calming along Pampisford Road; mitigation proposals concentrate on minimising impact on properties in High Street only; the proposed footpath at the bottom of their garden would raise security concerns and they would welcome discussions as to how this could be resolved; noise from plant, machinery, deliveries etc.; and need for waste to be properly managed.
43. Occupier of 1 Newhouse Farm Cottages, Pampisford Road have the following concerns: close proximity of such high buildings with concurrent light and noise pollution; air and water pollution as it is not clear what kind of research would be carried out in the buildings; whilst attempts have been made to protect residents of High Street, no similar attempt has been made to protect the residents of Pampisford Road; and need for an artificial hill and strategic planting to protect Pampisford Road residents.
44. Occupiers of Cutting House, Pampisford Road have the following concerns: loss of view and privacy; an earth mound is needed to minimise the impact of the development when viewed from properties in Pampisford Road; impact on Pampisford Road residents has not been considered sufficiently; new planting needs to be semi-mature trees to accelerate the screening; the views from Cutting House included in the environmental report are misleading and inaccurate; any buildings close to their property need to be much lower (single storey or sunk into the ground) than proposed; light pollution, particularly from car parks at night; exacerbating existing traffic problems on Pampisford Road; assurances needed that there would be no access to the site from Pampisford Road; traffic calming on Pampisford Road is

required; noise pollution, including noise from traffic; and air pollution in the form of dust during construction period and from users of the buildings.

Planning Comments – Key Issues

45. The key issues in relation to the application are:
 - a) Whether development of the nature and scale proposed is appropriate in this countryside location;
 - b) The visual impact of the development;
 - c) Highway matters, including sustainable transport; and
 - d) Impact on local residents.
46. The application has been advertised as a departure from the development plan due to the scale of the development in the countryside, but needn't necessarily be a departure if it can be demonstrated to be essential in this particular rural location and thereby accord with Structure Plan Policy P1/2. Nevertheless, given the scale of the development, it is considered appropriate to refer it to the Secretary of State should Members be minded to approve it.
47. There is not currently a shortage of general employment land in the District and I would also normally seek to ensure a development of this scale was better related to large centres of population. However, the development plan acknowledges the advantages of hi-tech firms locating in clusters and supports the expansion of such clusters. Mindful of the clear advantages of clusters and the information submitted by the applicant, including the letter attached as Appendix B, it is my view that the need for a development of this nature and scale in this particular location has been demonstrated. One significant advantage of allowing a development of this scale at this time rather than a series of incremental extensions is that it will enable the significant structural landscaping proposed to be planted and become established rather than continuously replanting the boundary as and when it is moved.
48. Having had regard to the Environmental Impact Assessment and provided the proposed conditions, which including conditions relating to landscaping and the maximum height of buildings, are adhered to, I am satisfied that the visual impact of the development can be adequately mitigated.
49. Subject to the implementation of traffic calming on Pampisford Road, a scheme of signage and road markings at the A11 Four Wentways/A1307 junction, the payment of a contribution towards the provision of a segregated cycleway along the A1307 and an updated 'Green Travel Management Plan' for Granta Park to take account of the development, which can all be secured by condition or legal agreement, the proposal is considered to be acceptable in terms of highway matters and sustainability. In recent years, Granta Park has operated a successful Green Travel to Work Plan, including encouraging and facilitating car sharing, walking and cycling to work, and providing a shuttle bus to and from Whittlesford rail station.
50. With regards to other issues, the development is not considered to harm the setting of Abington Hall (a Grade II* listed building) or, subject to compliance with safeguarding conditions, including conditions relating to noise levels, the amenity of local residents. A 20m+ belt of strategic planting is proposed between the built development and properties in Pampisford Road. When the precise siting and height of buildings is considered at the detailed stage, it will be important to ensure that the amenity of Pampisford Road residents is protected.

51. The Conservation Manager recommends that, as a planning gain as part of any permission, provision is made to secure the long-term future of South Lodge. In response, the applicant states that the building has recently been renovated and is now in a very sound condition. Whilst it currently has no plans for its re-use, it is committed to maintaining it in that state but has indicated that its use in connection with the proposed research and development use has been considered but the building does not readily lend itself to such a use. In view of this, I do not consider that it would be reasonable to require a new use to be found for this building as a requirement of any permission.

Recommendation

52. Subject to the application being referred to the Secretary of State and not being called in by him, the prior signing of a legal agreement to cover the following:
- a) The use of the buildings (to reflect the use stipulated as part of the Agreement covering 'Phase 1');
 - b) Ensuring the "agricultural zone" shown upon drawing no. 517/102 is only used for agricultural purposes and that no development, including development that would otherwise be permitted development, is carried out within this area;
 - c) A £350,000 contribution towards the provision of a segregated cycleway along the A1307; and
 - d) An Ecological Management Plan for the site.

Approval (as amended by Transport Assessment Addendum 1 date stamped 16.3.05, drawing no. 230541SK28 Rev. A date stamped 24.6.05 and Josephine Morrison Landscape Architect's letter dated 4.7.05 and accompanying percentage mixes for the woodland planting schemes) subject to conditions to cover the following:

- 1. Standard Condition B – Time limited permission (Reason: B);
- 2. Standard Condition 1 a, b, and d save for details of strategic landscaping, the grove parking and road and parking details, including lighting and signage, which form part of this permission – Submission of Reserved Matters (Reason: 1)
- 3. The development hereby permitted shall not exceed 30,660 square metres gross external floor area (Reason: To define the development in relation to the Environmental Impact Assessment)
- 4. All planting, seeding or turfing comprised in the approved details of structural landscaping shall be carried out no later than the first planting and seeding seasons following the commencement of development; 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. All planting, seeding or turfing comprised in the approved details of landscaping of the grove parking shall be carried out no later than the first planting and seeding seasons following the bringing into use of the parking spaces adjacent to the approved landscaping; 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.)

6. All planting, seeding or turfing comprised in the approved details of landscaping approved under condition 2 above shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings to which they relate, the completion of the road to which they relate 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.)
7. No development shall commence until a scheme to protect the hedgerows and planting on the boundaries of the site has been submitted to and approved in writing by the Local Planning Authority; the approved scheme shall be in place for the duration of the construction period (Reason: To protect the boundary hedgerows and planting which make an important contribution to the area)
8. 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/specification at such time(s) as may be specified in the approved scheme (Reason: To ensure a satisfactory method of surface water drainage)
9. Prior to the commencement of any development, a scheme for the provision and implementation of foul 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/specification at such time(s) as may be specified in the approved scheme (Reason: To prevent the increased risk of pollution to the water environment)
10. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control to the water environment 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/specification at such time(s) as may be specified in the approved scheme (Reason: To prevent the increased risk of pollution to the water environment)
11. Standard fire hydrant condition and reason
12. Before development commences on each building, precise details of the finished floor level of the building shall be submitted to and approved in writing by the Local Planning Authority; development shall be carried out in accordance with the approved details (Reason: To ensure the satisfactory appearance of the development)
13. The height of buildings shall not exceed the heights specified on drawing no. 517/103 relative to the finished floor level information on drawing no. 517/101 (Reason: To ensure that the development would not seriously detract from the visual amenities of the countryside)
14. Noise emitted from the use of plant and machinery on the site shall not exceed 35dB Laeq (fast) (1 Minute) between the hours of 0800 and 1800 and 30dB Laeq (fast) (1 Minute) between the hours of 1800 and 0800 at the positions marked 'X' on plan SCDC1 enclosed with this Decision Notice (Reason: To protect the amenity of local residents)
15. Unless otherwise agreed in writing by the Local Planning Authority, no landscaping/contouring work shall take place other than between the hours of 0800 and 1700 Mondays to Fridays and no other construction work shall take place other than between the hours of 0800 and 1800 Monday to Friday and

- 0800 and 1300 on Saturdays and at no time on Sundays or Public Holidays
(Reason: To protect the amenity of local residents)
16. Before development commences, an Environmental Management Plan relating to vibration/foundation work, construction noise levels and monitoring, dust suppression and noise from reversing beepers, to include dates and periods of potentially noisy/dusty work and site liaison details shall be submitted to and approved in writing by the Local Planning Authority; All such work shall be carried out in accordance with the approval plan. (Reason: To protect the amenity of local residents during the construction period)
 17. Standard Condition 66 – Archaeology (Reason: 66)
 18. Before development commences on the southern loop road, details of its precise position shall be submitted to and approved in writing by the Local Planning Authority; development shall be carried out in accordance with the approved details (Reason: To ensure the satisfactory appearance of the development)
 19. Before development commences on the loop road, details of the hard surface materials to be used shall be submitted to and approved in writing by the Local Planning Authority; development shall be carried out in accordance with the approved details (Reason: To ensure the satisfactory appearance of the development)
 20. Before development commences, details of a traffic calming scheme on Pampisford Road shall be submitted to and approved in writing by the Local Planning Authority; the approved scheme shall be implemented before any of the buildings hereby permitted are first occupied (Reason: In the interests of highway safety)
 21. Before any of the buildings hereby permitted are first occupied, the scheme of signage and road markings at the A11 Four Wentways/A1307 junction shown upon drawing no. 230541SK28 Rev. A date stamped 24.6.05 shall be completed (Reason: In the interests of highway safety)
 22. No development shall commence until an updated 'Green Travel Management Plan' for Granta Park to take account of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority; the Plan shall be implemented in accordance with the details contained therein (Reason: To encourage car sharing and the use of non-car alternative means of travel to the site)
 23. Before development commences on each building, details of secure, covered cycle parking to serve that building shall be submitted to and approved in writing by the Local Planning Authority; the approved parking shall be provided before the building to which they relate is first occupied and thereafter maintained (Reason: To encourage cycling to work)
 24. Before development commences, details of the position of lamp columns within the parking groves shall be submitted to and approved in writing by the Local Planning Authority; development shall be carried out in accordance with the approved details (Reason: To ensure the satisfactory appearance of the development)
 25. Details of the position of lamp columns within each other part of the development shall be submitted to and approved in writing by the Local Planning Authority before development commences on that part of the development; development shall be carried out in accordance with the approved details (Reason: To ensure the satisfactory appearance of the development)
 26. Unless otherwise approved in writing by the Local Planning Authority, the lamp column lighting shall be turned off between the hours of 2200 and 0730 (Reason: To protect the visual amenities of the countryside)

27. Unless otherwise approved in writing by the Local Planning Authority, paths shall only be illuminated by bollard lighting and only to match the bollard lighting approved for the 'Extension to Footpath/Cycleway Including Lighting and Lighting of Existing Footpath/Cycleway' at Granta Park (planning reference S/0632/04/F) (Reason: To ensure the satisfactory appearance of the development)
28. Before development commences on each 'plot', details of the number, position and hard surfacing materials of 'on-plot' parking spaces to be provided shall be submitted to and approved in writing by the Local Planning Authority; the approved spaces shall be provided before the building to which they relate is first occupied and thereafter maintained (Reason: To ensure the satisfactory appearance of the development and the provision of an appropriate level of car parking)

Reasons for Approval

1. Although the development involves 30,660 square metres of new floor space in the countryside, the need for a development of this nature and scale in this particular location has been demonstrated.
2. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a. Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development), P2/4 (Development and Expansion of Employment Clusters), P7/6 (Historic Built Environment), P8/2 (Implementing Sustainable Transport for New Development) and P9/6 (Promotion of Clusters)
 - b. South Cambridgeshire Local Plan 2004: EM4 (Research Establishments), TP1 (Planning for More Sustainable Travel), EN3 (Landscaping for New Development in the Countryside), EN5 (Landscaping of New Development), EN8 (Nature Conservation and Ecology) and EN28 (Development Within the Setting of a Listed Building)
3. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: highway safety and network capacity; drainage and pollution control; light pollution; setting of Abington Hall; visual impact; sustainable travel; archaeology; economic impact; ecology; water supplies for firefighting; impact on local residents; and security of footpath.

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

- Regional Planning Guidance for East Anglia to 2016 (RPG 6 November 2000)
- The East of England Plan (Draft revision to the Regional Spatial Strategy for the East of England) (December 2004)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref: S/2495/04/O

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1200/05/F - Steeple Morden

Variation of Condition 1 of Planning Permission S/0843/01/O to allow a Further Period of 1 Year for the Submission of Reserved Matters for Residential Development, Phase 2 R/O The Mill, Ashwell Road, for Hasler (HTC) Ltd

Recommendation: Approval
Date for Determination: 12th August 2005

Site and Proposal

1. The "Hasler" site is located towards the southern edge of Steeple Morden and the front section was formerly used in connection with a waste transfer business and features a windmill. The site has now largely been cleared. Phase 2, to which this application relates, is situated to the rear and is predominantly open paddocks.
2. The full application, received on the 17th June 2005, proposes varying condition 1 of the planning permission granted on appeal in 2002 to allow a further period of 1 year for the submission of reserved matters for phase 2 of the residential development.
3. In a covering letter it is explained that the application follows the grant of permission earlier this year for a similar extension of the time limit on Phase 1. The relevant reserved matters application for phase 2 was submitted in June this year within the prescribed time limit, but an extension of time by 1 year will give the developer the flexibility they need in relation to any amendments that may be requested, particularly in relation to ground bearing conditions which vary significantly from phase 1.

Planning History

4. Outline planning permission for phase 2 was granted on appeal in 2002. The reserved matters for 5 dwellings on phase 1 were granted earlier this year, and a reserved matters application for 6 dwellings was submitted in June 2005.

Planning Policy

5. **Policy SE4** of the South Cambridgeshire Local Plan 2004 lists Steeple Morden as a group village and sets out criteria for development.

Consultation

6. **Steeple Morden Parish Council** objects: "The Parish Council feels that the remaining two years of the existing permission should be more than enough to determine ground conditions and finalise the details for this phase of the development. We would also not wish to see the applicant's lack of urgency to date cause further delay to the associated restoration of the Mill and the subsequent building of the dwellings, as we wish to minimise the duration of nuisance to the site's immediate neighbours".

Representations

7. None received

Planning Comments – Key Issues

8. **The key issues** are whether the extension of the period for the submission of reserved matters would prejudice the restoration of the Mill or cause unacceptable disturbance to the neighbours - the two points raised by the Parish Council.
9. Work has recently commenced on the restoration of the Mill which may reassure the Parish. The substance of the legal agreement requiring the restoration of the Mill, and the transfer of the freehold to a preservation trust will not be affected by the submission of reserved matters, which in any case are now with the Council for consideration. The possibility of an extension of the construction period is not a matter that can be controlled by planning conditions.

Recommendation

10. Approval
 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 1 year from the date of this permission. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
 2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to, and approval obtained in writing from, the local planning authority before any development is commenced. The development shall be carried out as approved. (RC 1 Reserved Matters.)
 3. No development shall take place until details of the following works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include; proposed finished floor levels relative to ground level; car parking and turning provision and layouts; hard surfacing materials; and a scheme for the provision and implementation of foul and surface water drainage. Unless otherwise agreed by the local planning authority these details are to be submitted for the approval at the same time as the first application for approval of the reserved matters referred to in Conditions 1. (RC To ensure that the development is carried out in an acceptable manner.)
 4. No dwelling shall be occupied until the car parking and vehicle turning facilities to be approved and provided in respect of that dwelling, as referred to in Condition 3, are available for the use and retained for the use as such as long as the development remains in existence. (RC To ensure adequate car parking is provided on site.)

5. No dwelling shall be occupied until the requirements of Schedule 1, Clause 1 and Clause 4 of the Section 106 undertaking have been complied with and repairs have been commenced in accordance with Schedule 1 Clause 2 of the same undertaking. (RC To ensure the restoration of The Mill.)

Informatives

Reasons for Approval

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

South Cambridgeshire Local Plan 2004: SE4.
2. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

South Cambridgeshire Local Plan 2004
Planning file ref: S/1200/05/F

Contact Officer: Bob Morgan - Planning Officer
Telephone: (01954) 713395

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1013/05/O – Great Shelford
Erection of House Including Part Demolition of Existing Dwelling at 2 Mingle Lane for
S L Nightingale

Recommendation: Refusal
Date for Determination: 18th July 2005

Members of Committee will visit the site on Monday 1st August 2005

Site and Proposal

1. The application site is a 0.09 hectare plot of land sited to the rear of Nos. 2 and 4 Mingle Lane. The site forms part of the garden area to No. 2 Mingle Lane, a two storey brick/render and tile dwelling, and comprises a number of mature trees. To the south of the site are the rear gardens of dwellings within Leeway Avenue whilst to the west are properties within Hinton Way. The site is approximately 1.8 metres lower than the garden land of No.3 Leeway Avenue which lies directly to the south.
2. The outline application, submitted on 23rd May 2005, seeks consent for the erection of a house on the site. The means of access to the site forms part of the application with details of siting, design and landscaping reserved for further consideration. The proposed access would be on the west side of the existing dwelling and would entail the demolition of an existing lean-to car port. The access would then continue for approximately 70 metres along the rear/east boundaries of dwellings in Hinton Way. It would be approximately 4 metres wide. The density of the development equates to 11 dwellings/hectare.

Planning History

3. None

Planning Policy

4. Great Shelford is identified within **Policy SE2** of the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement where estates, groups of dwelling and infilling are acceptable subject to development being sympathetic to the character and amenities of the locality.
5. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - a) Result in overbearing, overlooking or overshadowing of existing residential properties;
 - b) Result in noise and disturbance to existing residential properties through the use of its access;
 - c) Result in highway dangers through the use of its access;
 - d) Be out of character with the pattern of development in the vicinity.

6. **Policy EN5** of the Local Plan requires trees to be retained wherever possible in proposals for new development.
7. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

Consultations

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

“The size of the plot and the fall on the site means that a dwelling could be accommodated which, with careful design, would not overlook or be overbearing to adjacent properties. However we feel the proposed access immediately adjacent to the existing house and running to the rear of the properties on Hinton Way would affect the amenities of the occupiers of the properties. We hope the mature trees on the site will be retained.”

9. **The Trees and Landscape Officer** objects to the application stating that the access arrangement would require the removal of various conifers and young broadleaf on the north-west boundary. No objections are raised to their removal. However, the site earmarked for the location of the house contains significant trees including a mature beech and Norway maple both of which would be compromised by any development on the site.
10. **The Chief Environmental Health Officer** raises no objections subject to a condition restricting the hours of use of power operated machinery being attached to any consent in order to minimise noise disturbance to neighbours.

Representations

11. Objections have been raised from Nos. 2, 4, 4a, 6, 8, 10 and 12 Hinton Way, No.3 Leeway Avenue and No.4 Mingle Lane. The main points raised are:
 - a) It is possible that the new building would overlook adjoining dwellings;
 - b) It is difficult to make specific comments until further details have been submitted;
 - c) The driveway would result in noise and disturbance to occupiers of properties in Hinton Way;
 - d) Backland development would be out of keeping with the character of the area;
 - e) Mature trees would need to be felled in order to create both the driveway and the house. These trees are important in the outlook from adjoining properties;
 - f) The trees make a significant contribution to the character of the village as recognised in the Village Design Statement which seeks to protect the village treescape;
 - g) The garden forms an important wildlife habitat for many species of birds;

- h) There was once a sandpit on the site and the site is on lower ground than adjoining properties so the application could result in problems in providing drainage;
- i) If approved, the application would set a precedent for new building;
- j) Any disturbance to the roots of trees, which are currently helping to shore up No.3 Leeway Avenue's garden, could affect the stability of this garden;
- k) The position of the access road along the rear gardens of properties in Hinton Way would result in an increased security risk to the occupiers of these properties;
- l) Any consent should be subject to a boundary treatment condition;

Planning Comments – Key Issues

12. The key issues to consider in the determination of this application are:

- a) Impact upon the character of the area;
- b) Affect upon the amenities of adjoining residents;
- c) Impact upon trees;
- d) Highway safety.

Character of the area

13. Concerns have been raised on the basis that the proposal would result in backland development which is considered to be out of keeping with the character of the area. The site, in being located close to the junction of Mingle Lane and Hinton Way and being adjoined by properties in Leeway Avenue to the south, is surrounded on three sides (to the east, south and west) by dwellings. In addition, there is a backland plot further to the east in Mingle Lane (No. 24a). In light of these factors, I do not consider the creation of a backland plot in this location to be out of keeping with the character of the area.

Residential amenity

14. Residents in Hinton Way have raised objections on the basis that the means of access to the proposed plot would result in an unacceptable level of noise and disturbance as well as to an increased security risk. Whilst the access would run directly adjacent to the rear garden areas of properties in Hinton Way, it would not pass directly by any of these properties and would be sited in excess of 20 metres away from the rear elevations of each of the dwellings in Hinton Way. Although the access would result in the loss of some existing vegetation along the western boundary of the site, I consider its distance from properties in Hinton Way together with the fact that it would serve just one dwelling, to be sufficient to avoid undue noise and disturbance to the occupiers of properties in Hinton Way. The access would pass directly by No.2 Mingle Lane itself. However, there are no windows in the west elevation of this property and, providing a formal boundary is erected between the access and No. 2's garden area, I am satisfied that the access would not cause significant harm to the amenities of the existing dwelling.

15. In letters from neighbouring properties, it has been stressed that it is impossible to judge the impact of any dwelling on this site upon their amenities in the absence of a block plan and elevations. Whilst this is correct, I am satisfied that there is sufficient space between the site and adjoining dwellings to be able to site a property here without resulting in overlooking or overshadowing of neighbouring properties. It appears from the plan that it would only be possible to site a single storey dwelling on the plot. However, given that the site is at a lower level than adjoining land, I consider there to be scope, in principle, to erect a dwelling with some first floor accommodation.

Impact on trees

16. There are a number of mature trees on the site that are visible from the gaps between dwellings in Hinton Way and Leeway Avenue as well as providing an attractive rural outlook to occupiers of properties in Mingle Lane, Hinton Way and Leeway Avenue. Regardless of the siting of the property, the proposal would result in the loss of significant trees which are considered to be of sufficient importance to require their retention and the Trees Officer has therefore objected to the application. In addition, the loss of these trees would be harmful to the character of the area as well as the pleasant outlook from adjoining dwellings.

Highway safety

17. No.2 Mingle Lane presently has 2 points of vehicular access, one of which would be utilised to serve the proposed plot. As such, I am satisfied that the proposal would not result in highway safety problems.

Other issues

18. Concerns regarding drainage of the site could be covered by surface and foul water drainage conditions should Members be minded to approve the application.

Recommendation

19. Refusal:

The erection of a dwelling on the site would result in the loss of mature trees to the detriment of the character of the area and the outlook from adjoining dwellings. The proposal would therefore contravene the South Cambridgeshire Local Plan 2004: Policies SE2 which requires development in Rural Growth Settlements to avoid harm to the character of the area, local features of landscape importance and the amenities of neighbours and EN5 which requires the retention of trees wherever possible in proposals for new 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;
Great Shelford Village Design Statement;
Planning application reference: S/1013/05/O

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/1206/05/F - Great Shelford
Widening of Existing Vehicular Access at 18 & 18a High Street for Mr B McAuley

Recommendation: Approval
Date for Determination: 12th August 2005

Conservation Area

Site and Proposal

1. The application site is located on the west side of the High Street, approximately 80 metres south of its junction with Tunwells Lane. It is occupied by a dwelling sited on a backland plot for which permission was granted last year. The new dwelling (No.18a High Street) together with the frontage house (No.18 High Street) are served by a single shared access. The driveway within the site is 5 metres wide but the dropped kerb and grass verge crossing are just 3.52 metres wide.
2. The full application, submitted on 17th June 2005, seeks to widen the dropped kerb and remainder of the access where it crosses the grass verge from 3.52 metres to 5 metres. A covering letter submitted with the application explains that the owners of both 18 and 18a High Street are experiencing access difficulties particularly when exiting from the joint driveway. With an existing dropped kerb width of 3.52 metres and cars parking either side and up to the dropped area, it makes visibility very poor.

Planning History

3. **S/0612/04/F** – Permission was granted for the backland dwelling (now known as No.18a High Street) at Committee in June 2004.
4. **S/0210/05/F** – A revision to the design of the above dwelling to include a conservatory was approved in April 2005.

Planning Policy

5. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment.
6. **Policy EN30** of the South Cambridgeshire Local Plan 2004 requires new development in a Conservation Area to either preserve or enhance the character of the area.

Consultations

7. **Great Shelford Parish Council** recommends refusal stating:

“ The original access was used by 18 and the undertakers and as there has been no increase in the number of properties using the access we do not consider there is a

need to widen it. The proposal would also lead to a loss of on street parking. The Village Design Statement identifies the green strip along High St as being important to the character of the village and therefore the damaged verge should be re-instated.”

8. **The Conservation Manager** raises no objections.

Representations

9. 4 letters of objection have been received from Nos. 20, 22, 26 and 28 High Street. The main points raised are:
- a) The widening of the dropped kerb would result in the loss of space available for on-street parking along the High Street. There is much competition for parking along this stretch of the High Street due to the number of cars owned by residents as well as the proximity of the bank and The Plough Public House;
 - b) The lack of on-street parking means some cars presently park on the grass verge resulting in damage to the grass;
 - c) The visibility problems experienced by Nos. 18 and 18a are also experienced by Nos. 11, 30, 36 and 38;
 - d) Whilst the backland plot was being constructed, damage was caused to the grass verges. This should now be repaired;
 - e) Widening the lowered kerb could increase existing flooding problems affecting the footpath outside Nos. 24-30 High Street, which is caused by water from the road streaming on to the pavement through the present lowered kerb accesses outside Nos. 18 and 30 High Street;
 - f) The existing dropped kerb is 3 metres wide rather than the 3.52 metres stated;
 - g) Cars will continue to be parked right up to the end of the driveway width so the proposal will have little benefit for the applicants;
 - h) An overall appraisal of the traffic situation in the High Street and introduction of speed control measures would make access on and off the High Street safer and easier.
10. A letter of support from No.18 High Street has been submitted with the application. This explains the difficulty in exiting the driveway due to cars parking right up to the driveway resulting in limited visibility.

Planning Comments – Key Issues

11. The key issues to consider in the determination of this application are:
- a. The impact of the proposal upon on-street parking in the High Street;
 - b. Impact upon the Conservation Area;
 - c. Damage to the verge;
 - d. Flooding problems.
12. The majority of the objections have focused upon the impact of the proposal upon on-street parking problems in the High Street. At present the existing dropped kerb is 3 –

3.5 metres wide (the actual width will be checked on site and verified at Committee). The proposed access including tapered ends would be 6.5 metres wide resulting in the loss of 3 – 3.5 metres of space available for parking on the High Street. Having experienced at first hand the difficulties in finding a parking space on the High Street, I do agree that the loss of on-street parking is regrettable. However, I used the access when visiting the site and, due to the narrow width of the dropped kerb together with the presence of cars parked close to either side of the access, it was impossible to see traffic approaching from the right/south when exiting the site. Increasing the width of the access/dropped kerb would improve this situation as it would afford sufficient space between an exiting car and a parked vehicle to view traffic approaching from the right. I therefore consider the highway safety benefits of the proposal to outweigh the loss of on-street parking.

13. The Village Design Statement, at paragraph 10.1, refers to the importance of open spaces, including the green strip along the High Street, to the character of the village. The Conservation Manager has raised no specific objections to the loss of the 1.5 metre wide strip of grass verge that would result from this proposal. The damaged section of grass verge referred to by the Parish Council and local residents would be incorporated into the widened access and presumably tarmacked over. However, I do concur that any additional damage caused to the grass verge should be repaired and this should be added as an informative to any planning consent.
14. The issue of flooding raised by a local resident relates to land within the highway and hence under the control of the Local Highway Authority. I would suggest that, if Members are minded to approve the application, that Officers write to the County Council to highlight this problem.

Recommendation

15. Approval

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

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:** EN30 (Development in and 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:
 - Loss of on street parking;
 - Impact upon character of the area;
 - Damage to the grass verge;
 - Flooding.

General

1. Any damage to the grass verges should be repaired and the verge reinstated to its former condition.
2. An Access Note is hereby enclosed for the applicant's attention.

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
Great Shelford Village Design Statement
File Refs: S/1206/05/F, S/0210/05/F and S/0612/04/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/0958/05/F - Stapleford
 Dwelling, Land Adjacent to 17 Gog Magog Way, for Hogger Homes Ltd**

**Recommendation: Approval
 Date for Determination – 4th August 2005**

Site and Proposal

1. The 0.05 ha site is located on the northern edge of Stapleford. It is overgrown with trees on the Gog Magog frontage and has a dilapidated shed. The rear part of the site tapers and is part of an arable field.
2. To the east is a semi-detached dwelling with extensions to the side and rear. The common side boundary between the site and this property is unfenced.
3. To the west, set at a lower level, is a detached house (19 Dukes Meadow) set on a corner plot. The garden has boundary planting of shrubs and trees and a 1.8 m high panel fence to the site boundary.
4. To the rear of the site are fields. The full application submitted on 16th May 2005 and amended on 6th and 17th June, and the 4th July 2005, proposes the erection of a detached 4 bedroom house with an integral garage. The ridge height of the main accommodation and the rear 2 storey hipped element is 7.5 metres. The rear projection has a lower eaves line to reduce its bulk and the first floor bedrooms are partly with the roofspace and served by 2 rear facing dormers. The house is set back behind a driveway and turning area; the access is on the eastern side of the frontage to avoid the main group of frontage trees. The density equates to 20 dwellings to the hectare.

Planning History

5. The site is no planning history.

Planning Policy

6. The bulk of the site is within the village framework. The rear part is within the Cambridge Green Belt. The following policies are relevant:

Policy P1/2 – Environmental Restrictions on Development

Policy P1/3 – Sustainable Design in Built Development

Policy P5/3 – Density

Policy P5/5 – Homes in Rural Areas of the Cambridgeshire and Peterborough Structure Plan 2003.

Policy SE2 – Rural Growth Settlements

Policy SE8 – Village Frameworks

Policy SE9 – Village Edges

Policy GB2 – Green Belt of the South Cambridgeshire Local Plan 2004.

7. Para 3.12 states that the change of use of land to residential curtilage will be resisted where it harms the openness and landscape character of the Green Belt.

Consultation

8. **Stapleford Parish Council** objects:

“The proposed site includes agricultural land and the construction of a 4 bed roomed house on this constricted site would constitute overdevelopment. It was also noted that the current extent of adjoining buildings was not accurately shown on the plans.

9. **The Trees and Woodlands Officer** comments that the group of 2 elms on the frontage are currently healthy. The trees should be retained and the driveway/turning area located and constructed by the “No Dig” (APN 1) method.
10. There is a conifer of the cypress variety on the site side boundary which will be compromised by the development, but no objection is raised to its loss.
11. **The Chief Environmental Health Officer** has no objections subject to a standard condition concerning hours of operation and power operated machinery and informatives concerning pile driven foundations and bonfires.

Representations

12. 3 letters of objection were received from neighbours in response to the initial application. The comments can be summarised as follows:
- a) The adjacent dwellings, 19 Dukes Meadow and 17 Gog Magog Way are not shown correctly on the application plans as they have been extended.
 - b) The site includes Green Belt land this is unacceptable.
 - c) The access proposed is close to a corner and will present a traffic hazard.
 - d) The proposed access will necessitate the trimming or partial removal of trees on the site frontage despite the statement in the application that there would be no loss of trees.
 - e) The proposed access is obstructed by a stench pipe, cable TV junction box and BT pole and stay.
 - f) The agricultural element of the site is not overgrown paddock as stated on the application forms but arable farm land.
 - g) There is an existing fence and gate across the site to the agricultural element which is not shown on the application plans.
 - h) The elevation plans show no relationship between the height of the proposed dwelling and 17 Gog Magog Way neighbours. The ground level of this property is about 0.45 m above the application site.

- i) The proposed dwelling will overshadow adjacent properties, resulting in a loss of privacy and amenities.
- j) The rear door of 17 Gog Magog Way is immediately opposite the proposed dwelling and the landing window also faces the proposed development.
- k) The dwelling is overlarge for the site.

Discussions with the applicant led to the submission of a series of amended plans which addressed some of the points raised. The owners of 19 Dukes Meadow continue to object on the following grounds:

- l) The extensions to their property are still not shown on the application plan. They state:

“Our extensions were planned after we had lived in the house for a year. We changed the whole emphasis of our outlook towards what has now become the proposed dwelling. In making this decision we took into consideration the position of the sun through the day and the privacy of this view. As you can see from the enclosed map of the area with the arrows consists of full-length floor to ceiling windows to gain maximum benefit from this outlook. Consequently we consider that this proposed development would be an intrusion. We are not sure how the developer has made the assessment from his site evaluation that the extensions have “little relevance”. There is also the problem of different levels. We have established that the FFL of 19 Dukes Meadow is 0.46 m below the FFL of the proposed development. The apex of the gable wall and ridge on the elevation facing 19 Dukes Meadow will be 7.92 metres above the FFL of our property. We would suggest that before planning permission is given this should also come into the equation. The large expanse and height of the brickwork will be overbearing particularly as the proposed dwelling is disproportionately large for the site in comparison with neighbouring properties and it is very close to our fence.”

The owner of 17 Magog Way also repeats his earlier objections, particularly with reference to the accuracy of the plans and the information advanced by the applicant. He concludes the proposal is still a significant overdevelopment of the site and an unwarranted break of the Green Belt boundary.

Planning Comments – Key Issues

- 13. The key issues are:
 - The inclusion of Green Belt land within the site.
 - The impact of the proposed dwelling on the amenities of the adjacent dwellings.
 - The impact on the street scene.
- 14. The principle of a dwelling on the site was the subject of pre-application discussions with Officers. The applicants were advised that the inclusion of a small area of Green Belt land for use as additional rear garden was unlikely to lead to an official objection as in this instance it would not harm its openness and landscape character as it would

be seen against existing rear gardens and a planning condition could be attached taking away permitted development rights for garden buildings.

15. Discussions with the applicants during the course of the application have led to design changes to lessen the impact of the dwelling on neighbouring properties. Initially the scheme featured a detached garage in front of the proposed house, but this would have been far too prominent in the street scene. Incorporating the garage in the dwelling has led to its redesign with a larger 2 storey rear element. In order to reduce the impact of this on neighbouring properties in the final amendment the side elevation of the dwelling has been reduced by 1.8 m to the west and 0.5 m to the east, with the eaves of the rear element lowered and the roof hipped. Its width has also been reduced, pulling it further from the side boundary. The first floor windows on both elevations remain obscured glass. It is considered these modifications have rendered the development acceptable with regards to the impact on the amenities of neighbouring properties. The proposed dwelling is closest to 17 Gog Magog Way, but this has single storey extensions which to some extent form a buffer. At its closest the side of the proposed dwelling will be about 14 metres from the rear elevation of 19 Dukes Meadow which lies at an angle to the site. Although 19 Dukes Meadow is at a lower level than the application site, it has a large well landscaped garden which will mitigate the visual impact. There may be some loss of early morning sunlight to part of the garden but other areas will receive full sunlight.
16. The proposed dwelling will be set back about 12 metres from Gog Magog Way, and the existing frontage trees retained. Now that the detached garage has been deleted the dwelling will be well assimilated into the street scene. Finished floor levels have been submitted which demonstrate that the dwelling would be below the height of its nearest neighbour (17 Gog Magog Way). The density equates to 20 dwellings per hectare which is appropriate given the spacious character of the area.

Recommendation

17. Approval, as amended by plans ref. EDG/04/05/1e and EDG/04/05/2b franked 4th July 2005.
 1. Standard Condition A – Time limited permission (Reason A);
 2. 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 area cross hatched on attached plan SCDC 1 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
(1) PART 1 (Development within the curtilage of a dwellinghouse) Class E.
(Reason – The area hatched on plan SCDC 1 is in the Cambridge Green Belt where the erection of garden buildings could adversely affect its openness contrary to Policy GB2 of the South Cambridgeshire Local Plan 2004.)
 3. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority;
 - a) The materials to be used for the external walls and roofs.
 - b) Details of the boundary fencing.

The development shall be carried out in accordance with the approved details.
(Reason – To ensure the development accords with the appearance of the

neighbouring buildings and appropriate fencing is erected, particularly on the Green Belt boundaries.)

4. The first floor windows in the east and west elevations shall be permanently glazed with obscure glass. (Reason – To ensure the privacy of neighbouring properties is protected.)
5. SC51 – Landscaping (RC51)
6. SC52 – Implementation of Landscaping (RC52)
7. The trees on the site frontage shall be adequately protected by fencing during the course of building operations. (Reason – To ensure their retention.)
8. The proposed access shall be of “no dig” construction (APN 1). (Reason – To ensure the frontage trees are not damaged.)
9. The proposed turning area shall be provided before the use commences and thereafter maintained. (Reason – In the interests of highway safety.)
10. During the period of construction no power operated machinery shall be operated on the premises before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To protect the amenity of neighbouring residents.)

Informatives

The Chief Environmental Health Officer comments:

1. Should driven pile foundations be proposed, then before works commence, a statement of the method of 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.
3. The Environment Agency comments:
 - a) Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quality of surface water run-off from a site. This approach can also offer other benefits in terms of promoting ground water recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
 - b) In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable

drainage methods (SUDS) which limit flows through infiltration eg. Soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

- c) Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale providing balanced surface water flows exceed the minimum feasible discharge rate (approximately 5 litres/second/hectare). Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk.
- d) Further information on SUDS can be found in PPG25 appendix E, in the CIRIA C522 document. Sustainable Urban Drainage Systems – design manual for England and Wales. The framework consultation document provides advice on design, adoption and maintenance issues. This will form the basis of a Code of Practice on SUDS and is available electronically on both the Environment Agency's website at: www.environment-agency.gov.uk and CIRIA's website at www.ciria.org.uk.
- e) Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system and that they would be willing to accept any increases to flows.

Note:

Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require Agency consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River held on maps by the Environment Agency and DEFRA. For further information see Procedure Key cell B25 in Excel version. Click on the attached hyperlink in HMTL version LDA 1991 – Consent Ordinary Watercourses.doc.

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/2 - Environmental Restrictions on Development.

Policy P1/3 - Sustainable Design in Built Development

Policy P5/3 – Density

Policy P5/5 – Homes in Rural Areas

South Cambridgeshire Local Plan 2004:

SE2 - Development in Rural Growth Settlements

SE8 – Village Frameworks

SE9 – Village Edges

GB2 – Green Belt

2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact on the Green Belt
 - Impact on amenities of neighbouring properties
 - Impact on the street scene

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 Application File: S/0958/05/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/1119/05/O - Over
Dwelling (Renewal of Time Limited Permission S/1019/00/O)
at Land Adj. 10 Meadow Lane for M Chapman**

**Recommendation: Approval
Date of determination: 1st August 2005**

Site and Proposal

1. The 0.075 ha site has a frontage which measures approximately 18 metres and is located behind a 1.6 metre high brick wall with a gated access, which opens directly on to Meadow Lane. The site comprises of an area of largely flat scrubland. There is no public footpath on either side of the lane at this point. Apart from the front wall the site is surrounded by 1.8 metre high fencing to either side with an open boundary to the rear. The adjacent dwellings, either side of the plot, are both 2 storey detached dwellings. The dwelling to the north-east of the application site, number 10, is located hard on to the back edge of the vehicular carriageway and close to the shared boundary with the application site.
2. The application, received on 6th June 2005, proposes the renewal of a previous consent for the erection of a single dwelling, with all matters of siting, design and external appearance, the means of access and landscaping of the site reserved. The density equates to 13.3 dph.

Planning History

3. **S/1019/00/O** - Application approved under delegated powers for the renewal of time-limited consent for the erection of a dwelling.
4. **S/0626/95/O** - Original application for the erection of a dwelling approved with conditions relating to the submission of reserved matters, parking spaces, visibility splays and access.

Planning Policy

5. The site is located within the Over village development framework.
6. Policy **P5/5** of the Cambridgeshire and Peterborough Structure Plan 2003 states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting; and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
7. Over is a Limited Rural Growth Settlement, as identified by Policy **SE3** of the South Cambridgeshire Local Plan 2004, in which residential development will be permitted on unallocated land subject to a number of criteria, including being sensitive to the character of the village and the amenities of neighbours. Density should achieve a minimum of 30 dph unless there are strong design grounds for not doing so.

Consultation

8. **Over Parish Council** - recommends that the application be refused citing "concern over development of the few existing open spaces in the village."
9. **Old West Internal Drainage Board** - has no comment from a drainage point of view.

Representations

10. None received.

Planning Comments

11. The application site is sufficiently large to accommodate a dwelling of a similar scale and form to the adjacent dwellings, together with a reasonable size garden area and room to park at least 2 cars. No.10 Meadow Lane is located close to the north-eastern boundary of the application, although the only facing windows apparent were obscure glazed at first floor. The pattern of the existing development generally features detached dwellings set at varying distances from the highway. Given the 18 metre width of the plot, in my opinion it should be possible to design and locate a dwelling on this site which avoided any overbearing impact on the neighbouring dwellings and accords with the street scene.
12. Meadow Lane is relatively narrow and lacks footways. By virtue of the position of no.10 in relation to the road it would need to be demonstrated that any proposed access could achieve sufficient pedestrian visibility in both directions to allow for its safe use. Whilst this application does not include details of access for consideration at this time, a condition would ensure that the need to provide adequate pedestrian visibility was brought to the attention of the applicant prior to the submission of a reserved matters application. Furthermore whilst the creation and use of an additional driveway is not likely to significantly increase the levels of traffic experienced in the lane, on street parking should be avoided to provide ensure visibility within the Lane and so the provision of permanent parking spaces should be included in any consent, as before. Any access should remain ungated to avoid vehicles stopping in the Lane.
13. I have considered the concerns of the Parish Council carefully. I believe that in principle, and for the reasons set out above, the siting of a dwelling on this site is acceptable. Given that the site is located within the development framework for Over and the village is identified as a Limited Rural Growth Settlement, the policy situation has not materially changed since the time of the previous planning permission (S/1019/00/O). The density does not comply with the requirements of Policy SE3, but because of the potential for disturbance to neighbouring properties, the need for off street parking and to avoid a pattern of development which would be out of keeping with the character and appearance of the street scene, any additional dwelling on this site would be inappropriate. In my opinion the development of this infill site would not harm the character or the appearance of the locality.

Recommendation

14. Approval subject to the following conditions:
 1. SCB - RCB
 2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:-

- a) The siting of the building;
- b) Design and external appearance of the building;
- c) The means of access thereto;
- d) The landscaping of the site.

(Reason - The application is for outline permission only and gives insufficient details of the proposed development.)

3. An adequate space shall be provided within the site to enable vehicles to park clear of the public highway. (Reason - In the interests of highway safety.)
4. The permanent space to be reserved on the site for parking shall be provided before the use commences and thereafter maintained. (Reason - In the interests of highway safety.)
5. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0m x 2.0m measured from and along respectively the highway boundary. (Reason - In the interests of highway safety.)
6. The vehicular access shall be ungated. (Reason - In the interests of highway

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) **Cambridgeshire and Peterborough Structure Plan 2003:**
P5/5 (Homes in Rural Areas)
 - b) **South Cambridgeshire Local Plan 2004:**
SE3 (Limited 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:
 - a) Visual impact on the street scene and loss of open space.

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/1119/05/O, S/11019/00/O, S/0626/95/O

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

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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

Ref. No.	Details	Decision and Date
E489A	Mr A Brown The Arches, Schole Road Willingham Enforcement against use of the land for residential caravans	Dismissed 22/06/2005
E483D	Mr & Mrs Ryan 15 Angle End Great Wilbraham Enforcement against the erection of a single storey, flat roofed extension to form a lobby at the rear of the building.	Allowed 23/06/2005
E483C	Mr & Mrs Ryan 15 Angle End Great Wilbraham Enforcement against the erection of a single storey, flat roofed, rear extension to the dwelling to form a lobby	Allowed 23/06/2005
S/6182/03/O	MCA Developments Ltd Cambourne Enhanced Development comprising 1,559 new dwellings, primary schools, public open space and associated infrastructure. (Appeal Against Non-Determination)	Dismissed 29/06/2005
S/0445/04/F	Mr B York R/o 43A High Street Landbeach Change of use of paddock to residential garden associated with 43A High Street and the erection of a mower and tractor store. (Officer Recommendation to Approve)	Dismissed 30/06/2005
E484	Mr B York R/o 43A High Street Landbeach Enforcement against material change of use to residential garden, erection of building (store), erection of gates and gateposts more than 2m high.	Dismissed 30/06/2005
S/2542/04/F	Mr & Mrs M Johnstone Birdcage Row, 101 Frog End Shepreth Erection of outbuilding for cattery and garage with recreation rooms over, following demolition of existing cattery (Delegated Refusal)	Dismissed 07/07/2005

S/0856/04/F	Mr D Bibby The Stables, Schole Road Willingham 4 mobile homes (Officer Recommendation to Refuse)	Dismissed 12/07/2005
S/2397/04/F	P Biggs Enterprise Nursey, Ely Road Landbeach 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)	Dismissed 12/07/2005

2. Summaries of recent decisions of interest

None

3. Appeals received

Ref. No.	Details	Date
S/2210/04/F	Mr M J Ellingham Moat Farm, Hitherford Lane Over Appeal against conditions 2,3,4&5 of permission (Delegated Approval)	21/06/2005
S/2252/04/O	Mr R Smart Adj The level Crossing, Over Road Swavesey Bungalow (Delegated Refusal)	21/06/2005
S/0134/05/F	Mr & Mrs Cormack 2 Josiah Court Waterbeach Extension (Officer Recommendation to Approve)	04/07/2005
S/0043/05/F	Januaries 6 & 8 Earith Road & r/o 3 Fen End Willingham Erection of 8 dwellings following demolition of 6 & 8 Earith Road. (Delegated Refusal)	04/07/2005

S/2424/04/O Mr G, Mr N & Mrs S Compton 15/07/2005
R/o 6 Westmoor Avenue
Sawston
Dwelling
(Delegated Refusal)

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7th September 2005

None

5. Appeals withdrawn or postponed

Ref. No.	Details	Reason and Date
S/0682/95/O	Peter L Stroude Land West of Longstanton (Home Farm) Longstanton Increase number of dwellings from 500 to 630	Withdrawn by applicant 13/06/2005

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PERFORMANCE CRITERIA

Quarterly Statistics

In the first quarter of 2005, the number of applications received by South Cambridgeshire decreased by 12% over the corresponding period in 2004. In England there was a 5% decrease.

The percentage of all decisions taken within the eight week period in the District was 76% compared with 78% in England. The equivalent figure for householder development was 94% compared with the national figure of 88%.

The percentage of decisions delegated to officers in this quarter was 90%. On average authorities in England delegated 88% of decisions to officers. The Government has set a target of 90%.

The new Government targets are included in the Statistical Release. On the "excluding major and minor applications" where the Government target is 80% in eight weeks, the Council achieved 88% whilst on the "minor" category where we are urged to decide 65% in eight weeks the Council achieved 54%. The more difficult target is the Government's 60% in thirteen weeks for major applications ie things like the Wellcome Trust or the Northern Fringe! Here the Council achieved 25%. Preliminary Council's figures for the second quarter of 2005 are 48% (major), 67% (minor) and 82% (other)

The graphs, which accompany this report, illustrate the picture in Cambridgeshire for each of these development types during the year ending 31st March 2005 and the quarter January to March 2005.

Retrospective Applications

In response to a recommendation from Scrutiny Committee (17th April 2003), the number of retrospective applications are to be recorded.

Thus in the first quarter of 2005, the number of retrospective applications submitted was 19. This represented 3.3% of all applications submitted during that quarter. Of the 12 retrospective applications which have been determined, (five are still in progress and two are county matters) 75% have been approved and 17% refused (one application was withdrawn). During the quarter 78% of all applications were approved.

Enforcement Statistics (Quarter ending March 2005).

Statistics for the previous quarter are in brackets.

Enforcement Notices	3	(7)
Stop Notices	1	(1)
Planning Contravention Notices	8	(11)
Breach of Condition Notices	0	(2)
Amenity Notices	0	(1)
Number of Complaints	102	(69)
Prosecutions	1	(0)
Injunctions	0	(0)

Trees and Landscaping Statistics (Quarter ending March 2005)

Statistics for the previous quarter are in brackets.

Applications for work on Statutorily Protected Trees

(Tree Preservation Orders and Conservation Areas)

Number of applications – Received	112	(149)
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Landscaping

Number of landscaping conditions received from DC	76	(86)
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Number of weekly actions	519	(423)
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Number of schemes submitted	131	(91)
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Number of schemes finalised and approved	32	(22)
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Number of landscaping conditions currently active	918	(784)
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(excluding Cambourne work)

Number of breach of condition notices requested	1	(2)
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Local Government (Access to Information) Act 1986

Background papers in respect of this report for the purposes of the above Act are available for inspections in accordance with the provision of that Act:

- a) Any planning application, including plans and any accompanying letter or document from the applicant.
- b) Any letter or representation received in connection with a matter reported.
- c) Any Structure Plan, Local Plan or Policy Document referred to in a report.
- d) Any agenda, report or minutes of a meeting of the Council referred to in a report.
- e) Any other publication, document or report referred to in the report.

Files on individual items on the agenda are available as required from the following individuals:

Mr J Belcham	(01954) 713252
Mr A Moffat	(01954) 713169
Mr R McMurray	(01954) 713259
Mr D Rush	(01954) 713153
Mr P Sexton	(01954) 713255

D B Hussell
Development Services Director

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

3rd August 2005

AUTHOR/S: Finance and Resources Director

Proposed diversion of Public Footpath no. 5 in Kingston

Recommendation: to respond to consultation

Purpose

1. To consider a proposal by Cambridgeshire County Council to divert a footpath in Kingston.

Effect on Corporate Objectives

2.	Quality, Accessible Services	n/a
	Village Life	Public footpaths contribute to the quality of village life
	Sustainability	Public footpaths provide a facility for pedestrians.
	Partnership	n/a

Background

3. The current route of Footpath No.5 leaves Tinkers Lane at Point A on the plan attached at **Appendix 1**, and runs in a north-western direction, crossing two large fields to join Field Road at Point B. The proposed new route would run from Point A on Tinkers Lane in a generally northern direction along the field edge to join Public Footpath no. 6 (Kingston) at Point C. The new route would have a minimum unobstructed width of two metres.
4. The diversion is proposed under Section 119 of the Highways Act 1980 to enable the landowner to make more efficient use of their land.

Financial Implications

5. South Cambridgeshire District Council is a statutory consultee, so there are no direct financial implications.

Legal Implications

6. There are no legal implications.

Staffing Implications

7. There are no staffing implications.

Risk Management Implications

8. There are no risk management implications.

Consultations

9. The local Members (Councillor Robin Martlew) has been consulted, as have the Area Planning Officer, Senior Planning Policy Officer (Transport) and Conservation Manager.
10. The Conservation Section does not object to the proposal.
11. Comments received after dispatch of the agenda will be reported verbally at the meeting.

Recommendations

12. It is **recommended** that Members assist officers in responding to Cambridgeshire County Council on the proposal to divert footpath no. 5 in Kingston.

Background Papers: the following background papers were used in the preparation of this report: Letter Ref. 140/KT from Cambridgeshire County Council, dated 8 June (July?) 2005

Contact Officer: Ian Senior – Democratic Services Officer
Telephone: (01954) 713028

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

3rd August 2005

AUTHOR/S: Finance and Resources Director

Tree Preservation Order – Teversham

Recommendation: Confirm without modification

Purpose

1. To review Tree Preservation Order no .04/05/SC in Teversham, made under delegated powers.

Effect on Corporate Objectives

2. Quality, Accessible Services	Not applicable
Village Life	The presence and protection of the natural environment enhances the quality of village life.
Sustainability	The presence and protection of trees helps to control pollution levels, and therefore contributes to the Council's commitment to the climate change agenda. Trees provide an important micro habitat for both flora and fauna.
Partnership	Not applicable

Background

3. Once made, Tree Preservation Orders remain in force for a provisional period of six months, but can be confirmed at any time.

Considerations

- **04/05/SC – 56 High Street, Teversham**
4. Tree Preservation Order 04/05/SC was made on 18th February 2005.. A plan and Schedule are attached as **Appendix 1**.
 5. The Council made the Order because the Blue Cedar tree is of specific consideration, being a sky line tree contributing to the landscape of the area.
 6. The statutory period for the registering of objections to the Order ended on 25th March 2005.. There were no objections received within this period

Options

7. Under the legislation, the Council can confirm a Tree Preservation Order, confirm it subject to modification, or decide not to confirm it.

Financial Implications

8. There are no financial implications.

Legal Implications

9. There are no legal implications..

Staffing Implications

10. There are no staffing implications.

Risk Management Implications

11. There are no risk management implications.

Consultations

12. The local Member (Councillor Caroline Hunt) fully supports this Order.

Conclusion

13. TPO number 04/05/SC remains provisionally in force until 17th August 2005. By confirming it now, the Council will ensure that the Tree Preservation Order remains in force beyond that date.

Recommendations

15. It is recommended that Tree Preservation Order no. 04/05/SC in Teversham be confirmed without modification.

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

- Tree Preservation Order no.. 04/05/SC In Teversham and the relevant file maintained by the Trees and Landscape Section

Contact Officer: Ian Senior – Democratic Services Officer
Telephone: (01954) 713028

First Schedule
56 High Street, Teversham

N° on Map

Description

Situation

Individual Trees

(Circled in black on the map)

T1

Blue Cedar

Situated to the front of 56
High Street, Teversham,
towards the Northern
boundary

Areas of Trees

(Within a dotted black line on the map)

NONE

Groups of Trees

(Within a broken black line on the map)

NONE

Woodland

(Within a solid black line on the map)

NONE

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee3rd August 2005**AUTHOR/S:** Director of Development Services

**Cambourne Section 106 Agreement:
Trailer Compound Provision****Recommendation: To be reported verbally
Date for Determination: N/A****Purpose**

1. Members will recall lifting the “embargo” on issuing planning permissions for market housing at Cambourne at the March meeting and continuing this approach at the May 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 May meeting.

Background

2. Several community facilities had not been provided by the 1000 occupations trigger point, as required by the Cambourne S106 agreement. Progress has since been made on most of the facilities, to the point where most 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, and subsequently in August.

Updated position

3. Progress at the time of writing this report (18th July 2005) is that the developers are still in the process of finalising a Supplemental Legal Agreement to bring the site under the umbrella of the main Cambourne legal Agreement, with the intention that the Agreement will be completed on the same day as the completion of the purchase of the site. Nevertheless, some work has commenced in that a boundary fence has been erected and services have been provided to the boundary, ready for connection. A verbal update will be given at the meeting.

Financial Implications

4. None.

Legal Implications

5. Completion of supplemental S106 Agreement required.

Staffing Implications

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

Sustainability Implications

7. 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 20th April 1994.

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

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

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