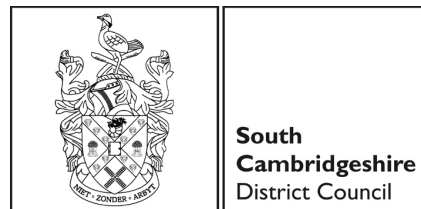


South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB3 6EA

t: 08450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



30 August 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, 7 SEPTEMBER 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.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/1017/05/F - Little Eversden
Dwelling, Land at Church Farm, Church Lane for Amber Developments (St Ives) Ltd

Recommendation: Approval
Date for Determination: 19th July 2005

Site and Proposal

1. This full application, registered on 24th May 2005, proposes the demolition of an existing single storey timber framed farm building, and its replacement by a single storey dwelling.
2. The site is located at the head of Church Lane, a narrow lane leading from High Street, and is opposite St Helen's Church, a Grade II* Listed Building. To the rear of the site is a detached house in Church Lane and to the south an area of cleared land which formerly comprised large agricultural buildings and has consent for the erection of two houses.
3. The proposed single storey dwelling is 'T' shaped with three bedrooms. There is an open car port on the south end allowing access to a courtyard for parking.
4. The site is within the village framework.

Planning History

5. In April this year consent was refused for the erection of a dwelling on the site on the grounds that the proposed dwelling was unacceptable due to its scale, form, massing and design, and that it would materially detract from the setting of St Helen's Church. In addition it was felt that the proposal was not sympathetic to the historic interests, character and amenities of the locality (**Ref: S/0181/05/F**).
6. In 2004 consent was granted for the erection of two dwellings on land immediately to the south of the current application site. This scheme was an alternative to one approved in 2002 (**Ref: S/1705/01/F**).
7. In 1998 an appeal was dismissed for three dwellings on both the above sites (**Ref S/1467/96/F**).

Planning Policy

8. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that the local authorities will protect and enhance the quality and distinctiveness of the historic built environment.

9. **Policy SE5** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Lt Eversden as an infill only village where development is restricted to not more than two dwellings on land within the village framework, provided that the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character and amenities of the locality. The policy states that in very exceptional circumstances a slightly larger development may be permitted if this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
10. **Policy EN28** of the Local Plan states that the District Council will resist and refuse applications which would dominate a Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; would harm the visual relationship between the building and its formal or natural landscape surroundings or; which would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.

Consultation

11. **Little Eversden Parish Council** comments that the new design and position are acceptable but again the provision of any parking whatsoever for St Helen’s Church has not been addressed and all the parking previously existing has been removed. “A scheme to ameliorate this loss of amenity has now been proposed as follows. Amber Developments suggests that in the event that planning consent is granted they, Amber Developments will convey to this Council the land between the present application and St Helen’s Church wall. In turn this Council will grant Rights of Way over this land to five parties, the owners of Plots 1, 2 and this present plot 3, to Mr Banks and to Mr Sale and to their respective heirs and assigns. I emphasise that this is not an agreement, merely a draft. This Council therefore asks that it be made a condition of any planning consent that a formal Agreement of this kind, making adequate and permanent provision for car parking at St Helen’s Church shall be in place before any development proceeds on this plot.”
12. The **Conservation Manager** states that the site is in close proximity to St Helen’s Church (Grade II* Listed) and will therefore impact on the setting of this important historic building. The current building is a simple agricultural structure consisting of a single storey building with brick gables, a brick rear wall and open on the front, divided into bays by a series of timber columns, all contained under a clay pantiled roof. The revised design for the dwelling has addressed previous concerns raised and, in the opinion of the Conservation Manager, will no longer harm the setting of the adjacent listed building. Careful consideration will need to be given to detailing and the landscaping to ensure the informal rural nature of the setting is retained and not suburbanised. PD rights should be withdrawn to avoid inappropriate alterations and extensions.
13. The **Chief Environmental Health Officer** requests that conditions be attached to any consent restricting the hours of operation of machinery during the construction process and carrying out an investigation of the site to determine any contamination that may exist and put forward a remediation package. Informatives should be attached to any consent in respect of the use of driven pile foundations.

14. **English Heritage** comments that the application site is a very sensitive one, being intimately associated with St Helen's Church, a grade II* listed building. The setting of the church is largely unaffected by modern development and the proposed building will have a significant impact. The application shows distinct improvement over the earlier scheme. The applicant has made an effort to design the new build to a scale and form that will sit more comfortably in the farmyard and setting of the church. However, the detailing is still not to an appropriate standard. Good quality pantiles and brick are needed as are painted timber windows and doors with glazing bars and of less domestic proportions. If these are achieved no objection would be raised.
15. The **Environment Agency** requests a condition requiring the submission of a scheme in respect of surface water drainage and asks that informatives are attached to any approval.

Representations

16. The occupiers of 6 Church Lane, to the west of the site, object to the application on the following grounds:
17. In dismissing the appeal in 1998 for the erection of three dwellings at this site the Inspector considered it to be a departure from the infill policy that applies to the village. Since consent has been granted for two dwellings on the adjoining site this application is clearly an attempt to flaunt that policy. Should it be accepted it would set a precedent and make a mockery of the Inspectors decision in 1998.
18. The letter concurs with the view of the Planning Inspector in 1998 that 'Church Lane has a semi-rural character and that the site constitutes an important transitional area from the built form within the village itself to the open countryside'. Further more the Inspector was concerned that the erection of a dwelling on the site proposed in the current application 'would materially erode the character of Church Lane and the verdant approach to St Helen's Church. In this respect I consider that the scheme fails to satisfy the environmental criteria within Policy H21'. The occupiers of 6 Church Lane concur with this view and state that in fact the Inspector considered the existing timber framed farm building at the entrance to the site to exhibit a rural character, which is 'wholly appropriate to the area'. Surely, no brand new dwelling could retain this rural character, no matter how 'sympathetically designed'.
19. The site in its present form does form an essential part of village character and the erection of a dwelling on this site would neither preserve nor enhance the setting of the adjoining church. The proposed development would be highly detrimental to village character, especially to the whole established setting of this listed building. The development, in such close proximity to the church would be a gross invasion of privacy for the visitors to the church and graveyard. People should be allowed to mourn with dignity, without being closely overlooked. The proposed dwelling would be particularly problematic in this respect given its position, scale and close proximity to the church and graveyard. Severe problems would be created by insufficient parking space for users of the church, owners of the proposed dwelling and their visitors. As permission has already been granted to erect two large five-bedroom houses immediately adjacent to this site there will be no parking space left at all for people wishing to use the church.

20. The proposal would create even more traffic than currently uses this narrow, single-track lane. This would cause additional noise and particularly road and safety problems for residents of Church Lane. Furthermore, as it seems that the grain silos at Church Farm will remain, the traffic problems in Church Lane are likely to be further exacerbated by the continued use of agricultural vehicles as the silos are still in active use by large grain lorries and other vehicles. The proposed dwelling is so close to the narrow corner at the end of Church Lane that there would be a real possibility from time to time of access to the new houses becoming blocked, which could have dire consequences for access by emergency vehicles.
21. There would be a reduction in privacy currently enjoyed by the occupiers of 6 Church Lane, over and above that which will result from the two approved houses. Part of the attraction of moving to the property was the peaceful and private semi-rural character of the location in Church Lane. The rear of the dwelling has a large number of windows that would look directly into the ground floor reception room of No6. Such a direct and close view into both the lounge and living room is an unacceptable invasion of the privacy currently enjoyed. In addition there would be overlooking of the front and rear garden areas.
22. There is a lack of amenities in the village to warrant further dwellings and since the approval of the two dwellings the post office and shop has been lost.
23. The occupiers of 15 Church Lane object on the objects on the following grounds.
24. Visual amenity. The plot is positioned in front of a listed building, St Helen's Church. The main view will be the bungalows rear, seen from Church Lane as you approach the church. All hedgerows are noted as removed and replaced by a post and rail fence. An illustration accompanies the letter showing this point. A bungalow is just as visual as a house and looks particularly mean in front of the historic building. Is this the best that can be achieved?
25. From the front the approach has sought to replicate the existing old agricultural sheds, however this form has been approved for the two adjacent plots and therefore results in a shed type building of some 57m in length. Again computer images are submitted with the letter and it is suggested that this looks like a railway station and is out of character with anything in the area.
26. The proposal shows a gate which directly opens on the seat by the pond. The pond is fenced off.
27. Church Parking. There is no proposal for church parking in this application. The occupiers of No15 have a right of way which extends from the Church wall to some 6-8m out on two sides. An objection is raised to any parking within that zone. There is glazing fronting onto the Church from the dining room which would be a problem of privacy to future occupiers from traffic to No15, farm traffic and church traffic.
28. Comment is made in respect of conditions attached to the consent for the adjacent plots and in particular the requirement to carry out works to suppress noise from the grain dryers. Has this been lost?
29. There will still be traffic to the farm silos which will cause considerable disruption to the proposed dwelling and until the farm use stops there should be an objection to the use of this land.

30. There should be an element of affordable housing. Why was this not adopted on the adjoining site for two dwellings?

Applicant's Representations

31. In a letter submitted on behalf of the applicant it is suggested that parking for the Church on land which the applicant has no control is not a planning matter relevant to the current application. A letter from the applicant confirms that he is unable to agree to any form of parking as he does not own any of the land that is currently used for parking. Any condition would therefore be inappropriate and unacceptable. The applicant has been approached by the Parish Council but suggests that is a matter for the interested parties, i.e. the Parish Council, the occupier of 15 Church Lane who claims the right of way, and the owner of the adjacent agricultural silos to resolve the matter between them. The letter states that the applicant may be able to facilitate better arrangements in the future but will not progress with the bungalow if there is a condition relating to the provision of car parking outside the applicants control.

Planning Comments – Key Issues

32. The key issues to be considered are whether the proposal complies with the infill only policy, including the effect on the character of the area; the effect of the proposed development on the setting of the Grade II listed St Helen's Church; neighbour amenity and; highway safety, including parking provision at the Church.
33. Planning consent was originally granted for the erection of two dwellings on the land to the south in 2002, although that consent was revised in 2004 by the current applicant. At the time of the original consent the land was not owned by the current applicant. Given the time that has lapsed since the granting of the original consent it is my view that this application falls to be considered as a single building plot under the infill policy that is applicable to the village. For the same reason I do not consider that the requirement for affordable housing is applicable here.
34. This application has been submitted following negotiations with the Conservation Manager who is now content with the relationship of the proposed single storey dwelling with St Helen's Church. However, he points out that careful consideration will need to be given to detailing and landscaping to ensure the informal, rural nature of the setting is retained and not suburbanised. In commenting on the appeal in 1998 the Inspector, whilst having no particular comments to make in respect of the detailed design of the proposal, shared a concern expressed by this Council that the returning of the dwelling on this plot some distance along Church Lane would materially erode the character of the Church Lane and the verdant approach to St Helen's Church. Although the projecting rear element of the current scheme is set away from the boundary with Church Lane landscaping of the north boundary of the site will be important in addressing the above comments and ensuring that the character of the area is preserved.
35. English Heritage does not object to the proposal subject to matters of detail being resolved, although its views on the approach to fenestration are not shared by the Conservation Manager.
36. In respect of the relationship of the proposed dwelling with No6 Church Lane I am of the view that any overlooking from ground floor windows can be adequately addressed by landscaping/boundary treatment that can be secured by condition, although a window in the west elevation of bedroom 1 could be relocated to the south elevation to further improve the relationship.

37. The Inspector in 1998 did not consider the issue of any additional traffic in Church Lane to warrant an objection to the application. I remain of that view.
38. In respect of the parking for the Church I do not consider that this application directly affects the existing situation. The ability to provide parking for the Church is not within the control of the applicant and should not prejudice the determination of this application. Users of the Church seem to have benefited from an informal agreement to park on the surrounding land and I would encourage interested parties to find a mutually acceptable solution to this 'problem'.
39. Works required to the nearby grain silos under the 2002 consent for the erection of two houses will be secured under that consent. The Chief Environmental Health Officer has not deemed it necessary to attach similar conditions to this consent.
40. In my view this application addresses the reasons of refusal of the earlier application.

Recommendation

41. That the delegated powers be given to approve the application subject to safeguarding conditions

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: SE5** (Development in Infill Only Settlements), **HG28**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Grade II Listed Building

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2004
- Planning File Refs: S/1017/05/F; S/0181/05/F; S/1101/04/F; S/1705/01/F & S/1467/97/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/1290/05/F - Haslingfield
Erection of Bungalow Following Demolition of Existing Bungalow at 4 Orchard Road
for O P Grell

Recommendation: Refusal
Determination Date: 24th August 2005

Members will visit the site on Monday 5th September 2005.

Site and Proposal

1. The site is accessed by way of a long driveway which runs alongside the northern and western boundaries of the land attached to the Little Rose PH. There is currently a bungalow and garage on the land. A large walnut tree sits in the north western corner of the site which is protected by virtue of a Tree Preservation Order.
2. The full planning application, received on 29th June 2005, proposes the erection of a 3 bedroom 'T' shaped flat roofed bungalow, approximately 3-3.7m in height with a grass and copper roof set 11m back from the northern boundary of the site and 10m from the Walnut tree. An integral garage will provide parking for two cars.

Planning History

3. Full planning permission was granted in January 2005 for the erection of two chalet bungalows following the demolition of the existing bungalow.

Planning Policy

4. Cambridgeshire and Peterborough Structure Plan 2003 Policy P5/3 – Density states:

“The average density of new housing development will need to be increased across the Structure Plan area in order to maximise efficiency in the use of sites. In setting density standards appropriate to their area Local Planning Authorities should take into account the following guidelines:

Densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing or potential services and facilities and where there is, or there is the potential for, good public transport accessibility.

In appropriate locations in or close to the centres of cities and Market Towns and in planned new communities, and in locations with access to high quality public transport services, significantly higher densities should be sought.

Densities of less than 30 dwellings per hectare will not be acceptable.

Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character”.

5. South Cambridgeshire Local Plan 2004 Policy SE4 – List of Group Villages identifies Haslingfield as a Group Village and states:

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

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

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

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

6. South Cambridgeshire Local Plan 2004 Policy HG10 – Housing Mix and Design states:

“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

7. **Haslingfield Parish Council**
Recommends approval.
8. **Chief Environmental Health Officer**
No objections subject to conditions to control noise during demolition and construction.

Representations

9. Seven letters of support have been received. The main points of support are:
10. Less traffic, less noise, less overlooking, less blocking of light and lower in height than approved scheme for two chalet dwellings.
11. Exciting design which is organic in nature and will enhance the stock of buildings in the village.
12. Very surprised that two dwelling got permission on this small site.
13. Fruit trees and yew will be preserved.
14. One dwelling will have less impact on water and other services.

15. Approved scheme is an overdevelopment of the site and did not enhance the open structure of the village. This proposal respects the neighbourhood.
16. Suggested conditions from occupiers of No. 5 Lilac Close: Roof should be no higher than existing bungalow and no building structure should be within 2m of boundary with 5 Lilac Close.

Planning Comments – Key Issues

17. The key issue is the need to make best use of land, ensuring that densities are appropriate and in line with national and local policies.
18. The site measures approximately 1280m², excluding the access. The proposal therefore represents a density of development of approximately 8 dwellings to the hectare. This is clearly well below the level required by Policy P5/3 of 2003 Structure Plan and is not making best use of land as required in Policy HG10 of the 2004 Local Plan. Such development should only be considered where the character of the area or other constraints such as neighbour amenity issues indicate that the site could not accommodate further dwellings.
19. Planning permission has been granted for two dwellings demonstrating that the site is capable of this greater density of 16 per hectare. Clearly this is also well below policy requirements, however the site is largely surrounded by gardens to properties and I do not consider that any more than two dwellings could be accommodated. The presence of the large walnut tree, protected by means of a Tree Preservation Order also precludes further development.
20. I note the strong local support for the proposal and I accept that it will have less impact on amenity than that approved, not just because it is a single dwelling only, but also due to the very low height of the new dwelling. The design approach is unusual and I note that this too has received local support. Both schemes ensure the retention of the walnut tree. Due to the position of the site away from public views and the low nature of the proposal I would have no concerns over the design or the proposed use of a grass and copper roof, though the details of this would have to be considered. However I cannot recommend approval of this proposal which does not make best use of the site particularly in view of the extant permission for two dwellings.

Recommendation

21. Refusal for the following reasons:

The site benefits from extant planning permission for two dwellings granted under Planning Permission reference S/2055/04/F. The proposal represents a density of approximately 8 dwellings/hectare and does not make best use of the site. As such the proposal is contrary to Policy P5/3 of Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/1290/05/F and S/2055/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003.

Contact Officer: Nigel Blazeby – Senior Planning Assistant
Telephone: (01954) 713256

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1459/05/F - Linton
Conservatory at 3B The Grip for Mr Page**

**Recommendation: Refusal
Date for Determination: 16th September 2005**

Conservation Area**Site and Proposal**

1. No. 3B The Grip is situated to the south of the A1307 (Cambridge to Haverhill Road) and within the Linton village framework and conservation area. It is a modern, two-storey, end of terrace, render and slate house with an attached single garage. A two metre high fence and a row of tall leylandii trees run along the rear boundary of the site. No. 3A The Grip is a render and slate house that is situated to the north west. No. 5 The Grip is a render and thatch listed cottage that is situated to the south east.
2. The application, received on the 22nd July 2005, proposes the erection of a replacement conservatory to the rear of the house. The conservatory has a footprint measuring approximately 10 square metres in area and a height of 3.2 metres. The proposed materials are Woodgrain PVCu frames sprayed black and reclaimed brick for the walls and polycarbonate sheets for the roof.

Planning History

3. Planning permission was granted for a timber conservatory to No. 3B The Grip in June 2000 (reference **S/0924/00/F**).
4. Planning permission was granted for three houses and garages in June 1998 (reference **S/0257/98/F**).
5. Planning permission was granted for a timber conservatory to No. 3A The Grip in June 2005 (reference **S/0731/05/F**). The application originally proposed PVCU frames.

Planning Policy

6. **Policy P7/6** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to protect and enhance the quality and distinctiveness of the historic built environment.
7. **Policy P1/3** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to ensure that all new developments incorporate high standards of design that respond to the local character of the built environment.

8. **Policy EN30** of the **South Cambridgeshire Local Plan 2004** states that proposals will be expected preserve or enhance the special character and appearance of the conservation area especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes that do not specify traditional local materials and details and which do not fit comfortably within their context.
9. **Policy EN28** of the **South Cambridgeshire Local Plan 2004** seeks to resist extensions and alterations that would damage the setting, well-being or attractiveness of a listed building.
10. **Policy HG12** of the **South Cambridgeshire Local Plan 2004** states that extensions and alterations to dwellings that would seriously harm the amenities of neighbours through being unduly overbearing in terms of their mass, through a significant loss of light or through a severe loss of privacy will not be permitted.

Consultation

10. **Linton Parish Council** recommends approval of the application.
11. The **Conservation Manager** comments: -

“Objections were recently raised concerning a UPVC structure proposed to the neighbouring property and a timber framed conservatory has been secured. It therefore follows that a timber structure should be sought for this property.

The house / garden backs on to the main road and views into the site can be afforded. No objection is raised to the scale and form of the conservatory other than the materials to be used for the frame.

Recommend refusal - Use of inappropriate materials within a conservation area which are out of keeping with the locality and would create an undesirable precedent”.

Representations

12. The applicant's agent makes the following comments in its letter dated 20th August 2005: -
 - a) A row of conifer trees to the rear garden almost completely hides the existing and thus the proposed conservatory;
 - b) At just over 6 feet tall, the agent states that he had to physically stop on the footpath alongside the A1307 and make quite an effort to see over the boundary fence and through the trees. A passer by would not give this conservatory a second thought;
 - c) Anybody passing by car would see nothing due to their sitting position in relation to the boundary fence;
 - d) The conservatory under construction on the adjoining property will 'hide' the only reasonable partial view of this proposal once it is completed;
 - e) The colour of the conservatory under construction can hardly be described as 'in keeping';
 - f) The existing property (3B) has windows and conservatory all painted black;
 - g) The proposed pvc woodgrain conservatory will be sprayed black (same paint as for timber);

- h) It will be very difficult to see whether it were timber or Pvc from 5 metres away let alone the very limited glimpse that will be had from the footpath, the A1307 or any other 'public viewpoint';
- i) Why would the conservation office have any objection 'in principle' to the proposal as they had already previously approved the existing conservatory which is almost being duplicated?;
- j) The existing approved conservatory has a polycarbonate sheet roof and glass to all elevation frames- we are proposing the same;
- k) Considering the above, this location can hardly be described as sensitive;
- l) The Parish Council, no doubt having considered most of the above, have recommended approval;
- m) There are no other objections.

13. The applicant makes the following points in support of his application: -

- a) The Authority's concerns are that the conservatory will be visible from public viewpoints which is not the case. No 3B The Grip is lower down and further to the right compared to No 3A and is bounded by a longer and higher continuous screen of fir trees;
- b) The applicant had a budget of £12,000 to build a conservatory. This was increased with borrowing to £14,000 in order to make the conservatory in keeping with the local area;
- c) A wood conservatory would cost £22,551, which the applicant cannot afford. If the work is cancelled the applicant will be with no child's play room for his youngest daughter and a building site where it once was;
- d) The applicant and his partner have received many kind remarks from neighbours and passers by over the two years they have lived in 3B The Grip because they have put a lot of effort into making the house inside and out, gardens and surroundings smart and in keeping with the local area;
- e) The wood material of No 3A's conservatory is not in keeping with the location and the fact that it is brown will be much more visible from bus a on the A1307 than if it were made from uPVC. A cheap rosewood (brown) colour option with cheap modern bricks has been used and the neighbours are budgeting for what they can afford. The applicant has done likewise and opted for the uPVC frames but has spent money on the back spraying and the old Cambridge bricks and window bars. If both conservatories are viewed from the main road, the neighbouring conservatory at no 3A would stand out more on the basis of colour and brick style rather than that proposed which would be black and built with traditional brick.

Planning Comments – Key Issues

14. The main issues to consider in relation to this application are the impact of the conservatory upon the: -

- a) Character and Appearance of the Conservation Area;
- b) Setting of the Adjacent Listed Building;
- c) Neighbour Amenities.

Conservation Area

15. I have no objection in principle to the erection of a conservatory on the site. This is confirmed by the planning permission granted for a conservatory at No. 3B The Grip in June 2000. I cannot, however, support the current application upon the basis of its materials as a result of the objection from the Conservation Manager.

The site is situated within the conservation area and the conservatory would be visible, albeit in glimpses, from the footpath adjacent the A1307. The use of PVCU materials for the proposed conservatory is not considered appropriate within this sensitive location. Such non-traditional materials would neither preserve nor enhance the character and appearance of the conservation area.

16. I acknowledge that the construction of a timber conservatory would cost more than a conservatory constructed from PVCU, but this is not a planning issue that can be considered during the determination of this application. In any case, the matter of cost would not outweigh the harm that the development would have upon the character and appearance of the conservation area.
17. The application for a conservatory at No. 3A The Grip originally proposed PVCU materials. This application was amended following receipt of the Conservation Manager's comments and later approved. A condition was attached to the planning consent requiring details of the finish of the conservatory to be agreed prior to work commencing. This was to ensure that the conservatory would preserve the character and appearance of the conservation area. I have not, to date, received any details of the conservatory finish, but would not consider non-painted rosewood timber to be appropriate in this location.

Setting of Listed Building

18. The proposed conservatory is not considered to damage the setting of the adjacent listed building (No. 5 The Grip).

Neighbour Amenity

19. The proposed conservatory would not seriously harm the amenities of neighbours through being unduly overbearing in terms of its mass, through a significant loss of light or through a severe loss of privacy.

Conclusion

20. Whilst there are no objections to the conservatory on neighbour amenity grounds or with regards to its impact upon the setting of the adjacent listed building, I cannot recommend approval of the application based upon the use of inappropriate materials within the conservation area.

Recommendation

21. Refusal

The proposed conservatory, by reason of its inappropriate materials, would neither preserve nor enhance the character and appearance of the conservation area. The proposal would therefore be contrary to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan and Policy EN30 of the South Cambridgeshire Local Plan 2004 which seek to protect and enhance the quality and distinctiveness of the historic built environment through the use of traditional materials within conservation 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
- Planning File References S/0257/98/F, S/0924/00/F, S/0701/05/F & S/1459/05/F

Contact Officer: Karen Bonnett – Planning Assistant
Telephone: (01954) 713230

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1220/05/F - Papworth Everard
Erection of 58 Dwellings, Land South of North Lodge Drive
for David Wilson Homes (South Midlands)**

**Recommendation: Delegated Approval
Date for Determination: 20th September 2005 (Major Application)**

Departure Application

Site and Proposal

1. This 1.372 hectare (gross) site is located centrally in Papworth Everard to the east of Ermine Street and lies between the Papworth Hospital complex and the recently completed residential development constructed by David Wilson Homes on the north side of North Lodge Drive.
2. The site is relatively level and has been cleared of previous uses except a remaining workshop on the eastern side of the site to its rear. There are significant tree groups principally on the eastern and southern parts of the site and a parking area used by the Hospital in its south west corner. The southern boundary of the site abuts the Hospital complex and the village hall. To the east is a residential estate on higher ground (Muriel Close/Harnden Way). To the north is the new residential development fronting North Lodge Drive, the first phase of David Wilson's overall scheme. To the west are the rear gardens of properties on Ermine Street South.
3. Outline planning consent was granted for a B1 use of the site in December 1998 for use by the Hospital Trust. However, the Trust was not in a position to take up this business use (initially thought that this site would be suited as a "Medi Park" research establishment). The land is now surplus to the foreseeable requirements for both the Papworth Trust and the Varrier Jones Foundation and agreement has been reached that a residential redevelopment of the site would be the most appropriate in these circumstances.
4. A residential redevelopment is seen as the most appropriate use for this 'brownfield' site benefiting from its central location with new residential development adjacent and ample general employment land in the village at Sterling Way and within the Hospital complex.
5. An outline application for residential use was submitted by the Varrier Jones Foundation in February 2004 (under reference **S/0203/04/O**), and granted consent subject to a Section 106 Agreement on 1st October 2004. The obligations included financial contributions towards primary and secondary education facilities, open space provision and maintenance and works to improve the village hall.

6. A detailed planning application was submitted by David Wilson Homes for 69 dwellings in July 2004 (under reference **S/1543/04/F**), based largely on the parameters set out by the previous outline application and taking into account the constraints of the site. This application was subsequently formally withdrawn following detailed discussions with the Authority because of the need to address a range of issues including house numbers, design and housing mix and tree retention.
7. The current detailed application, received 21st June 2003, now proposes the erection of 58 dwellings and associated infrastructure works. The density proposed is 42 dwellings per hectare gross or 50.8dph net developable area.
8. In addition to an overall reduction in housing numbers proposed the scheme has been substantially revised in order to retain the more important trees, to secure the most appropriate location for on-site public open space and child's play area.
9. The proposed mix is:
 - 32 two bedroom apartments/flats (55%)
 - 24 three bedroom houses (41%)
 - 1 four bedroom house (2%)
 - 1 five bedroom house (2%)

Planning Policy

10. Papworth Everard is classed as a "limited rural growth" settlement in the adopted 2004 Local Plan. The application site itself is within the village framework. The following policies therefore apply.
 - a) **Policy SE3 "Limited rural growth settlements"** of the South Cambridgeshire Local Plan 2004 - Maximum development of 30 dwellings on unallocated land at a minimum density of 30 dwellings per hectare.
 - b) **Policy SE8 "Village framework"** of the South Cambridgeshire Local Plan 2004.
 - c) **Policy HG7 "Affordable housing on sites within village frameworks"** of the South Cambridgeshire Local Plan 2004 - up to 50% of the total number of dwellings for which permission may be given.
 - d) **Policy HG10 "Housing Mix and Design"** of the Local Plan 2004 requires a mix of units, making the best use of the site and achieving a high quality design.
 - e) **Policy RT2 "Provision of public open space in new development"** of the South Cambridgeshire Local Plan 2004.
 - f) **Policy EN5 "The landscaping of new development"** of the South Cambridgeshire Local Plan 2004.
 - g) **Policy EN13 "Protected species"** of the South Cambridgeshire Local Plan 2004.
 - h) **Policy P1/3 "Sustainable design in built development"** of the Cambridgeshire and Peterborough Structure Plan 2003.
 - i) **Policy 3/1 "Vitality and attractiveness of centres"** of the Cambridgeshire and Peterborough Structure Plan 2003.

- j) **Policy P5/2 “Re-using previously developed land and buildings”** of the Cambridgeshire and Peterborough Structure Plan 2003.
- k) **Papworth Everard 5** of the Local Plan 2004: Allocation for mixed uses, including residential, on 6.8 hectares in the village centre.
- l) **Papworth Everard 2** of the Local Plan 2004: average density of 25 dph within allocated areas although densities above and below will be sought.

Consultation

- 11. **Papworth Everard Parish Council** recommends refusal. Detailed objections including references to the sites relationship to the proposed By-pass, proposed density, public open space provision and play areas, boundary and surface treatments, the size and scale of the access roundabout, lighting, concern re bin storage and access, tree protection/retention and detailed comments on a number of specific proposed residential units and their elevations.
- 12. The **Local Highway Authority** has not commented. Understood has no objections subject to standard conditions.
- 13. **Anglian Water** has not commented.
- 14. **The Environment Agency** has not commented. Its original request for a post remediation ground water assessment has been complied with and the proposed remediation works approved in principle (formal confirmation awaited).
- 15. The **Council’s Chief Environmental Health Officer** has requested that prior to development commencing investigation of the site shall be undertaken to establish the nature and extent of any contamination and remedial works to deal with such contamination. Conditions should also be imposed regarding noise emissions from the site during construction and the need to prevent bonfires or burning of waste during construction.
- 16. The **Council’s Ecology Officer** has issued a holding objection until potential impacts upon flora and fauna on the site have been properly investigated and conservation/ protection measures agreed with the applicants.
- 17. The **Council’s Landscape Officer** has confirmed various concerns about the scheme’s design concept and requires more consideration to be given to the type and range of species to be incorporated in the landscaping of the site and more detailed information generally on the planting scheme.
- 18. The **Council’s Trees and Landscape Officer** has expressed the need to take into account the Tree Preservation Order over a substantial part of the site. If the proposals are to be approved they should be amended on the basis of the detailed discussions undertaken with the applicants in terms of trees to be retained, those which can be removed, the need to protect retained trees during construction etc.
- 19. The **Council’s Waste Minimisation Officer** has made detailed comments about the size, scale and design of bin storage areas and access to and from these stores in order that the storage area design and refuse vehicle turning heads are to the correct dimensions.

20. The **Council's Cultural Services Manager** has asked for some further clarification on parts of the scheme and requests for additional LAP provision and a financial contribution for off-site provision of outdoor playing space/community facilities and public art contribution.
21. The **Cambridgeshire Constabulary** has made site specific comments on particular plots in order to provide defensible space and remove the potential for criminal or anti-social activity.
22. The **Cambridgeshire Fire and Rescue Service** has requested that adequate provision for fire hydrants be made via a Section 106 Agreement or appropriate condition.
23. The **County Council's Chief Financial Planning Officer** has requested an appropriate contribution from the applicants towards primary and secondary education facilities be incorporated into an amended Section 106 Agreement.

Representations

24. Two letters of objection have been received from numbers 5 and 9 North Lodge Drive. The main points raised are:
 - a) Inadequacy of parking provision within the scheme.
 - b) Alleged overdevelopment.
 - c) Size and scale of apartment blocks along North Lodge Drive unacceptable.
 - d) Potential contamination on site and asbestos in roof of existing building.

Planning Comments - Key Issues

25. The principal determining issues are:
 - a) The principle of a residential redevelopment of this site.
 - b) The acceptability of the proposed number of new dwellings and the density.
 - c) The level of public open space and child's play area provision.
 - d) The boundary treatment of the site and its relationship to neighbouring development.
 - e) The retention of significant trees and proposed landscaping of the site.
 - f) The adequacy of proposed bin storage and refuse vehicular access to and from residential units.
 - g) Ecological considerations with regard important flora and fauna on the site and the need to protect/relocate as necessary and provide mitigation measures.
 - h) Adequacy of proposed parking.
 - i) Permeability of the site and measures to ensure crime prevention.
 - j) Potential contamination on the site, the presence of asbestos and appropriate remedial measures.
 - k) Site drainage.
 - l) Various detailed siting and design issues raised by consultees.

- m) The need to amend the Section 106 Agreement dated 26th September 2004 in relation to outline consent granted under reference S/0203/04/O.
26. The principle of a residential redevelopment of this site is established and considered appropriate by the Authority when granting outline consent in October 2004 under reference S/0203/04/O. Detailed consideration was given at that time to the Hospital's intention to develop a "Medi Park" but subsequently the Papworth Trust and the Varrier Jones Foundation confirmed the land was surplus to requirements.
 27. Given its brownfield status and its central location it was considered appropriate for residential redevelopment.
 28. The density of the site equates to 50.84 dwellings per hectare (net development area) which is substantially less than the first phase of development along North Lodge Drive which was at nearly 60 dwellings per hectare.
 29. This density is considered appropriate in a central village location on such a brownfield site and effectively links the higher density flatted units north of North Lodge Drive to the relatively open aspect of the Hospital grounds to the south.
 30. The specific number of proposed dwelling units has also been reduced from 75 illustratively proposed at the time of the outline application submission to 69 dwellings within the context of application reference S/1543/04 (subsequently withdrawn), to 58 proposed as part of the current application. Numbers have been reduced significantly in detailed discussion with relevant officers but more than 50% of the dwellings are two bedroom units, achieving the objectives of Local Plan Policy HG10.
 31. This site forms a transition between that to the north and the more landscaped setting of the Hospital to the south, the layout opening out towards the Hospital and the village hall, making best use of existing tree cover and proposed open space, the height of residential units varies between two and three storeys.
 32. Housing blocks have been created in order to frame views, to turn corners and to overlook areas within the public realm, including parking courts. The overall layout acknowledges the requirement to provide a range of dwellings in terms of type and size.
 33. Public open space is marginally below required standards. However, the figure has decreased during various negotiations as previously many of the protected trees to the east of the site were originally located within an area of open space, not considered to be particularly functional. Consequently, many of these trees now fall within private gardens which could be considered as a mitigating factor in consideration on-site requirements.
 34. The applicants have been asked to enlarge the formal child's play area, there being sufficient land to accommodate this.
 35. In addition, the applicants will be requested to make a financial contribution (off-site contribution) for other outdoor playing space/community facilities not being provided on site as well as a public art contribution in line with the Council's public art policy.
 36. The Section 106 Agreement accompanying the original outline planning consent incorporated a contribution for community facilities which included playing field, play areas, open space and other areas of like nature and this agreement will be amended accordingly.

37. Detailed discussions have taken place with the applicants on the various methods of treating boundaries to the site, requiring different treatment with regards residential to residential boundaries and boundaries to the Hospital complex and the village hall.
38. The applicants have agreed with the Authority the selective retention and felling of the significant trees on the site and will ensure the protection of the retained trees during construction.
39. Similarly, amendments have been made to the proposed landscaping of the site in close liaison with officers in order that the number and type of species to be incorporated into the scheme are appropriate for this site.
40. The design and location of bin storage areas and refuse vehicular access to them has been redesigned to accord with the Authority's requirements.
41. Comprehensive bat and ecology surveys have been prepared by the applicants in close liaison with the Authority (formal copies yet to be received), and discussions are on-going to ensure a scheme of ecological enhancement is submitted for approval which will include details of the features to be enhanced and managed together with species identified and measures for their protection and enhancement during development and for the future.
42. The applicants will be asked to investigate potential contamination of parts of the site (including for example the removal of asbestos from the building remaining in situ), this to include remedial treatment.
43. The applicants have prepared a report on drainage from the site in close liaison with the Environment Agency, this meets the Agency's requirement (confirmation requested).
44. Parking provision within the site meets Authority standards, the two principal parking courts are similar to those on the earlier phase and the applicants have ensured that these are overlooked by as many properties as possible in order to prevent anti-social behaviour.
45. Similarly, the applicants have made amendments to the scheme to take on board comments received from the Cambridgeshire Constabulary in order to ensure permeability through the site to ensure safe routes for residents and in design and orientation of dwellings to the public realm to reduce the opportunity for crime.
46. A whole range of minor amendments to particular units within the overall layout have been made in response to site-specific points raised by consultees on detailed design.
47. The applicants have now submitted revised layout and landscaping drawings, a revised planning and design statement addressing the matters raised through consultation, details of bin stores and a number of house type changes. These are the subject of further consultation.
48. An update on the conclusions of this consultation exercise will be made to Committee.

49. This application will need to be referred to the Department of the Environment as a Departure to the adopted 2004 Local Plan particularly with regards the numbers of dwellings proposed exceeding the limit set by Local Plan Policy SE3 and the non-provision of affordable housing on the site itself, an issue which was resolved upon the grant of outline planning permission in 2004.
50. In addition, changes to the number of units now proposed will mean a recalculation of the various contributions required in respect of education provision, public open space and amenity land, community contributions and public art etc.

Recommendation

51. Subject to the Secretary of State not “calling in” this application and to the prior signing of a revised Section 106 Legal Agreement, that Committee be minded to approve the application.
52. The following conditions are recommended.
 1. Standard time limit condition A;
 2. Trees to be retained/removed;
 3. Tree protection during construction;
 4. Scheme for surface water drainage;
 5. Scheme for foul water drainage;
 6. Hours of work on site;
 7. Contamination report and remediation strategy;
 8. Fire hydrant provision;
 9. Bat survey submission;
 10. Ecology survey submission;
 11. Public open space provision;
 12. LAP provision;
 13. Landscaping scheme and implementation;
 14. Boundary treatment;
 15. Bin storage/refuse vehicular access;
 16. Ecological enhancement;
 17. Street lighting;
 18. Details of materials for hard surface areas within the site.

Informatives

1. Environment Agency and Environmental Health comments;

Reasons for Approval

1. Although the proposal does not accord with South Cambridgeshire Local Plan 2004 Policies SE3 (maximum of 30 dwellings on unallocated land) and HG7 (provision of affordable housing), it is considered that the following material considerations warrant approval of the application:

- (a) Principle of residential development established by outline planning permission ref. S/0203/04/O;
- (b) Site comprises part of an allocation for mixed use development, including residential;
- (c) Redevelopment of a brownfield site in a central location of a Limited Rural Growth Settlement at a density in excess of 30 dph and providing 55% two bedroom units.
- (d) Contribution achieved to a community facility in lieu of provision of affordable housing.

In all other respects the proposal is considered generally to accord with the following Development Plan policies:

- a) Cambridgeshire and Peterborough Structure Plan 2003:
 - P1/3** Sustainable Design in Built Development
 - P3/1** Vitality and Attractiveness of Centres;
 - P5/2** Re-using Previously Developed Land and Buildings.
- b) South Cambridgeshire Local Plan 2004:
 - SE3** Limited Rural Growth Settlements;
 - SE8** Village Frameworks;
 - HG10** Housing Mix and Design;
 - RT2** Provision of Public Open Space in New Development;
 - EN5** The Landscaping of New Development;
 - EN13** Protected Species;
 - Papworth Everard 5** Village Centre Allocation.

2. The proposal is not considered to be significantly detrimental to the principal planning considerations raised during the extensive consultation exercise, which are:

- a) Loss of a site with a permitted employment use;
- b) The retention of existing trees on the site;
- c) The amenity of neighbouring residential properties;
- d) Density
- e) Public open space provision;
- f) Housing design and layout.

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

- Cambridgeshire County Structure Plan 2003;
- South Cambridgeshire Local Plan 2004;
- Application files S/0203/04/O, S1543/04/F and S/1220/05/F.

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	7 th September 2005
AUTHOR/S:	Director of Development Services	

S/2339/04/F - Sawston
Extensions and Conversion of House and Annexe into 3 Houses at 101 Mill Lane for Mrs Robertson

Recommendation: Approval
Date for determination: 13th January 2005

Site and Proposal

1. The application relates to a two-storey brick and render house with a hipped pantile roof, a two-storey flat roof side extension and hipped and flat roof single storey rear extensions. There is a flat roof garage to the side/rear. There is a dropped kerb along the whole of the site's frontage and the area to the front of the house is gravelled and used for parking. Mill Lane is to the north, the access to The Stakings, a group of five dwellings to the south of the site is to the east and a field lies to the west. The western boundary is marked by a 1m high fence and gappy planting alongside the front and side of the dwelling with conifers extending back from the garage/bounding the rear garden along this boundary. There is a parking layby on the opposite side of Mill Lane.
2. This full application, received on the 18th November 2004 and amended by plan date stamped 1st February 2005 and Flood Risk Assessment received on the 18th July 2005, proposes to erect a 8.4m x 3.4m two-storey side extension and attached 3.5m x 3.2 single storey extension to the rear of the proposed two-storey extension to form a two-bedroom dwelling; a new hipped roof over the resulting two-storey part of the building and a lean-to roof over the existing single storey flat roof rear element; and convert the existing building into a further two dwellings, one two bedroom unit and one three bedroom unit. Four parking spaces would be provided to the front of the building. The density equates to 58 dwellings to the hectare.

Planning History

3. Planning permission was granted for a first floor rear extension to the house in 1986 under reference **S/1421/86/F**.

Planning Policy

4. The site is on the edge of but within the village framework of Sawston, which is defined as a Rural Growth Settlement in Local Plan 2004.
5. The site is within the Environment Agency's Zone 2 (medium to low risk) Flood Risk Area.
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. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within village frameworks of Rural Growth settlements provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the plan. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
8. Structure Plan 2003 **Policy P1/2** states that no new development will be permitted within or which is likely to adversely affect functional flood plains or other areas where adequate flood protection cannot be given and/or there is significant risk of increasing flood risk elsewhere. Structure Plan 2003 **Policy P6/3** states that, if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.
9. Local Plan 2004 **Policy CS5** states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at risk unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.

Consultation

10. **Sawston Parish Council** recommends refusal for the following reasons:
 - a) Overdevelopment of the site;
 - b) Site in flood plain;
 - c) Parking problems;
 - d) Inaccurate plans regarding road splays;
 - e) Private road next to site;
 - f) Residents concerns;
 - g) The Stakings which would take one of the proposed parking spaces is out of the use of 101 Mill Lane.
11. In relation to the amended plan, which accurately shows The Stakings' road splays, it states "This is still considered by the Parish Council to be overdevelopment of the site."
12. **Environment Agency** states that the application falls within Cell E8 of its Flood Risk Matrix (Change of use to a more flood risk sensitive use within Zone 2) and, in line with current government guidance, the District Council will be required to respond on behalf of the Agency in respect of flood risk and surface water drainage related issues.
13. **Building Control Officer** has considered the submitted Flood Risk Assessment and confirms that it seems satisfactory.

14. Whilst this is not a type of application on which the **Local Highway Authority** would normally comment, it has indicated that as the whole site frontage has a dropped kerb, it does not consider a refusal could be substantiated with regard to vehicles reversing onto or from the site. It also considers that a refusal could not be substantiated in terms of parking provision or layout.

Representations

15. Comments/objections has been received from the occupiers of 1, 2 and 3 The Stakings and 97 Mill Lane on the following grounds:
- a) Possible obstruction of The Stakings, a privately owned road;
 - b) 101 does not have a right to use The Stakings;
 - c) The amended plan still does not accurately show The Stakings;
 - d) One of the parking spaces encroaches onto The Stakings;
 - e) Insufficient parking provision;
 - f) The hedge along the eastern boundary of the site must not be disturbed.

Planning Comments – Key Issues

16. The main issues in relation to this application are the visual impact of the resulting building, flood risk and parking provision.
17. Whilst the proposal would bring the main part of the dwelling closer to the side/west/Green Belt boundary and leave no space for screening along this boundary, there is currently very little screening along this boundary and the resulting dwelling would not have a significantly greater impact on the adjoining countryside. By proposing a hipped roof over the main part of the resulting building and a lean-to roof over the single storey rear elements, the proposal will improve the design of the building by removing the flat roofs.
18. Whilst the site is within the indicative low to medium risk flood zone, the site is set up above the level of the adjacent field and the submitted Flood Risk Assessment concludes that: the site was not flooded in 1947 although it was flooded in 1968 by a unusual set of circumstances which no longer exist; the River Cam has been significantly improved since 1968 and the Sawston Bypass has been completed preventing flood waters from the River Cam flowing into this area of Sawston; the new part of the property will be flood proofed in accordance with the relevant guidance; and the floor level of the existing and proposed dwellings is 1.2 metres higher than the modelled 1 in 100 year flood plain. The Council's Building Control Section has considered the Assessment and concludes that it is satisfactory.
19. I am satisfied that the amended plan demonstrates that four parking spaces can be provided to the front of the building, although the layout shown would not be workable in that the space on the eastern side of the frontage could not be accessed when a car is parked in the adjacent space without driving over part of The Stakings. Having regard to the comments of the Local Highway Authority, the proposal is considered to be acceptable in regard to highway safety and parking provision.
20. The development would not have a serious impact on neighbours.

Recommendation

21. Approval (as amended by Block Plan date stamped 1.2.05 and Flood Risk Assessment received 19.7.05)
1. Standard Condition A – Time limited permission (Reason: A).
 2. SC19 - Matching materials (Reason: 19).

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) **Cambridgeshire and Peterborough Structure Plan 2003:** P1/2 (Environmental Restrictions on Development), P1/3 (Sustainable design in Built Development) and P6/3 (Flood Defence);
 - b) **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements) and CS5 (Flood Protection);
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - a) Possible obstruction of The Stakings, a privately owned road;
 - b) Accuracy of plans;
 - c) Insufficient parking provision;
 - d) Disturbance to hedge along the eastern boundary of the site.

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/2339/04/F & S/1421/86/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1342/05/F - Guilden Morden
Extensions, 9 Silver Street for G Mills**

**Recommendation: Approval
Date for Determination: 1st September 2005**

Conservation Area

Site and Proposal

Members will visit the site on Monday the 5th September 2005.

1. Silver Street is a narrow road with no vehicular throughway and very little provision for on street parking. The road itself is lower than the surrounding residential properties and becomes increasingly rural in nature the further one goes down it. Number 9 Silver Street is one of a pair of relatively large dwellinghouses built in the late 1960s/early 1970s. Between the flat roofed garages of both these properties there is a historic right of way leading to High Street, part of which is the vehicular access to a Grade II Listed cottage, 36 High Street, that sits to the rear of number 9. Both the listed cottage and the two more modern properties fall within the Guilden Morden village framework. A further Grade II Listed building, No. 4 Silver Street is opposite.
2. The full planning application, received on the 7th July 2005, proposes to extend the dwellinghouse by way of a first floor element above the existing flat roof garage and a single storey lean-to element to the rear. In addition to these extensions the fenestration is to be altered and the property is to be part clad with weatherboarding and part rendered. The application was amended on the 18th August to drop the height of the said first floor element by approximately 200mm and to address inaccuracies.

Planning History

3. The original planning consent granted for the site was in 1968 (**SC/0025/68/D**), and it is this consent under which number 9 and its neighbour (number 7) were built.
4. A more recent application for a first floor extension of number 9 was refused in 2004 (**S/0140/04/F**). This application was refused as the scale and unsympathetic design of the proposed extension was considered to adversely impact on the street scene, Conservation Area and setting of nearby listed buildings.

Planning Policy

5. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 requires Local Planning Authorities to protect and enhance the quality and distinctiveness of the historic built environment.

6. **Policy HG12** of the South Cambridgeshire Local Plan 2004 requires that applications for the extension and alteration of dwellings within village frameworks pay attention to issues such as neighbour amenity and visual impact upon the street scene.
7. **Policy EN28** of the South Cambridgeshire local plan 2004 seeks to ensure that development will not damage the setting of listed buildings.
8. **Policy EN30** of the South Cambridgeshire Local Plan 2004 sets out the requirements for developments within Conservation Areas.

Consultation

9. **Guilden Morden Parish Council** recommends that the application be refused as the proposal will have a significant impact on the street scene – size and design; it does not preserve or enhance the Conservation Area; and it will have an adverse effect on the setting of nearby listed buildings.
10. The view of the Parish Council is based on the original drawings and not the amended plans, which show a modest reduction in the height of the first floor element. The amended plans were sent to the Parish Council for information only due to the minor nature of the changes involved.
11. **Conservation Manager** has no objection, though has requested that the new windows should be in timber and that the render should have a woodfloat finish and be painted in a pastel shade.
12. “Number 9 contributes very little to the Silver Street streetscape or the Guilden Morden Conservation Area. The current proposals would completely remodel the dwelling and result in a building more in keeping with its location, with a more appropriate fenestration pattern and improved materials (timber weatherboarding and render under a slate roof, as apposed to an inappropriate LBC brick under an interlocking concrete tile roof). The revisions now incorporated into the design will reduce the impact of the new build elements and the net result will be an overall enhancement of the Conservation Area.”

Representations

13. Three letters/E-mails of objection have been received from residents of properties in Silver Street and High Street
14. The occupier of 36 High Street objects to the proposal as the first floor extension would increase the building footprint to the front and rear and would have a serious impact upon the amenities of neighbours because the property will be unduly overbearing in terms of mass to those in Silver Street and will overlook/overshadow the residences at 7 Silver Street and 36 High Street. The proposal removes the garage and provides further hard standing to the front of the property, which is elevated some 700mm above road level. The proposal generates significant loss of garden space and any vehicle parked on the proposed hard standing will have a negative impact upon the street scene. Moreover the development will be out of character with the properties in the immediate vicinity and have an adverse effect on two listed properties, 4 Silver Street and 36 High Street.
15. The occupiers of 4 Silver Street object to the application, as they believe that the proposed extension will overshadow their property and that number 9 would dominate the characterful and attractive street.

16. The occupiers of 7 Silver Street object to the application as they feel the extensions are far too large for the property and with the other alterations will dominate and alter the street scene, especially as the first floor element will be well forward of the existing garage. They also have concerns about the quantity of weatherboarding and have questioned why it can't be done with matching brickwork. More concerns are raised about the reduction in the size of the windows and having vehicles parked in front of these smaller windows.

Planning Comments – Key Issues

17. The main issues to consider for the determination of this application relate to the visual impact of the proposed first floor extension on the street scene and the settings of the Conservation Area and nearby listed buildings. Further issues of neighbour amenity have also been raised by several of the objectors.

Impact upon the Conservation Area

18. Number 9 Silver Street is of no particular architectural or historic merit and is not considered to have a positive contribution to the character or setting of the Conservation Area. The application that was refused last year sought to continue the style of the existing dwelling onto the proposed first floor extension. Aside from the issue of the physical bulk the application was refused, as the design was not considered to either enhance or preserve the character of the Conservation Area. This latest application, although similar in scale, is a result of pre-application discussions between the applicant and the Council's Conservation Area and Design Officer. The use of traditional materials and a more traditional pattern of fenestration is considered to be an improvement on the visual appearance of the existing property and the proposal is considered to enhance the appearance of the Conservation Area.

Impact upon the settings of nearby listed buildings

19. Although the previous application was refused in part for its impact upon the setting of number 4 Silver Street officers consider the impact upon the setting of number 36 High Street to be of more importance. The garages of number 7 and 9 Silver Street help to define the entrance to number 36 High Street. Although views of the listed building are afforded over these garages the most important view of the building is as one passes number 7 and views the property down the access. Due to the height difference between number 9 and the highway the view of the listed building is almost completely screened by the existing garage.
20. As the bulk of the extension was previously used as a reason for refusal officers requested that the application be amended to drop the height of the first floor element. Once amended officers were of the opinion that the impact of the bulk of the development on the settings of number 36 High Street and the Conservation Area was acceptable. Moreover the proposed extension will not be built on the same footprint as the existing garage. Although it will be coming nearer to the road it will be built approximately 400mm from the adjacent public right of way and access to 36 High Street.

Loss of neighbour amenity and off street parking

21. The only additional first floor windows in the rear elevation will be more than twelve metres from the rear boundary of the property, which is well screened by mature vegetation. A reduction in the size of the existing openings is considered to be beneficial to neighbour amenity rather than detrimental.

The issue of the overshadowing of number 36 high Street and properties on the other side of Silver Street is not considered to be materially significant.

22. At present the property has sufficient off street parking for at least two vehicles. The proposal seeks to provide hard standing that would accommodate three vehicles, which would be sufficient to meet the parking standards set out in the Local Plan. The loss of the front garden and conversion of the existing garage could be done without the specific consent of the Local Planning Authority. Even with the proposed hard standing the depth of the front garden would still allow for the retention of an area of greenery adjacent to the highway.

Recommendation

23. Approve (As amended by drawing SS/TB/05/1A – franked 18th August 2005)
1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs and windows (Rc5a);
Sc22 – No windows at first floor level in the northeast elevation of the development (Rc22);

No development shall commence until details of the siting and layout of the space to be provided on site for the parking of two cars (in accordance with the Local Authority car parking standards) shall be submitted to and approved in writing by the Local Planning Authority; the parking space shall be provided in accordance with the agreed details and shall not thereafter be used for any purpose other than the parking of cars.

(Reason – To ensure adequate space is provided and thereafter maintained on site for the parking of vehicles.)

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: HG12** (Extensions and Alterations to Dwellings within Frameworks)
 - **EN28** (Development within the Curtilage or Setting of a Listed Building)
 - **EN30** (Development in Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Loss of neighbour amenity
 - Visual impact on the locality
 - Impact upon setting of the Conservation Area and nearby Listed Buildings

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/1342/05/F and S/0140/04/F

Contact Officer: Edward Durrant – Planning Assistant
Telephone: (01954) 713082

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	7 th September 2005
AUTHOR/S:	Director of Development Services	

**S/1334/05/F - Great Shelford
Erection of House & Garage following Demolition of Existing House & Garage at 1
Woodlands Close for Mr P David**

**Recommendation: Refusal
Date for Determination: 31st August 2005**

Members will visit the site on Monday 5th September 2005

Site and Proposal

1. No 1 Woodlands Close is a 2 storey detached house with an attached garage at the side, set in a generous plot that measures 25m x 140m. The dwelling is set back from the road and the southern part of the site is within the indicative flood zone with The River Granta aligning the southern boundary. Woodlands Close and Woodlands Road are characterised by a low density form of development set within a network of private roads and properties that are predominately large detached dwellings in extensive grounds. The spacing between the houses adds significantly to the pleasing appearance of this part of the village. Neighbouring property, No 2 Woodlands Close, is a 2 storey house. Planning consent (ref. S/1746/04/F) granted for extensions at No 2 includes a 2 storey side extension measuring 21m long on the first floor and 23m long on the ground floor, and 8.2m high to the ridge. No 9 Woodlands Road, to the west of the application site is a 3 storey house with an 'L' shape outbuilding to the front/ side elevation.
2. The full application, registered on 6th July 2005 proposes to replace the existing dwellinghouse and garage with a larger property.

Planning History

3. S/0331/05/F - Planning permission was granted for extensions
4. It is considered that recent planning applications in the locality are relevant to the consideration of this application:
 - a) S/1746/04/F – Planning permission granted for extensions at 2 Woodlands Close (decision was made at 3rd November 2004 Committee); and
 - b) S/0877/04/F – Planning application was refused for extensions and outbuildings at No 3 Woodlands Close (dismissed at appeal).

Planning Policy

5. **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.

6. **Policy SE2** of the **South Cambridgeshire Local Plan 2004** states in part that redevelopment will be permitted within the village frameworks of Rural Growth Settlements provided that the retention of the site in its present form is not essential to the character of the village, and the development would be sensitive to the character and amenities of the locality.
7. **Policy SE8** of the Local Plan states, in part, that there will be a general presumption in favour of residential development within village frameworks.
8. **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.
9. **Policy EN5** of the Local Plan requires trees to be retained wherever possible in proposals for new development.
10. **Policy CS5** of the Local Plan states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to increase the risk of flooding unless the effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation.
11. **Policy EN13** of the Local Plan states that planning permission will not be granted for development which could adversely affect, either directly or indirectly, the habitats of animal species which are protected by law unless the need for the development clearly outweighs the importance of conserving that habitat and the advice of English Nature is sought, and appropriate conditions may need to be imposed to facilitate the survival of individual members of the species; reduce disturbance to a minimum; and provide adequate alternative habitats to sustain at least the current levels of population.
12. **Paragraph 39.25** of the Local Plan states that in order to protect the low density character of the housing at Woodlands Road and Woodlands Close, there will be a general presumption against infill development in this part of the village.
13. **Great Shelford Village Design Statement** identifies that Great Shelford exhibits variety in diverse ways, which imparts distinct character to the village, and the individual areas within it. That character and distinctiveness should be acknowledged, and development and change be mindful of it. It also states that the setting, the trees, open spaces and groups of buildings, as well as individual buildings, combine to give distinctiveness to parts of the village. These elements should be considered together and not in isolation.

Consultation

14. **Great Shelford Parish Council** recommends approval stating that it has no objections in view of the existing permission.
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, requiring details of method for construction of any driven pile foundations and preventing burning of waste on site be attached to any planning consent.

16. **Trees and Landscape Officer** raises no objections.
17. **Environment Agency** raises no objection to the proposed development provided that development, including landscaping and ground raising, does not extend into the indicative floodplain.
18. **Ecology Officer** states that the loft of the existing building is providing a bat roost and therefore a bat survey is required. The bat survey is awaited and further comments of the Ecology Officer will be reported verbally.

Representations

19. Residents at No 2 Woodlands Close state:
 - a) At least 1m distance should be provided between the new garage and the common boundary to prevent the loss of light to the occupiers' downstairs utility window (of the side elevation of the extension approved under reference S/1746/04/F). The large eaves overhang at the proposed garage would block light from the utility window; and
 - b) The proposed first floor balcony would overlook the garden areas at No 1 Woodlands Close and No 9 Woodlands Road.

Planning Comments – Key Issues

20. The key issues in relation to this application are
 - a) The affect on the amenity of the occupiers of No 2 Woodlands Close and No 9 Woodlands Road, and
 - b) Visual impact upon the street scene, and character and appearance of the area.
21. The proposal involves a replacement dwelling and garage. The new dwelling would be enlarged at the side/front towards the west side boundary (when compared to the existing) and would incorporate single storey elements to the east side and at the rear, a dormer windows and a double garage with studio over projecting to the front and along the boundary with No 2 Woodlands Close. The application is submitted following the approval of the previous extensions (ref: S/0331/05/F). This scheme has the following alterations compared with the approved plans:
 - a) The eaves height increased from 5m to 5.3m;
 - b) The ridge height increased from 8.9m to 9.3m;
 - c) A ground floor side element (providing larder and wine store) is slightly larger;
 - d) The width of the main house increase from 19.4m to 21.2m;
 - e) A dormer window added to the front elevation; and
 - f) A chimney added at the east side elevation
22. I consider that the first floor proposed balcony at the rear elevation would not adversely affect the neighbouring properties given that it is approximately 20m from the centre of the balcony to the common boundary with No 1 Woodlands Close, and 7m to the boundary with No 9 Woodlands Road. Only the blank gable wall of the side elevation at No 9 would be visible from limited angles of the balcony.

23. Planning officers had some reservations on the previous scheme (under reference S/0331/05/F) that the proposal would remove the space between Nos 1 and 2 Woodlands Close and would have an adverse impact upon the character of the area. However, having considered that planning permission had been granted for a 2 storey side extension at No 2 Woodlands Close, the extensions at No 1, by not increasing the height of the existing dwelling and retaining a reasonable distance of 5.5m between the west side of the dwelling and the boundary with No 9 Woodlands Road were considered on balance, to avoid adversely affecting the street scene or the character of the Woodlands Road/Woodlands Close area.
24. With regard to the proposed replacement dwelling, planning officers raised concerns during an informal stage that the increase in the bulk and mass of the front elevation, and the resultant building, when compared to the approved extensions, would affect the character of the area.
25. The ridge height of the dwellinghouse at No 2 is 8.2m and that at No 3 is 8m (according to the recent planning applications at Nos 2 and 3 Woodlands Close, ref: S/1746/04/F and S/0877/04/F). The ridge height of the new dwelling at No 1 would be 9.3m high coupled with its wide span that would occupy nearly the whole width of the plot by leaving only 3m distance from the west side boundary and 1m from the east side boundary. The massive and bulky design of the dwelling would not be in keeping with the character of the locality. In the street scene, the key factor in this local identity of Woodlands Close and Woodlands Road is the space between properties. With the approval of a 2 storey side extension at No 2, the spacious character is interrupted and I consider that further closure of space between the application site and No 9 Woodlands Road would result in a cramped form of development. The proposed dwelling would be very apparent in the street scene and would be harmful to the character and appearance of the area.
26. It is considered that the scale of the proposed garage building at the front of No 1 is acceptable.

Recommendation

27. Refusal of the application

Reasons for Refusal

Properties at Woodlands Close and Woodlands Road are located in spacious grounds. The spacing between the houses adds significantly to the pleasing appearance of this part of the village. The proposed replacement house would be 9.3m high to the ridge and 21.2m wide. By reason of its height, scale, design and proximity to the east and west side boundaries, the proposed replacement dwelling would represent a cramped and dominant form of development that would not respect the spacious character of the area and that would be out of keeping with, and detract from, the character of the surrounding area. As such, the proposal is contrary to Policy 1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 which requires a high standard of design which responds to the local character of the built environment for all new development; and Policies SE2 and HG10 of the South Cambridgeshire Local Plan 2004 which require development in Rural Growth Settlements to be sympathetic to the character of the locality and the design and layout of residential development to be informed by the wider character and context of the local townscape and landscape.

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 references: S/0877/04/F, S/1746/04/F, S/0331/05/F, S/1334/05/F

Contact Officer: Emily Ip – Planning Assistant
Telephone: (01954) 713250

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1365/05/F - Great Wilbraham
Change of Use to B1(c) and B8 uses of Storage Buildings
at Upper Heath Farm, Mill Road
for The Trustees of The R S Hicks Will Trust**

**Recommendation: Refusal
Date for Determination: 2nd September 2005**

Site and Proposal

1. The application site lies 2km to the south of Great Wilbraham, 500m before the A11 and set back 350m from the road. The site of 0.12 hectares contains two steel frame barns with fibre cement cladding, measuring 722 square metres, which have been used between 2001 and 2005 for storing documents. To the northeast and southeast of the buildings are areas of hardstanding that incorporate the access to the buildings and to fields beyond. The buildings are accessed via a farm track off Mill Road. This runs through the site, and to the northwest of the barns. The farm complex includes two other barns, still in agricultural use and three residential properties.
2. A flint barn, to the southwest of the buildings, has recently been converted to provide a dwelling. Its garden is approximately 16 metres deep and backs onto the barns that are the subject of this planning application. There is also a pair of semi-detached houses approximately 26 metres to the south of the barns.
3. The site lies in countryside, in an area designated as Green Belt. The surrounding landscape is one of open chalkland, with views across to the A11 and beyond.
4. This full planning application received on 8th July 2005 seeks permission to extend the use of two barns to B1(c) (light industrial) and B8 (warehousing) uses. The buildings are currently restricted in use to the storage of documents, files and ancillary office furniture. No other uses, including those falling within the B8 use class are permitted.

Planning History

5. **S/1493/96/F** gave planning permission for the change of use of the barns from agricultural to the storage of office equipment. A planning condition on this permission limited the use to the storage of documents, files and ancillary office furniture only and excluded all other uses including those falling within class B8. The purpose of this condition is to ensure that the scale of development is appropriate to the rural location with adjacent houses close by.

Planning Policy

6. **Policy P1/2 'Environmental Restrictions on Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") states development in the

countryside development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location; where there is an unacceptable risk to the quality of ground or surface water and; where there could be damage, destruction or loss to areas that should be retained for their biodiversity, historic, archaeological, architectural and recreational value.

7. **Policies 9/2a** of the Structure Plan and **Policy GB2** of the South Cambridgeshire Local Plan 2004 ("Local Plan") identify the purpose of the Green Belt and limits change of use in rural areas to those 'appropriate to a rural area'. 'Appropriate development' includes uses of land that 'preserve the openness of the Green Belt and do not conflict with Green Belt purposes'. Paragraph 3.14 of the Local Plan further clarifies the Council's policy in relation to the change of use of existing buildings:

Proposals to change the use of existing buildings are capable of being 'appropriate' development subject to criterion (6) of policy GB2. Such re-use can assist rural diversification through providing new accommodation for commercial, industrial or recreational uses, or for tourism. Such uses should not have a materially greater impact on the openness of the Green Belt, so any proposals involving the extension of buildings will be strictly controlled. In addition, the District Council will consider the impact of associated uses of surrounding land for extensive hard surfacing, car parking, boundary walling/fencing or extensive external storage, lighting, and ancillary uses upon the openness and landscape character of the Green Belt.

8. **Policy EM10 'Conversions of Rural Buildings and Future Extensions'** of the Local Plan, allows the change of use of rural buildings outside of village frameworks where the use the use will not materially change the existing character or impact of the building, safe and satisfactory vehicular access with car parking and turning within the site can be provided and the scale and frequency of traffic generated can be accommodated within the road system without undue adverse effects.
9. **Policy TP1 'Planning for More Sustainable Travel'** of the Local Plan seeks to promote sustainable travel and as such planning permission will only be granted where small-scale increases in travel demands will result, unless satisfactory measures to increase accessibility are included.
10. **Policy ES6 'Noise and Pollution'** of the Local Plan seeks to minimise the impact of noise from new industrial or commercial activities by appropriate conditions.

Consultations

11. **Great Wilbraham Parish Council** recommends approval commenting that it '...understands that the farm does not wish to use the barns for anything that will be intrusive or unpleasant to near neighbours and so are happy to approve the change of use. Additional conditions could be put on if required by SCDC'.
12. The **Local Highway Authority** does not object to the principle of the uses proposed, however access to Mill Road will need to be improved to cater for the possible/likely vehicular traffic. It has specified improvements including a minimum access width of 7.3m for a minimum distance of 25.0m back from the channel line of Mill Road; kerb radii of 15.0m; and vehicular visibility splays of 4.5m x 215.0m. A plan of these improvements and visibility splays is to be obtained from the agent.
13. The **Environment Agency** has no objection to the proposal but recommends conditions relating to foul water drainage, surface water drainage and pollution control.

14. The **Chief Environmental Health Officer** is concerned that problems could arise from noise and has requested conditions be added if permission is granted to limit noise disturbance to adjacent dwellings.

Representations

15. No representations have been received.

Planning Comments – Key Issues

16. The key issues relating to this application are the impact upon highway safety, residential amenity and the surrounding landscape, which is designated as Green Belt.

Residential Amenity

17. The proposed unrestricted B1(c) and B8 uses will, almost certainly, result in significant additional traffic movements, including larger types of commercial vehicles. The intensified use of the access is likely to result in noise disturbance to neighbouring residential properties over and above what might reasonably be expected while living within a farm complex. Disturbance will be more intrusive due to the peaceful location. The applicant's desire to restrict future users to those they consider will not affect the nearby residents does not provide the necessary assurances that residential amenity will be protected in the long-term and is not a material planning consideration in determining this application.

Green Belt

18. The site includes areas of existing hardstanding to the northeast and southeast of the buildings. The proposed uses are likely to generate significantly higher levels of vehicles visiting the site that will require parking and turning areas. No details have been provided with the application as to how appropriate car parking and turning can be provided within the immediate vicinity of the buildings. It is likely however that without requiring further hard paving such requirements could not be achieved, particularly if used for an unrestricted B1(c) use. The extension of hardstandings in association with the use of the buildings would have a materially greater impact on the openness and landscape character of the Green Belt than the existing lawful use or an agricultural use especially as the site is prominent from the A11. Other intrusions such as lighting or outside storage have also not addressed.

Highway Safety

19. The road off which the site is served is a rural country road that leads from Great Wilbraham to the A11 trunk road. It is well used and is subject to the national speed limit. The existing access is inadequate to serve the buildings if the uses proposed are approved. The agent has stated that it is not possible to provide an upgraded access without removing mature hedgerows. The access provision is therefore unsatisfactory both in terms of highway safety and harm to the rural landscape.

Recommendation

20. It is recommended that the application be refused on the following grounds:
 1. The road off which the site is served is a rural country road that leads from Great Wilbraham to the A11 trunk road. It is well used and is subject to the

national speed limit. The existing access is inadequate to serve the buildings if the uses proposed are permitted. The application fails to provide necessary visibility splays, kerb radii and access width and as such will be detrimental to highway safety.

2. Notwithstanding the reason above, if the access were to be improved, it would result in the loss of mature hedges and will be detrimental to the visual amenity and rural character of the countryside and, as such, is contrary to Green Belt policies EM10 and GB2 of the South Cambridgeshire Local plan, adopted 2004 and P2/9a of the Cambridgeshire and Peterborough Structure Plan, adopted 2003.
3. The site is within an open chalkland landscape and the Green Belt. It is clearly visible within that landscape from the A11 and surrounding countryside. The application fails to provide details of how car parking and turning will be provided within the existing site without having a materially greater impact on the openness and landscape character of the area and, as such, is contrary to policies EM10 and GB2 of the South Cambridgeshire Local plan, adopted 2004 and P2/9a of the Cambridgeshire and Peterborough Structure Plan, adopted 2003.
4. The buildings are sited within a farm complex. There are three adjacent residential dwellings within the built area of the farm. The existing use has been limited to the storage of office equipment in order to limit any harm caused on the amenities of these residential properties. While PPS7 supports the re-use of rural buildings, the proposed unrestricted B1(c) and B8 uses will result in significant additional traffic movements, including larger types of commercial vehicles. The intensified use of the access will result in noise disturbance to neighbouring residential properties over and above what might reasonably be expected while living within a rural environment. The proposed uses are contrary to policy ES6 of the South Cambridgeshire Local Plan, 2004.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/1365/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1410/05/F - Little Wilbraham
Extensions at 55 High Street, Little Wilbraham
For Mr and Mrs Tebbit**

**Recommendation: Refusal
Date for determination: 12th September 2005
Conservation Area
Members will visit the site on Monday 5th September 2005**

Site and Proposal

1. No.55 High Street, Little Wilbraham is a semi-detached 2-bed cottage located within the Village Framework and within the Conservation Area. The garden extends some 80m at the rear within which is a detached double garage that is accessed to the side of the attached cottage, No.51. (there is no No.53)
2. This application received on 18th July 2005 seeks full planning permission for a two-storey rear extension and the relocation of the porch to the front of the building inserting a replacement window in its place. The new rear extension would provide a ground floor kitchen/diner, projecting 4m on the back of an existing 3.3m rear extension. This will allow the removal of the old kitchen with other alterations for the new stairs and hall leading to the proposed front porch. At first floor there would be a new bedroom with en-suite projecting 5m from the back of the building.

Planning History

3. **S/1496/78/F** – Erection of double garage was approved on 4th October 1978
4. **S/0913/00/F** – Extension was approved on 15th June 2000
5. This application S/1410/05/F was discussed at The Chairman's Delegation Meeting of 22nd August 2005. Chairman and Vice Chairman were both present and it was agreed, following a request from the Local Member, Cllr Turner, that a decision should be made with the benefit of a site visit involving Members and discussion at the full Committee meeting of 7th September 2005.

Planning Policy

6. **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
7. **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.

8. **Policy EN30 'Development in Conservation Areas'** of the Local Plan 2004 sets out the requirements for development within Conservation Areas
9. **Policy HG12 Extensions and Alterations to Dwellings within Frameworks** of the South Cambridgeshire Local Plan 2004 sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval.

Consultation

10. **Little Wilbraham Parish Council** – Approves, stating
 - 1) Use of UPVC windows in conservation Area
 - 2) Possible relocation of French windows to avoid overlooking neighbour
11. **Conservation Manager**

The application includes provision of an additional window on the ground floor which will improve this elevation (front). In my previous comments I expressed my concerns over the loss of symmetry with the adjoining dwelling. However the relocation of the front door could be carried out under P.D rights and it does make logical internal arrangements. No objection. The velux rooflight to the bathroom on the west elevation should be a Conservation type since this will be visible from the street.

Representations

12. Cllr Turner has expressed support for the application commenting that “the scheme is well suited and in proportion with the cottage”, a site visit has been requested.

Planning Comments – Key Issues

13. The key issues to consider in respect of this application are the impact on the character and appearance of the Conservation Area and neighbour amenity.
14. Regarding the merits of the Conservation Area, Policy EN30 of the South Cambridgeshire Local Plan 2004 seeks to ensure development either preserves or enhances to character of the Conservation Area. The Conservation Manager has no objection to the scheme subject conditions regarding materials and the velux rooflight type.
15. Turning to neighbour amenity Members should consider two key issues held in Policy HG12 of South Cambridgeshire Local Plan 2004. These being undue loss of light and whether the scheme is overbearing in terms of mass.
16. There is currently a staggered single storey rear extension to No.55 that projects by 2m and 3.3m respectively. The proposal site is due east of the attached cottage, No.51, with a slight southerly angled relationship. These gardens benefit from being south facing resulting in significant levels of sunlight throughout the day. The key assessment is the impact on No.51; the proposal will result in a loss of light in late afternoon to early evening, however this may be difficult to justify given the loss to No.51 may be considered marginal in comparison to that received throughout the rest of the day, therefore Members should consider, on site, if such a loss could be substantiated given the south facing aspect.
17. The second issue is the impact on No.51 from the mass of the proposed extension. The scheme would result in a 7.3m ground floor rear projection and a 5m first floor rear projection; this cumulative mass, although sited 4.5m from the shared boundary

with No.51 is considered to be overbearing when viewed from the neighbouring garden area of the attached cottage. Members should consider whether such a projection is reasonable in terms of its scale and mass and whether, in particular the first floor element would be intrusive when viewed from No.51.

18. In its current form the proposal is recommended for refusal

Recommendation

19. Refusal on the following grounds:

- 1) The proposal by reason of its overall projection of 7.3m at ground floor and 5m at first floor would result in an intrusive and overbearing form of built development to the detriment of the residents at No.51 High Street. The application is considered to be contrary to policy HG12 of South Cambridgeshire Local Plan 2004 which states that planning permission for the extension and alteration of dwellings will not be permitted where, amongst others, being unduly overbearing in terms of its mass.
- 2) The proposal by reason of its overall projection of 7.3m at ground floor and 5m at first floor would result in an unreasonable loss of late afternoon and early evening sunlight to those residents at No.51 High Street, beyond a level that they may reasonably expect to receive. The application is considered to be contrary to Policy HG12 of South Cambridgeshire Plan 2004 which states that planning permission for the extension and alteration of dwellings will not be permitted where, amongst others, the proposal would harm seriously the amenities of neighbours through undue loss of light.

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

Application file Ref S/1410/05/F, S/0913/00/F & S/1496/78/F
South Cambridgeshire Local Plan 2004
Cambridgeshire and Peterborough Structure Plan 2003

Contact Officer: Matthew Carpen – Planning Assistant
Telephone: (01954) 713393

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	7 th September 2005
AUTHOR/S:	Director of Development Services	

**S/1137/05/RM – Thriplow
Erection of 58 Dwellings and Garages on Land North of A505, Heathfield**

**Recommendation: Approval
Date for determination: 8th September 2005 (Major Application)**

Site and Proposal

1. The application relates to a 1.9 hectare/4.7 acre rectangular shaped site. It is slightly undulating, rises gently towards the A505 and is currently unkempt grassland on which there is a spoil heap. A pill box sits close to the A505. Public footpath no.5, Thriplow runs at right angles to the A505 across the site, and then turns 90 degrees and continues in a southwesterly direction. Recent 2 and 3-storey residential development is situated to the northwest of the site, Hurdles Way and Duxford Service Station are to the northeast, the A505 is to the southeast and fields extend to the southwest.
2. This reserved matters application, received on the 9th June 2005 and amended by plans date stamped the 1st and 12th August 2005, proposes the erection of 58 dwellings on both sides of a loop road. Siting and design of the buildings and the layout of the site form part of the application. Landscaping does not form part of the application and will need to be the subject of a further submission. 6no. 1-bedroom flats, 14no. 2-bedroom units, 19no. 3-bedroom units, 12no. 3-bedroom plus study units and 7no. 4-bedroom units are proposed. The flats are in a block. The remaining units are comprised of 3no. detached units, 10 semi-detached units and 39 terraced units. 16 of the units are 3-storey, 10 are 2½ storey and 32 are 2-storey. The ridge and eaves heights vary from 7.7m to 10.8m and 4.8m to 7.4m respectively. The dwellings and roads are to be sited on the eastern part of the site. A 4.5m wide planting belt is proposed along the A505 boundary. A 55m wide area on the western side of the site is to be used for buffer planting and as open space. The density equates to 30.5 dwellings to the hectare.
3. The amended plans date stamped the 1st and 12th August 2005 show revisions to the layout and house types including a reduction in the number of proposed dwellings from 59 to 58, more space for planting within the development, a reduction in the number of first and second floor windows in the rear of the proposed block facing nos. 9-15 odd Hurdles Way and a reduction in the rear eaves height of the dwellings on plots 44-47 which face nos. 9-15 odd Hurdles Way.

Planning History

4. Outline planning permission for residential development on the site was granted in 2004 (**S/1219/01/O**). The accompanying S.106 Agreement covers Public Open Space and a Community Contribution.

The Community Contribution is a contribution towards the cost of erecting any community buildings with the public open space or any other public amenity area in the parish of Thriplow for use by the community and/or providing other community improvement.

5. A reserved matters application for 59 dwellings on the site was refused under delegated powers in April (reference **S/0112/05/RM**) for the following reasons:
- a) The siting of so many 3-storey buildings on the edge of the development as proposed, and units 16-21 in particular, would not satisfactorily assimilate the development into the landscape;
 - b) Whilst, generally, the proposed grid layout with some dwellings close to the back edge of the footway is appropriate, the proposed layout does not provide for the necessary differing character areas and, in particular, does not provide adequate space for soft landscaping within the development considered appropriate and essential on this village edge site;
 - c) The layout does not provide for an adequate planting belt along the A505 boundary necessary in order to ensure that the development is assimilated into the landscape;
 - d) The development is not of the necessary high standard of design, in particular by missing the opportunity to site a focal building and/or open space at the entrance to the site in place of the proposed dwellings on plots 57 and 58;
 - e) The development turns its back on the open space and Public Footpath No.5 and proposes rear boundary fences along part of the route of the footpath. In addition to missing a design opportunity for dwellings to front this area, there would be very limited surveillance of the open space and, in particular, any equipped children's play areas within this area;
 - f) There would be serious overlooking of No.1 Hurdles Way from the first floor kitchen/dining room windows in the rear elevation of units 43 and 44 unless these windows were both obscure glazed and fixed, which would lead to a poor living environment for future occupiers of these proposed dwellings; and
 - g) The submitted proposal fails to demonstrate that all dwellings would have adequate provision for wheelie bin storage.

Planning Policy

6. The part of the site on which the dwellings and roads are proposed is within the village framework and forms part of housing allocation **Policy Heathfield 1** in the Local Plan 2004. The proposed open space and buffer planting along the west boundary are outside the village framework and within the countryside and Green Belt.
7. 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, integrates with adjoining landscapes and includes attractive green spaces.
8. Structure Plan 2003 **Policy P5/3** states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.

It also states that, in setting density standards appropriate to their area, Local Planning Authorities should take into account the following guidelines: densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility; and densities of less than 30 dwellings per hectare will not be acceptable.

9. Local Plan 2004 **Policy SE5** sets out the criteria against which residential development in Heathfield will be considered and requires development to be sympathetic to the historic interests, character and amenities of the locality.
10. Local Plan 2004 **Policy SE9** states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
11. Local Plan 2004 **Policy HG10** states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs. It also states that the design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
12. Local Plan 2004 **Policy RT2** sets out the standards for the provision of public open space in new developments and states that an appropriate contribution shall be considered as 60 square metres per dwelling.
13. Local Plan 2004 **Policy GB2** states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. It also states that development is 'inappropriate' unless, amongst others, it comprises uses of land which preserve the openness of the Green Belt and do not conflict with Green belt purposes.
14. Structure Plan 2003 **Policy P9/2a** states that within the Green Belt, new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area.
15. A Development Brief for Heathfield Policy 2 (now Policy Heathfield 1 in the Adopted South Cambridgeshire Local Plan 2004) was Adopted as Supplementary Planning Guidance in 2001.

Consultation

16. **Thriplow Parish Council** recommended refusal in relation to the original scheme stating that:

"Whilst welcoming the amendments to the scheme, still object to the proposals and would make the following comments:-

The number of houses proposed would overcrowd the site, a more open, sensitive design would have been preferred.

The 3 storey buildings are totally inappropriate in a rural setting. A bad precedent was set by allowing 3 storey dwellings in Hurdles Way but there is no reason to compound this by allowing more.

Foul sewage must not be discharged into the existing privately owned Heathfield system.

The traffic lights at the junction with the A505 should be in place before any developments starts.

Not enough parking spaces have been allowed for the inevitable number of cars this development will generate.

Buildings close to the A505 may preclude future widening of this road.”

Any comments received in relation to the amended plans will be reported verbally.

17. **Landscape Design Officer** makes the following comments in relation to the amended plans: have stated previously that there should be space for ‘normal’ trees to develop and not just fastigate type trees; and, if they wish to have a more ‘urban street scene’ to south, can the central block area be moved south and a tight street scene be created giving effective practical planting space to north road?
18. **Ecology Officer** is very disappointed in the lack of apparent willingness to make use of the pill box as a bat roost and states that he was under the impression that this relatively simple measure was to deliver an interesting ecological enhancement for the site.
19. At the time of application S/0112/05/F, the **Chief Environmental Health Officer** raised no objections subject to compliance with the conditions attached to the outline permission. His comments in relation to this application will be reported verbally.
20. **Environment Operations Manager** seeks confirmation that all roads will be to adoptable highway standard to withstand 26 tonne gross vehicle weight 6x4 vehicles. He also states that: the section of road in front of plots 24 and 25 at 3.6m wide is too narrow; each dwelling should be provided with an area for the storage of containers; he would like to see details of the communal bin for block ‘A’; and storage areas for containers should be within 30m of the collection point.
21. **Local Highways Authority** requests a fully dimensioned plan and states that it is unable to properly assess the suitability of the scheme without this information.
22. **CCC Countryside Services Team** objected to the original scheme on the grounds that the proposed housing is too close to the legal line of Public Footpath No.5, Thriplow, and the indicated western boundary planting and the Local Area for Play would obstruct the legal line of the footpath. It also requires access from Road 2 directly onto the footpath; recommends that the developer seeks to upgrade the footpath to a bridleway; and requires the developer to maintain the legal width of the footpath, seek a temporary closure order if necessary and surface the footpath with tarmac. Its comments in relation to the amended plan will be reported verbally at the meeting.
23. **Ramblers’ Association** expressed concern in commenting on the amended plans that the public footpath is clearly marked and maintained during construction work, as well as subsequently.

24. **Cambs Fire & Rescue Service** asks that adequate provision be made for fire hydrants.
25. **Police Architectural Liaison Officer** makes the following comments in relation to the amended plans: the new arrangements for parking for plots 14-21 make the parking for plot 14 more remote and creates an exposed side elevation for plot 15 which now should benefit from an area of clearly identifiable defensible space such as a planting strip. He is still concerned about the positioning of the pill box in the parking court, an area which should be semi-private in nature. He also states that excluding utility meters from front elevations may have an adverse effect on any subsequent Secure by Design application, particularly where there is a knock on effect of moving gates/fences to rear gardens back from the position as close as possible to the front build line.
26. **Environment Agency** states that the District Council is required to consider the flood risk and surface water drainage issues relating to the proposal but recommends Anglian Water is consulted and makes advisory comments. It understands that drainage details strictly only need to be submitted and approved before development commences but recommends that the applicant ensures that the layout takes account of drainage requirements.
27. **Anglian Water** was consulted on the recommendation of the Environment Agency and asked to comment if it was not satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows generated as a result of the development without causing pollution or flooding. No comments have been received.

Representations

28. None received.

Planning Comments – Key Issues

29. The principle of residential development on the site has already been established by the granting of the outline permission.

Density

30. The gross density is 30.5 dwellings to the hectare. The net density (i.e. excluding the structural planting belt along the western boundary) equates to approximately 35 dwellings to the hectare.

Housing Mix

31. The proposed mix, which includes 1 and 2-bedroom units in accordance with Local Plan Policy HG10 (10% 1-bedroom dwellings, 24% 2-bedroom dwellings, 33% 3-bedroom dwellings, 21% 3-bedroom plus study units and 12% 4-bedroom dwellings) is considered to be acceptable.

Height of Development

32. Two, two-and-a-half and three-storey development is proposed. 55% of the dwellings would be 2-storey, 17% two-and-a-half storey and 28% three-storey. The adopted development brief for the site states that, in line with PPG3, historically low densities are unlikely to be sustained in new development, and there will be specific instances even in a rural context where much higher densities will be appropriate. It goes on to state that it is on this basis that development of up to three storeys can be considered appropriate at Heathfield. There is a mix of two and three-storey development on the adjacent site. The proposed mix of storey heights will provide interest in the roofscape.

Layout and Design

33. The layout is based on a loop/grid layout as advocated in the development brief. It is considered that this scheme satisfactorily addresses the reasons application S/0112/05/F was refused by: providing more space for soft landscaping within the development; siting focal buildings and an area of private open space at the entrance to the site; providing for a 4.5m wide landscaping belt along the A505 frontage; replacing the previously proposed 3-storey building in the southern corner with a 2-storey building; and providing more variety in the streetscape, including a formal 'square'. The layout remains quite 'urban' but, mindful of the guidance in the development brief, is now considered to be acceptable.

Open Space

34. The proposed development adopts a different approach to the recent development to the northeast. That scheme involved landscaping of the whole of the 50m or so belt to the west of the built development. This scheme proposes to plant a 15-20m wide belt along the western boundary and use the remainder of this area (i.e. the area between this belt and built development) as open space. I consider that a 15-20m wide planted belt is wide enough to satisfactorily assimilate the development into the landscape and has the advantage of providing a convenient, meaningful area of open space for residents of the proposed development and the recent development to the northeast. That said, I would be looking for larger stock to be used in a 15-20m belt than has been used for the adjacent development. The Local Plan requires a development of 58 dwellings to provide 3500 square metres of open space. The proposed open space, excluding the necessary boundary planting, extends to approximately 3500 square metres. No additional public open space is proposed within the development. In this respect, the development brief states that, in respect of larger developments, it is customary to prescribe a single main area to give a useful play space rather than to split up the open space into a number of smaller areas.

Neighbour Impact

35. The scheme has been amended to reduce the eaves height and number of windows in the proposed block facing nos. 9-15 odd Hurdles Way. Whilst the development would result in overlooking of nos. 1-15 odd Hurdles Way, I consider that the scheme as amended is acceptable.

Highway Matters and Parking Provision

36. The Local Highway Authority has requested a fully dimensioned plan and states that it is unable to properly assess the suitability of the scheme without this information.

A dimensioned plan has been requested and will be forwarded to the Local Highway Authority when received. Its formal comments in response will be reported verbally at the meeting.

37. Proposed parking provision is generally two spaces per dwelling which is considered to be acceptable in this location.
38. An amended plan has been sought to show the narrowing of the road in front of plots 24 and 25 to 3.6m widened to address the concerns of the Council's Environment Operations Manager in terms of access for refuse vehicles. With only a handful of exceptions, gates to the rear gardens of properties are within the 30m distance of the main road referred to by the Council's Environment Operations Manager in his comments on the scheme.

Pill Box

39. The development included the retention of the pill box as encouraged in the development brief.
40. Whilst accepting that it cannot be insisted upon, the Council's Ecology Officer is continuing to encourage the developers to make use of the pill box as a bat roost.

Footpath No.5 Thriplow

41. Whilst the previously refused scheme turned its back on this footpath, the development now proposed faces the footpath and makes it more attractive for users. The County Council's Countryside Services Team objected to the original layout as it encroached on the line of the footpath. An amended plan which purports to address this concern has been forwarded to the County Council. Its comments in response will be reported verbally at the meeting.

Other matters

42. The comments of the Police Architectural Officer are not considered to be reason to refuse the application. The agent has suggested, and I would agree, that utility boxes should in the main be excluded from front elevations as they can be unsightly.
43. There is no requirement for any of the dwellings to be affordable. Policy Heathfield 1 states that the development will include contributions to improve community sustainability and community improvements will take priority over securing affordable housing. The S.106 entered into prior to the outline permission being granted reflects this.
44. The following matters, some referred to by consultees, are all clearly important and still need to be approved (as required by conditions attached to the outline permission) but are not reasons to refuse this application or reason to hold up the determination of the application: fire hydrants scheme; traffic signals at A505 junction; street lighting; surface and foul water drainage; noise attenuation scheme; and landscaping.

Recommendation

45. Subject to the receipt of a further amended layout plan in response to the comments of the Local Highway Authority and showing the section of road in front of plots 24 and 25 widened to 4.5m in response to the comments of the Environment Operations Manager, and no objections being raised to the amended scheme by the Local Highway Authority or CCC Countryside Services Team:

Approval (as amended by plans date stamped 1.8.05 and 12.8.05) of reserved matters (siting and design of buildings and the layout of the site) pursuant to outline permission S/1219/01/O

Additional Conditions:

1. Before development commences, details of the foundations of the garages for plots 5, 7, 9 and 13 shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details (RC – To ensure the full 4.5 metres shown on the approved layout plan for buffer planting is available for planting).
2. Before development commences, details of the precise size and position, specification of equipment, surfacing and means of enclosing a Local Area for Play (as defined by the National Playing Fields Association) to be sited on the open space shall be submitted to and approved in writing by the Local Planning Authority; the Local Area for Play shall be provided in accordance with the approved details before 75% in number of the dwellings hereby permitted are occupied (RC – To ensure appropriate provision is made for formal children's play space on the site as required by South Cambridgeshire Local Plan 2004 Policy RT2).

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) and P9/2a (Green Belt).
 - **South Cambridgeshire Local Plan 2004:** SE5 (Residential Development in Infill Villages), SE9 (Village Edges), GB2 (Green Belt), HG10 (Housing Mix and Design) and RT2 (The Provision of Public Open Space in New Development).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: appearance and impact of the development; drainage; need for the traffic lights at the junction with the A505 to be in place before any developments starts; parking provision; development may prejudice future widening of the A505; impact on Public Footpath No.5, Thriplow; provision of fire hydrants; and crime.

Informatives

All roads should be to adoptable highway standard to withstand 26 tonne gross vehicle weight 6x4 refuse vehicles.

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/1137/05/RM, S/0112/05/RM and S/1219/01/O.

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/1386/05/F – Whittlesford
Change Of Use From Museum Storage to Offices at Building 288, Imperial War Museum, Duxford for Imperial War Museum

Recommendation: Refusal
Date for Determination: 7th September 2005

Site and Proposal

1. The Duxford Imperial War Museum site, to the north of the A505, is located within the countryside, between two small settlements that make up the village of Heathfield. It currently comprises a group of traditional style buildings that originally formed the officer's quarters for the airfield.
2. Building 288 is a single storey, red brick and slate building that is situated to the west of the main entrance. It is currently vacant. The Officers Mess is a Grade II listed building that is situated to the north east.
3. The application, received on 13th July 2005, proposes change of use of the building from museum storage to offices. The use would cover 290 square metres of floor space and employ 10 staff for a temporary period of two years. A small parking area comprising of 10 spaces is situated to the rear of the building. No internal or external works are proposed to the proposed.

Planning History

4. Planning permission for a temporary change of use of Building 288 from museum storage to offices was refused in October 1994 for the following reason:-

"The site lies within Special Policy Area R14 as defined in the approved South Cambridgeshire Local Plan. Policy R14 requires that the Imperial War Museum site is to be treated as a major tourist/ recreation facility. As such any proposal must, amongst other criteria, be associated with the continued use of the site as a museum of aviation and 20th century conflict.

The use of the storage building for office / research purposes unconnected with the museum use would be contrary to the above mentioned policy, because development is restricted to that which assist's the museum function, and therefore protects the area from other development which might impede or interfere with that function."
5. Planning permission was granted for a temporary change of use of Building 288 from museum storage to police offices in April 2002. This permission was granted under special circumstances for an essential local service whilst the new Sawston police station was being built.

Development Plan Policy

6. **Policy P1/2** of the **Cambridgeshire and Peterborough Structure Plan 2003** restricts development in the countryside to that which can be demonstrated to be essential in a particular rural location.
7. **Policy P7/6** of the **Cambridgeshire and Peterborough Structure Plan 2003** seeks to protect and enhance the quality and distinctiveness of the historic built environment.
8. **Policy P2/6** of the **Cambridgeshire and Peterborough Structure Plan 2003** states that sensitive small-scale development in rural areas will be facilitated where it enables the re-use of existing buildings.
9. The **South Cambridgeshire Local Plan 2004** designates the whole of the Imperial War Museum site as a **Special Policy Area** (See inset map no. 91a Heathfield).
10. **Policy RT9** of the **South Cambridgeshire Local Plan 2004** states that the Imperial War Museum site at Duxford Airfield will be treated as a special case as a major tourist/ recreation facility. Proposals will be considered with regard to the particular needs and opportunities of the site, the criteria in Policy RT1, and specific criteria such as the continued use of the site as a museum of aviation and 20th century conflict.
11. **Policy RT1** of the **South Cambridgeshire Local Plan 2004** states that when considering applications for the development of tourist and recreation facilities, the District Council will have regard to the need for such facilities and the benefits that may accrue. Proposals will be resisted that would, amongst other criteria, generate significant motorised traffic movements or have inadequate provision for the parking and manoeuvring of vehicles.
12. **Policy EN28** of the **South Cambridgeshire Local Plan 2004** seeks to resist proposals that would damage the setting, well-being or attractiveness of a listed building or harm the visual relationship between the building and its natural or formal landscape surroundings.
13. **Policy EM10** of the **South Cambridgeshire Local Plan 2004** states that planning permission will be granted for the change of use and conversion of rural buildings to employment use providing, amongst other criteria, a safe and satisfactory vehicular access can be provided together with adequate space within the curtilage to accommodate ancillary requirements such as car parking and lorry manoeuvring without significant detriment to setting of the building or the landscape within which it is located.

National Planning Guidance

14. Planning Policy Guidance Note 15 (Planning and the Historic Environment) outlines the need to preserve the country's built and natural heritage. Paragraph 2.18 on changes of use of historic buildings is particularly relevant to this application. It states:-

"New uses may often be the key to a building's or area's preservation, and controls over land use, density, plot ratio, daylighting and other planning matters should be exercised sympathetically where this would enable a historic building or area to be given a new lease of life. The Secretary of States is not generally in favour of tightening development controls over changes of use as a specific instrument of conservation policy. He considers that, in general, the same provisions on change of use should apply to historic buildings as to all others."

Patterns of economic activity inevitably change over time, and it would be unrealistic to seek to prevent such change by the use of planning controls”.

Consultation

15. **Whittlesford Parish Council** recommends approval of the application.
16. **Duxford Parish Council** recommends approval of the application.
17. The **Conservation Manager** raises no objections to the application and states that offices are considered to be compatible use for the building. It is important to retain the building in a use to ensure it is maintained. The majority of the former RAF buildings on this side of the road (apart from the Mess) are used for storage.
18. The **Local Highways Authority** states that it is difficult to sustain a highways objection to the proposal but it is mindful that it could set an unwelcome precedent.
19. The **Chief Environmental Health Officer** considers that the application would have no significant noise or environmental pollution impacts.
20. **English Nature** has no comments.

Representations

21. The **Applicant** makes the following points in support of the application: -
 - a) “Building 288 has been vacant since October 2004. Prior to its occupation by Cambridgeshire Constabulary, the building stood empty for in excess of 20 years and was in a poor state of repair. Some £50,000 was spent on essential repairs prior to the use of the building as offices. The rental income has now largely paid for that initial work. However, further upgrading work is necessary, and in particular, provision needs to be made for environmental improvement measures to allow for possible use of the building as archival storage or Museum offices, as well as further repairs to the external fabric of the building.
 - a) The Museum at Duxford has a portfolio of around 100 buildings of varying type and construction mostly built between World War I and World War II. Some of the buildings are listed and others are scheduled for listing. Collectively, the buildings represent the most complete example of a wartime airfield base in the Country. Whilst some buildings are of substantial construction, many were erected hurriedly and are of a poor quality but nevertheless important. Funds for building maintenance are always stretched, therefore, additional income that could be raised by the letting of Building 288 would be welcome and enable the building to be brought into a better state of repair and provide the necessary funding for improvement works.
 - c) We are aware of Policy RT9, which relates specifically to the Imperial War Museum site and Policy RT1, which relates to recreation and tourism development. Whilst not specifically associated with the continued use of the site as a museum of 20th century conflict, it could be argued that the continued use as offices of Building 288 for a temporary period would provide essential funding for a building that does form an integral part of the Duxford site, and hence, is associated with the continued use of the site as a museum of 20th century conflict.

The proposal for continued use does not conflict with criteria (1) to (9) of RT1, excepting paragraph (3) where the building would not be allied directly to the use of the site as a whole as a museum.

- d) We believe the continued use of Building 288 as offices for a further temporary period would not cause any demonstrable harm and would be in the interests of the museum in the longer term, in so far as valuable funding would be gained for important building maintenance. As yet, the museum is unable to maintain this building to any standard in the next two financial years and as stated in 10.66 of the South Cambridgeshire Local Plan 2004 "Vacant, derelict buildings, which are of architectural or historic interest, represent a wasted asset. They often constitute eyesores". Therefore, the museum would like to benefit from the precedent that has been set for this building.
- e) As further substantiation of the continued support needed at the museum, I would refer you to the Government's Planning Policy Guidance 15.
- f) The occupation of the building by Cambridgeshire Constabulary did not create any difficulty or disruption to the museum or to the owners / occupiers of neighbouring land and the museum would assure the same respect from any future tenant.
- g) The museum appreciates that the last grant of planning permission was beneficial to both South Cambridgeshire District Council and the Imperial war museum. However, continued support for the museum from the Council in its rolling battle to preserve the prestigious heritage of this unique and significant site would be evident with the granting of a temporary (2 years) change of use to Building 288".

22. No **Neighbour** representations have been received.

Planning Comments – Key Issues

23. The main issues to be considered during the determination of this application are: -
- a) Office Use;
 - b) Impact upon the Countryside;
 - c) Conservation and Listed Building;
 - d) Highway Safety.

Office Use

24. The proposed use of the building as commercial offices for lease to a speculative third party is clearly contrary to Policy RT9 of the Local Plan that specifically designates the Duxford Imperial War Museum site as a special Policy Area and restricts the use of buildings on the site to the main use of the site as major tourist/ recreation facility and museum of aviation and 20th century conflict.
25. I acknowledge the fact that the building has been granted planning permission and used for a police office for a temporary period in recent years, but I can confirm that this was only considered acceptable under very special circumstances as it was demonstrated that there was an essential need for this facility whilst an existing police station was being rebuilt.

26. The applicant has not provided any evidence to suggest that any alternative uses related to the existing use of the site have been explored and does not have any particular business in mind for the use of the building. I do not therefore consider that the change of use of the building to offices could be supported.

Impact upon the Countryside

27. Whilst I am of the opinion that the conversion of existing buildings to employment uses within the countryside is acceptable in principle and the proposed use would not necessarily harm the character and appearance of the countryside, I cannot encourage this use bearing in mind the special need for the site to be retained in its current use.

Conservation and Listed Building

28. I agree with the Conservation Manager that the building is of some historic interest and it is important to retain the building in a use to ensure it is maintained. I do not, however, consider that the use of the building as speculative offices for third party lease is compatible with the existing use of the site and would argue that a more suitable use could be found that would preserve the functional link between this building and the rest of this unique and significant site.
29. The proposed use is not considered to damage the setting of the Officer's Mess listed building.

Highway Safety

30. The A505 is a busy, straight road links the M11 and A11 with the A1. It has a 40 mph speed limit as it passes the site. Access to Building 288 is proposed via the existing staff entrance to the museum on the south side of the A505 and through internal estate roads to the north side. An estimated vehicular flow of 20 in/out movements is predicted per day.
31. I do not consider that an increase in 20 traffic movements per day would generate significant motorised movements or cause a hazard that would seriously affect the free flow of traffic along the A505. Whilst the applicant has shown a designated parking area for 10 vehicles and the Council's parking standards require 12 parking spaces for 290 square metres of office floor space, the site provides adequate space for further parking, turning and manoeuvring.

Other Matters

32. No objections are raised to the proposed use on neighbour amenity grounds.

Conclusion

33. Whilst I acknowledge that a use needs to be found for the building to ensure its retention and there are no objections to the application from a conservation, countryside or highway point of view, I cannot support the change of use of the building to speculative offices as this would seriously undermine the aims of the Duxford Imperial War Museum special policy area that seeks all buildings on the site to be used in connection with the site as a major tourist/ recreation facility and museum of aviation and 20th century conflict.

Recommendation

34. Refusal.

The proposed use of Building 288 at the Duxford Imperial War Museum site as offices unrelated to the museum would not relate to the existing use of the site as major tourist /recreation facility. The proposal would therefore be contrary to Policy RT9 of the South Cambridgeshire Local Plan 2004 that restricts development within this special policy area to that which relates to the continued use of the site as a museum of aviation and 20th century conflict.

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/0917/94/F, S/0454/02/F and S/1386/05/F
- Planning Policy Guidance Note 15 (Planning and the Historic Environment)

Contact Officer: Karen Bonnett – Planning Assistant
Telephone: (01954) 713230

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1407/05/O - Over
Erection of House at Land Adjacent 16 Hilton Street
for The Executors of Mr S F Burling**

**Recommendation: Refusal
Date for determination: 20th September 2005**

Site and Proposal

1. The site is the side garden area to an Edwardian villa at 16 Hilton Street. It is adjoined to the north east by a modern house itself built on part of the former side garden area of 16 Hilton Street. The front of the site is screened by an attractive wall along its full length. There are a number of small trees on the site. Dwellings in the vicinity of the site are predominantly detached two-storey houses, but at 18-22 Hilton Street there is a terrace of smaller houses close to the site, and to the south dwellings in Unwin's Lane are semi-detached on smaller plots.
2. The application received 15th July 2005, proposes to erect a single dwelling on the land. No details of siting, access, appearance or landscaping have been submitted at this stage. All are reserved for subsequent consideration.
3. The site has an area of 0.10 hectare. The proposal represents a density of 10 dwellings/ hectare.

Planning History

4. Planning permission for development of the site for dwellings as part of a more comprehensive scheme was refused in 1966 as having a poor layout (**C/0318/66/O**). There have not been any more recent applications.
5. The adjacent dwellings at Nos. 8 and 10 were built on the former garden area of No.16 with planning permissions granted in 1994 and 1996 (**S/0389/94/F**, **S/2018/96/F**). These are both detached two-storey houses on plots equivalent in size to the current proposal.

Planning Policy

6. Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/3 (Sustainable Design in Built Development) A high standard of design and sustainability for all new development will be required which encourages compact forms of development through the promotion of higher densities, and which provides a sense of place that responds to the local character of the built environment.

7. **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.

8. South Cambridgeshire Local Plan 2004:

Policy SE3 (Limited Rural Growth Settlements)- development up to a maximum scheme size of 30 dwellings will be permitted within the village framework provided that:

- i) The retention of the site in its present form is not essential to the character of the village;
- ii) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
- iii) The village has the necessary infrastructure capacity; and
- iv) Residential development would not conflict with another policy of the plan, particularly **Policy EM8** (loss of employment sites).

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.

9. **Policy SE8** (Village Frameworks) of the Local Plan states that there will be a general presumption in favour of residential development within the frameworks of villages
10. **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.

11. **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.

Consultations

12. **Over Parish Council** - no formal recommendation. The PC is concerned about the frontage wall and would like to see it retained. It notes that this was achieved in the neighbouring property.

13. **Council's Chief Environmental Health Officer** - no objection subject to control over construction noise.

Representations

14. None received.

Planning Comments

15. This application is to be determined by the Development and Conservation Committee because one of the applicant Executors is a District Councillor.

Density

16. Over is a Limited Rural Growth Settlement. Policy SE3 states that development should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so. Structure Plan Policy P1/3 encourages compact forms of development through the promotion of higher densities. The development fronting Hilton Street is predominantly, but not entirely, relatively low density residential with single detached dwellings on larger plots, but there are examples of smaller house types on smaller plots to the east and south. The site is not on the fringe of the village, where lower densities might be appropriate, nor is it in the Conservation Area, where the pattern of existing development could amount to a consideration of greater weight. Policies SE3 and H10 encourage a mix of residential units in any area.
17. The site has a frontage length of 16.7 metres and a depth of 56 metres. In order to achieve 30 dph the site would be required to accommodate three dwellings. This may be possible in the form of a terrace of narrow-fronted dwellings, with parking behind the existing frontage wall, although this has not been demonstrated in any layout proposal. If this were found not to be workable after consideration, the site would seem capable of accommodating two semi-detached houses, examples of which can be found in Unwin's Lane to the south, or alternatively a scheme including flats.
18. The granting of planning permissions for the development of dwellings at Nos 8 and 10 Hilton Road are not good precedents for the existing proposal, as the density policies that are in the current development plan were not in force at that time.
19. The development of more than one dwelling would require the provision of an affordable dwelling, in order to comply with Policy HG7.
20. The application does not demonstrate any strong design reason to set aside the density requirement set out in Policies P1/3, SE3 and HG10. For this reason the application should not be supported.

Recommendation

21. Refusal
1. The development of one dwelling on a site of area 0.1 hectare fails to make the best use of this land and does not represent a sustainable form of development. No strong design reason has been put forward to set aside the requirement to achieve a compact form of development as contained in the Cambridgeshire and Peterborough Structure Plan 2003, notably at Policy P1/3 (Sustainable Design in Built Development), and in the South Cambridgeshire Local Plan 2004, notably

at Policy SE3 (Limited Rural Growth Settlements) and Policy HG10 (Housing Mix and Design).

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/1470/05/O, S/2018/96/F, S/0389/94/F.

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/2249/04/F - Over
 Erection of 7 Houses and Garages; 23 Fen End for Cambridge Joinery Ltd**

**Recommendation: Approval
 Date for determination: 29th September 2005**

Site and Proposal

1. The site is located at the north of the village on a minor road serving predominantly residential development. The site, which has an area of 0.28ha, is at present occupied by a two-storey frontage building with a variety of single-storey outbuildings behind that are in use by the applicant company's joinery workshop and store. The site is adjoined to the north and south by residential development, and to the west by agricultural land.
2. This full application, received 3rd November 2004, proposes the demolition of all buildings on the site and the erection of 7 dwellings with four additional garages. Amended drawings date-stamped 26th April show a terrace of three affordable 2-bed units fronting onto Fen End. To the rear of these, plot 4 has 2-bed detached house, and at the rear of these, plots 5,6 and 7 show larger detached 4-bed houses whose gardens extend to the agricultural land to the west. Drawings received 20th July show further amendments and exclude a shared driveway with No. 21 to an existing garage from the application. Drawings received 16th August include vehicular visibility splays that affect adjoining land - the existing fence at 29 Fen End is to be lowered to 600mm on the application side of its access.
3. The materials for construction will be red facing bricks, red/brown plain roof tiles, and timber casement windows that echo the materials used within the village. Parking spaces are to be in block paving.
4. The development represents a density of 25 dwellings per hectare.

Planning History

5. **S/1456/02/F** Erection of paint spraying building (retrospective) A/C
S/99/0630/F Erection of office/store (retrospective) A/C
S/1383/95/O Erection of 8 dwellings - withdrawn
S/0409/95/O Erection of 7 dwellings - withdrawn
 Land to rear of 49 Fen End
S/0869/88/O Residential development - refused; appeal dismissed.

Planning Policy

6. **Policy P1/1** (Approach to Development) of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") - development sites involving the use of previously developed land and buildings within existing settlements should be afforded the highest priority;

7. **Policy P1/3** (Sustainable Design in Built Development) requires compact forms of development through the promotion of higher densities that respond to the local character of the built environment.
- i. A high standard of design and sustainability for all new development will be required which:
 - a) Minimises the need to travel and reduces car dependency by providing
 - b) An appropriate mix of land uses and accessible services and facilities
 - c) Compact forms of development through the promotion of higher densities
 - d) A safe and people-friendly environment
 - e) Direct walking and cycle routes
 - f) Good access by public transport
 - g) Managed access for the private car and other motor vehicles
 - ii. Provides a sense of place which:
 - a) Responds to the local character of the built environment
 - b) Is integrated with adjoining landscapes
 - c) Pays attention to the detail of forms, massing, textures, colours and landscaping
 - iii. Makes efficient use of energy and resources by:
 - a) Including energy conservation measures and energy efficient siting of buildings
 - b) Incorporating sustainable drainage systems
 - iv. Takes account of community requirements by:
 - a) Including a mix of housing opportunities in residential developments
 - b) Designing to minimise opportunities for crime

South Cambridgeshire Local Plan 2004:

8. **Policy SE3** (Limited Rural Growth Settlements) of the South Cambridgeshire Local Plan 2004 - development up to a maximum scheme size of 30 dwellings will be permitted within the village framework provided that:
- i) The retention of the site in its present form is not essential to the character of the village
 - ii) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - iii) The village has the necessary infrastructure capacity; and
 - iv) Residential development would not conflict with another policy of the plan, particularly policy EM8.

Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.

9. **Policy SE9** (Village Edges)- development on the edge of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

10. **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.
11. **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.
12. **Policy HG11** (Backland Development) - Development to the rear of existing properties will not be permitted where development would: 1) be overbearing, overlooking or overshadowing of an existing residential property, 2) be noisy or disturbing to an existing residential property through use of its access, 3) give rise to highway dangers through use of its access, 4) be out of character with the pattern of development in the vicinity.
13. **Policy EM8** (Loss of Employment Sites in Villages) - the redevelopment of employment sites to non-employment uses will be resisted unless the existing site is generating environmental problems or where market demand make it inappropriate for any employment use to continue.

Consultations

14. **Over Parish Council** - to the application as originally submitted the Parish Council has recommended refusal as it has concerns over the increase in traffic on a non-paved road; increase in run-off water in an area which already suffers some flooding; inadequate visibility splays, and the development is to be sited very close to a sharp corner.
15. **Environment Agency** - advises that the site is within an area of no or low flood risk (zone 1). The Agency recommends that a condition requiring details of surface water disposal to be submitted for agreement should be attached to any planning permission issued.
16. **County Council Highway Authority**- The HA is satisfied that the traffic to be generated by the residential development will be less than the existing use. The HA recommends that additional footway provision is made to facilitate a safe pedestrian route between the site and the village amenities, such as the school, or at least across the frontage of the site (Plots 1-3).
17. **County Council's Chief Financial Officer**- requests that the developer make a financial contribution of £17,000 towards the cost of additional facilities at the primary school and at Swavesey Village College.
18. **County Archaeological Office** - advises that the site has some archaeological potential. A condition should be attached to any planning permission issued to allow for the site to be investigated.
19. **Cambridgeshire Constabulary Architectural Liaison Officer** - The ALO has requested minor modifications to Plot 3 otherwise he is generally satisfied. These modifications have been incorporated in the amended plans dated 20th July.

20. **Council's Environmental Health Department** - concerned about possible noise disturbance to nearby residents during the construction period, which should be controlled by conditions as recommended if pp is granted.
21. **Council's Conservation Manager** - concerned about the original proposal, which in his opinion represented a suburban form of development that did not take account of the existing informal street scene. The amended layout is generally welcomed but he remains concerned at the termination of the view along the driveway with an undistinguished dwelling. He would prefer the view through to the countryside beyond to be maintained, or at least the access road to contain planting to bring some greenery to the street.
22. **Council's Recycling and Waste Minimisation Officer** - no objection subject to a small adjustment to the design of the access onto Fen End.
23. **Council's Landscape Design Officer** - has requested modifications to the siting of dwellings on the frontage and on Plot 5, so as to achieve a better context for landscaping.

Representations

24. Representations have been received from five nearby residents:
 - a) Extra traffic on a lane with no pavements resulting in danger to pedestrians. The pavement should be extended for the whole of the length of the road.
 - b) Design is suburban 'anywhere' houses.
 - c) Backland development out of keeping with the frontage character of Fen End.
 - d) When viewed from the farm land, the houses on plots 5,6,and 7 will be a dominant intrusion into the countryside.
 - e) Dwellings forming plots 1-4 have been squeezed in and are out of scale with adjoining development. The garden areas are pinched and the access road arrangement is tight. This is overdevelopment.
 - f) Allowing garden areas beyond the village framework sets a precedent for further development within Fen End.
 - g) Existing adjacent properties are predominantly 1½ storeys in height. The proposed 2-storey housing will appear dominant and overbearing particularly onto the street frontage of Fen End.
 - h) Boundaries are inadequately landscaped.
 - i) Cars will be parked on Fen End, adding to congestion and blocking visibility from the access.
 - j) No play space for children.
 - k) Loss of local jobs.
 - l) Existing flooding in the area will be worsened.

- m) Character of Fen End and wildlife habitat would be harmed by the remorseless spread of suburbia.
- n) An Inspector on appeal in 1989 rejected another development in depth in Fen End.
- o) Similar proposals in 1995 failed to gain planning permission.
- p) Concern at the loss of fencing and planting to provide the visibility splays.

Agent's Representations

- 25. In the event of the application being successful, Cambridge Joinery Ltd would vacate the site and move to a new location at Willingham. Analysis shows that only two staff live in Over at present, and that overall less mileage would be incurred by staff travelling to work at Willingham than at present. All staff will be redeployed, so there will be no overall job losses.
- 26. Details of existing and expected traffic flows have been produced, that show a net reduction of traffic onto Fen End after development, together with cessation of trips by heavy vehicles. Noise from the use of machinery to cut, plane, saw and mould timbers will cease. Fumes from the priming paint shop on site will also be removed.
- 27. The Inspector's Report on Objections to the Deposit Draft First Review of the South Cambridgeshire Local Plan (dated 21st January 2002) refers to the site. It states that it would be possible to bring forward an appropriate form of redevelopment, sensitive to local conditions, at some point in the future.
- 28. The village framework boundary passes through the rear of the site in a seemingly arbitrary position. However, the layout has been carefully designed to ensure that new development falls within the framework boundary.
- 29. The dwelling on Plot 5 has been reduced from a 4-bedroom house to a 3-bedroom house, and the roofline lowered, and planting introduced between parking bays on the access road, in response to the concerns of the Conservation Manager.
- 30. The applicants' request to meet with the Parish Council to discuss the proposal was declined.

Planning Comments

Loss of Employment

- 31. The development of the site will result in the relocation of the current business to adjoining village, Willingham. The applicant has indicated that there will be no loss of employment. There will be a benefit to the village from the removal of a source of noise from machinery and vehicles, and of paint fumes, close to the boundaries of adjoining dwellings. I consider that the requirements of Policy EM8 have been satisfied in this case.

Residential Development

- 32. The development includes land at the rear of the site, adjoining the village framework. For the most part, dwellings in this part of the village front directly onto Fen End. However, there is a precedent for development of back land at the rear of 15 Fen End,

adjoining the south western boundary of the site. In addition, some encouragement for this approach was given by the Inspector in 2002 when reviewing objections to the emerging Local Plan. I consider that the proposal conforms with Policy HG11 as it would not be overbearing, overlooking or overshadowing of an existing residential property, nor would it be unduly noisy or disturbing to an existing residential property through use of its access. Subject to provision of a footway along the frontage, the Local Highway Authority is generally satisfied that the development would not give rise to highway dangers through use of its access. The proposal would not be out of character with the pattern of development in the immediate vicinity of the site.

33. The density of development, at 25dph, is lower than required by Policy SE3. In this case, the inclusion of land beyond the village framework as garden area, and the lowering of density on plots on the fringe of the village, are appropriate considerations to justify the lower density figure, so as to conform with Policy SE9.

Objections

34. The Parish Council's concerns have not been supported by statutory consultees - Local Highway Authority and Environment Agency, subject to provision of a footway and the imposition of conditions to confirm details of drainage proposals.
35. The design of dwellings is adequate for this part of the village, which is not conservation area and does not affect the setting of any listed building.
36. The arrangement of dwellings, gardens, garaging and car parking spaces on Plots 1-4 represent a compact form of development that is appropriate in order to provide an affordable element within the scheme.
37. The appeal decision of 1989 (S/0869/88/O) does not provide a strong precedent to assess the current proposal. The site in that case was further to the north east, where there is no other backland development, and a large part of the site was outside the village framework boundary. Even so the Inspector considered that the site would be adequately screened by planting on external boundaries.
38. This size of development is not required to provide any dedicated area for children's play, as indicated in Local Plan Policy RT2. However, the main recreation area of the village is located approximately 3 minutes walk to the south.
39. I have considered all objections to the application carefully. I do not believe that any amounts to a substantial reason for refusal of planning permission.

Other Matters

40. The proposal includes provision of three units of affordable dwellings. I recommend that a condition be attached in the event of approval being granted to secure a Section 106 legal agreement to cover this aspect. Similarly, the education contribution identified should be included in a Section 106 Agreement.

Recommendation

41. Subject to receipt of amended plans and to the further comments of the Local Highways Authority and the Council's Landscape Design Officer and Recycling and Waste Minimisation Officer, delegated powers are sought to approve the application, as amended by plans date stamped 26th April, 20th July 2005, and by ownership

certificate and plans date stamped 16th August 2005, subject to the following conditions:

1. Standard Condition B - Time limited permission (Reason B);
2. Sc5a - Details of materials for external walls and roofs (Rc5aii);
3. Sc51 - Landscaping (Rc51);
4. Sc52 - Implementation of landscaping (Rc52);
5. Sc60 - Details of boundary treatment (Rc60);
6. SC66 - Archaeological investigation (RC66);
7. Sc22 - No windows at first floor level in the southern elevation of the development on Plot 4 (Rc22);
8. Surface water drainage details;
9. SC11 - Removal of demolished buildings (RC11);
10. Restriction of hours of use of power operated machinery;
11. Removal of permitted development rights for extensions (all plots) and garden buildings (Plots 5-7)
+ any conditions required by the Local Highways Authority

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:**
 - P1/1** (Approach to Development)
 - P1/3** (Sustainable Design in Built Development)
 - SE3** (Limited Rural Growth Settlements)
 - b) **South Cambridgeshire Local Plan 2004:**
 - SE3** (Limited Rural Growth Settlements)
 - SE9** (Village Edges)
 - HG7** (Affordable Housing on Sites within Village Frameworks)
 - HG10** (Housing Mix and Design)
 - HG11** (Backland Development)
 - EM8** (Loss of Employment Sites in Villages)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Siting; appearance and design
 - Impact on the appearance of the street scene
 - Housing mix; landscaping
 - Highway safety;
 - Impact on the amenity of neighbouring properties
 - Provision for children's play
 - Impact on local employment provision
 - Flood risk

Informatives

As recommended by Council's Chief Environmental Health Officer and Environment Agency.

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

- South Cambridgeshire Local Plan Inquiry - Inspector's Report on Objections (2002)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2249/04/F, S/0869/88/O

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1306/05/F - Bassingbourn
Village Monument, Bassingbourn Village Green
for Bassingbourn-cum-Kneesworth Parish Council**

**Recommendation: Approval
Date for Determination: 26th August 2005**

Conservation Area**Site and Proposal**

1. Bassingbourn Village Green lies on the north side of the High Street. It has a low hedge and fence to its frontage with pedestrian access and features a centrally planted tree. The village sign is sited to the west.
2. The full application, received on 1st July 2005 proposes the erection of a monument to the coprolite mining industry. It consists of a brick base 1.8m square and 0.9m high with an explanatory plaque, set in a flint panel, topped by bronze spheres representing the coprolites. The overall height is 1.7m. The monument would be sited in the south-west corner of the Green on the High Street frontage.

Planning History

3. There is no planning history.

Planning Policy

4. Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/3 - Sustainable Design in Built Development

Policy P7/6 - Historic Built Environment

South Cambridgeshire Local Plan 2004:

Policy EN30 states proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas.

Consultations

5. **Bassingbourn Parish Council** approves the application.
6. **The Conservation Manager** comments:

“A pre-application meeting was held with representatives of the Parish Council and the designer of the sculpture. No issue is raised with the principle of the sculpture, but there is concern that it is an “idea” that has then been turned into a finished proposal without having had an artist or professional designer involved.

This has resulted in a rather heavy and inelegant plinth that also has little relationship to the village green, so will appear as an item sitting in the space rather than an integral part of the green.

The suggestion was made, supported by a sketch, that a circular plan form to the plinth might be appropriate, and that the plinth might be lowered and enlarged to form a circular seat around the sculpture, with the explanatory lettering around the base of the sculpture, so that people reading the lettering would walk around the sculpture and view it from all sides. It is understood that the Parish Council was concerned that my proposals would significantly add to their costs, although the Arts Development Officer thought that he might be able to attract additional funding to the project to help with this. However, this might take a little time and the Parish is keen to move the project forward.

The Conservation Section does not wish to oppose the project, but remains of the opinion that the proposal would benefit significantly from involving a professional artist/designer, such that it becomes an integral part of the village green.”

7. **The Arts Development Officer** comments:

“The proposed works are part-funded by the South Cambridgeshire District Council Art in Villages Scheme, piloted in 2001, of which Bassingbourn Parish Council was one of the first applicants. The monument is the result of a great deal of local consultation. As the siting of the work falls within a conservation area it will need to meet the recommendations of the appropriate design guide.”

Representations

8. A letter supporting the application has been received.
9. 8 letters have been received objecting to the application on the following grounds:
 1. Disgust at the subject matter of the sculpture - it will be an embarrassment and make the village a laughing stock. It will devalue nearby property.
 2. The £5,000 raised by the Parish Council could be spent on more worthwhile projects such as improving and extending footpaths in the village or renovating the cemetery chapels. The sculpture is not needed, and the cost is exorbitant.
 3. A work of art for the village should result from a transparent competition among competing local artists. The proposal has no artistic merit.
 4. The Parish Council has ignored concerns of residents. Publicity was via the school news letter which has limited circulation. Only 103 votes were cast in favour of the sculpture.
 5. The sculpture will be out of place and detract from the beauty of the High Street.
 6. Its location will be a traffic hazard.
 7. Magnet for vandalism and therefore continuing cost.

8. One resident disputes the representation of coprolites as fossilized dinosaurs dung and quotes from an interesting article in the Royston Crow c. 1909:

“In the valley of the River Cam, going towards Cambridge “coprolites” have been extensively dug during the latter half of the 19th Century - I quote from Mr Conybeare’s book “The Highways and Byways of Cambridgeshire”. It has been discovered that the “upper greensand” (here a narrow deposit immediately over the gault and usually some 15 or 20 ft below the surface) was full of organic remains worth extracting for manure.

These remains were never true coprolites, but mostly formless nodules rich in phosphate of lime, many being sponges, along with abundance of sea urchins, molluscs, crabs and innumerable sharks’ teeth.

The industry brought a wave of prosperity to the district for coprolites were worth some £3 per ton, and the average yield was some 300 tons per acre. The merchants usually offered the landowner £150 or more per acre 3 years occupation, being bound also to level and resoil it at the end of their tenancy. Wages too ran high, a good ‘fossil-digger’ could earn his 40s per week; this caused a corresponding rise in agricultural wages which went up from 10s or 12s to double that amount, piece work for digging.

After being brought to the surface in a horse-mill on the spot, the water ran off as thick mud. The nodules were ground to powder, treated with sulphuric acid, thus producing super-phosphate of lime for manure.”

Planning Comments – Key Issues

10. The key issue is the impact of the monument on the Conservation Area. The proposed monument has been the subject of pre-application discussions with the Parish Council and, if approved, will be part funded by this Council. The Conservation Manager does not wish to oppose the project but would have preferred a design that had the input of an artist/designer. Obviously there is a significant cost implication if the design is more intricate, not to mention the time delays involved.
11. Much local comment has been made about the subject matter of the sculpture, but this is not a planning matter. The size of the sculpture is relatively modest (about 1.7m high) and the siting on the village green appropriate as a focal point in the High Street. The plinth will be partly obscured by the low hedge on the frontage of the green, which will help assimilate the sculpture into the street scene.

Recommendation

12. **Approve**

1. Standard Condition A – Time limited permission (Reason A);
2. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a) Samples of the materials to be used for the plinth
 - b) The Design of the bronze coprolite sculpture

The development shall be carried out in accordance with the approved details.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P1/3 (Sustainable Design in Built Development)
Policy P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
Policy EN30 (Development in Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact on Conservation Area

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/1306/05/F

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1265/04/F - Bourn
Erection of Two New Dwellings at
103 Caxton End, for Mr & Mrs S Butcher**

**Recommendation: Refusal
Date for Determination: 8th September 2004**

Departure Application**Conservation Area**

Members will visit this site on Monday 5th September 2005.

Site and Proposal

1. The application, received on 22nd June 2004 and amended on 27th October 2004 and 9th May 2005 relates to a roughly square site, lying to the south west of Caxton End, an unclassified road leading north westward from the village of Bourn. Caxton End displays a dispersed linear settlement pattern outside the settlement limits for the village of Bourn. The front of the site is within the Conservation Area.
2. The site has a highway frontage of approximately 63 metres by 61 metres deep (max) and extends to approximately 0.37 ha. An additional parcel of land, indicated as being in the ownership or control of the applicant, extends to approximately 3.28 ha and, together with the application site, comprises an "L" shape.
3. The site slopes gently upwards from the highway and is largely overgrown with scrub woodland. It includes the ruins of the former Cock and Bottle public house, understood not to have been used for that purpose for approximately thirty years, together with the ruins of former agricultural buildings.
4. The application site, together with much of the adjoining land in the ownership or control of the applicant, has been used for the storage of scrap cars, other vehicles and caravans. It is understood that these items had been accumulated by the former occupier of the site, now deceased.
5. The current proposal is submitted as a full application and relates to the erection of two dwellings. It is accompanied by a Design Statement, Environmental Report, a Phase One Survey and Ecological Scoping, a response to Parish Council and local residents' objections and a financial appraisal based on costs of the development, bearing in mind contamination clean-up operations, land values without planning permission (assuming a cleared site) and value on the basis of the implemented proposal. The proposal equates to 5.4 dwellings per hectare.

6. One dwelling, (5 bedroom) would be located in the vicinity of the footprint of the former public house. The design of the proposed dwelling involves an “L-shaped 2 storey building of render and timber boarding under a plain tile roof. A detached double garage with studio/office above would be sited to the rear.
7. The second dwelling would be located in the vicinity of ruins of former outbuildings. This would comprise four individual elements. One 2 storey wing would comprise 5 bedrooms and be faced in “self-colour vertical boarding” under a slate roof. Three single storey wings would incorporate a pool/hot tub, double garage/storage and open garaging/study, two bedrooms/dressing area and bathroom. They would be constructed of the same external materials as the principal wing.
8. Limited landscaping details have been provided. Selected mature trees would be retained behind a hawthorn hedge fronting the highway. New trees would be added “to provide a woodland frontage”. Trees to the rear would be retained.
9. The submitted forms indicate that surface water drainage would be to soakaways with foul drainage taken to the main drainage system. The accesses for the two dwellings would be located approximately 24 metres apart, corresponding to those of the former public house and agricultural buildings respectively.

Planning History

10. No relevant planning history identified, although an outline application to erect 2 dwellings on land southeast of No. 105 Caxton End was refused in 1978.

Planning Policy

11. The site is outside the Bourn village framework. **Policy SE8** of the South Cambridgeshire Local Plan 2004 does not permit development outside village frameworks.
12. **Policy HG15** of the Local Plan allows for replacement dwellings in the countryside where the replacement would be in scale and character with the dwelling it is intended to replace and it would not materially increase the impact of the site on the surrounding countryside.
13. **Policy EN30** of the Local Plan requires proposals to preserve or enhance the special character and appearance of Conservation Areas. This reflects **Policy P7/6** of the Structure Plan 2003.
14. **Policy ES1** of the Local Plan states:

“In considering proposals for redevelopment of potentially contaminated land where planning permission is required, the District Council will, in consultation with appropriate regulatory authorities, require the following:

1. A detailed investigation of the site and a proper risk assessment study to be undertaken by the applicant and the report submitted to the District Council;
2. That appropriate treatment, monitoring and after-use of the site has been agreed and be capable of implementation and
3. That the proposal does not conflict with other Structure and Local Plan policies.”

15. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) restricts development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
16. **Planning Policy Statement (PPS) 23:** “Planning and Pollution Control” is relevant to development of land that may be affected by contamination. Planning Policy Guidance (PPG) 3: “Housing” sets out the Government policies on the provision of housing. It includes at Annex C a definition of “previously developed land”. (see para 57 below).

Consultations

17. **Bourn Parish Council** recommends refusal.
 - a) The site lies outside the village framework. (Policy SE8 of the Local Plan applies).
 - b) There is no evidence of any special circumstances to justify an exception to that policy and the extent of the site contamination is unknown.
 - c) The large group of buildings that form the second dwelling would be very intrusive and out of scale with the Conservation Area, contrary to Policy EN30 of the Local Plan.
 - d) The proposed new buildings are too close to the boundary and would impact on the neighbours.
 - e) The Parish Council seeks clarification of the status of all the land and the exact boundaries that will form the curtilage of the proposed two dwellings.
 - f) The Parish Council seeks assurance that the District Council will take appropriate action with regard to the alleged contamination.
18. These comments were re-iterated in response to the October 2004 amendment. In addition the Council noted that windows overlook. It wondered whether the site had been registered as a contaminated site.
19. In response to the 9th May 2005 submission by the applicant, the Parish Council adds to its original comments as follows:

“The Parish Council would also like to make the following comments in relation to information contained in the Design Statement.

 - a) The Parish Council is expected to look at planning applications from a Planning perspective and it is not our position to make suggestions.
 - b) The Parish Council would have welcomed the opportunity to discuss the site but have never been approached by the Developer, Architect or Planning Department for our views.
 - c) The Parish Council would like to see a clear up of the site from both an aesthetic and environmental view point. However, we feel the clearance of the site and any planning application could and should be treated as separate issues.
 - d) The Parish Council understands that there might be money available from DEFRA to help clear the site. There is no mention of this solution having been investigated.

- e) The Parish Council feels that South Cambridgeshire District Council also have a duty to get the site cleared as they have allowed the site to deteriorate over many years and have been aware of its condition for some time. There could therefore be a case for some financial help for the clean up.
 - f) The Parish Council might be more willing to approve an application for 1 dwelling on this site (i.e. rebuilding the abandoned house) and feel that this would still be financially viable if the land were bought at the right price.
 - g) The Developer's negotiations to buy the site and the price he is willing to pay should not be a planning issue. The seller should reduce the price of the land by an appropriate amount, relative to the clean up cost.
 - h) The Developer cannot claim that the beneficiaries of the will could be made bankrupt if they have to pay for the clean up but also claim that they are not willing to negotiate on the price."
20. **Cambridgeshire County Council (Waste Planning Authority)** recommends that if planning permission is granted it should be subject to a planning condition which requires the applicant to submit prior to the commencement of development a site waste management plan which:
- a) Quantifies and characterises (by European Waste Catalogue code) all wastes generated by the development and remediation works; and
 - b) Specifies the method of treatment and/or disposal.
21. **Local Highway Authority** has no objections.
22. **The Environment Agency.** The application as submitted does not consider sufficiently environmental impact and surface water drainage. As the site is within an area of potentially contaminated land and limited drainage capacity detailed conditions are recommended requiring, first a scheme of ground contamination investigation, assessment and remediation and secondly a scheme for the provision and implementation of surface water drainage.
23. The Agency subsequently agreed with the recommendations of the Environmental Risk Assessment in that further intrusive investigation is required. Following interpretation of the results of this investigation, further assessment of the potential for the site to pollute controlled waters should be made. A detailed method statement is set out in the Agency's response. The Agency has yet to assess the Environmental Report although it anticipates that the originally recommended conditions should still be imposed.
24. **The Environmental Health Officer** initially recommended conditions regarding construction hours and the need for a site contamination investigation.
25. Following the submission of an Environmental Report (May 2005), the **Chief Environmental Officer** considers that it provides a site history (desk study) and site walk over. It is acceptable for a Phase 1 investigation. Analysis of soil sampled from the site indicates there is considerable contamination in the top 1 metre of soil. However, there is insufficient evidence to show whether or not pollution of ground water is occurring or whether it may arise as a consequence of substances migrating from the contaminated materials into the saturated zone or other water resources.

26. PPS23 details the information required for submission to the planning authority as:
- a) Desk study and site walk over
 - b) Conceptual model of the source of contamination and pathways by which it might meet vulnerable receptors
 - c) Means by which the identified pollutant linkages can be broken

27. Attempts in the Environmental Report to discuss the “Conceptual Model” remain ill-defined. The conceptual model fails to identify existing pollutant linkages or health and safety risks to those involved with the redevelopment of the site, focussing solely on the potential future occupants of the site.

28. “PPS 23 emphasises that for land use planning purposes what constitutes an unacceptable risk is wider than for Part 11A (Environmental Protection Act 1990) purposes since planning is concerned with proposed development and future use and thus with both new and existing risks. In addition, the range of receptors is wider than under Part IIA and includes general fauna and flora, landscape and amenity.

In considering remediation at the site it is proposed to remove the top 1-2 metres of soil across the site. This is obviously not a sustainable option although will invariably remove the hotspots of contamination identified by sampling. Unfortunately insufficient information has been supplied to discuss alternative remediation options or identify whether contamination is present beyond the 1-2 metres of topsoil.

In my opinion the risks identified to date can be dealt with by way of condition should consent be granted for this development. Such conditions should aim to:

- a) Carry out a detailed investigation to fully characterise the site confirming the nature and extent of contamination thus validating the conceptual model and allowing more refined risk assessment and appraisal of remediation options.
- b) To propose a remediation scheme to remove unacceptable risks to make the site suitable for use.
- c) To provide a validation report that demonstrates the effectiveness of the remediation, preferably before building begins and certainly before the site is occupied by future users.”

29. It should be noted that action is currently being pursued in relation to making this site safe and if planning permission is not granted then the authority will need to fund and undertake investigation to identify if significant pollutant linkages do currently exist on site. From the report it is likely that such pollutant linkages do exist but this has not been verified.

30. **The Conservation Manager** considers that his design issues appear to have been addressed but the real issue relates to the scale of the development and its appropriateness in the Countryside and Conservation Area.

31. He would, therefore, suggest that the applicants are advised to consider a much reduced development, focusing on a single replacement unit, with a detached garage unit, developing the existing vernacular forms and strengthening the hedgerow to the lane.

32. **The Ecology Officer** comments: “Two visits have been made to assess the biodiversity value of the site. Its overgrown nature almost certainly adds to its inherent nature conservation value.

A professional ecologist should be employed to assess the site at an appropriate time of year, (most survey work could be conducted in the spring). Until an assessment of the site's biodiversity is made it is difficult to know what the real impact will be. The additional Environmental report did not address ecology of the site. The site contains an interesting stand of semi-mature re-growth of elm, areas of dense bramble and open grassland. The grass is reported to contain common spotted orchids in the spring. The extensive piles of wood and general debris will almost certainly be providing cover for **breeding birds**, probably **bats** and **great crested newts**.

The newts are recorded within Bourn Parish and a nearby pond is possibly a breeding site. This should be clarified in the spring with site clearance progressed in an agreed manner with caution.

33. Subsequent to the submission of an Ecology Report, **the Ecology Officer** comments:

“The applicants should be aware of the recommendations of the Scoping and Phase 1 Survey. It recommends a further investigation of the nearby ponds and terrestrial searching of the site for **great crested newts**. This should be undertaken as soon as possible.

Similar recommendations are put forward for **bat surveys**. I would also wish for further surveys for **common lizards**. This information should really be collected in advance of the application's determination. I am still not sure exactly which vegetation etc. is to be retained.

Possible future conditions might relate to:

- a) Method statement for the sensitive clearance of rubbish and vegetation from the site
- b) Protection of nesting birds
- c) Scheme of mitigation and scheme of habitat creation and compensation”.

Representations

34. Letters of representation have been received from occupiers of the following properties: View Farm, Rosemead (105), 140, and 163 Caxton End, Willow Cottage (161A), Meadowbank Cottage (149), Brooklands (165), Bourn Lodge and Rosemary and Lavender Cottage.
35. Occupiers of Bourn Lodge and Willow Cottage (No. 161A) support the application to tidy up the site and to improve their view (in the case of Bourn Lodge).
36. Objections from other residents are summarised below:
- i. The site is outside the village framework in a rural setting of largely open countryside.
 - ii. The development is unrelated to any use appropriate in a countryside location.

- iii. The proposal would be out of scale with present and past forms of development and set the scene for ribbon development along Caxton End. Any building would be visible from Caxton End, Caxton Road and from many public footpaths in the vicinity.
- iv. Whether the site has become Brownfield, as distinct from Greenfield land, should not carry much weight and would not, by itself, justify the scale of development.
- v. Trading in scrap metal and a residential site for caravans has not been lawfully established. A scrap metal business has not been run from the site.
- vi. Bourn Conservation Area was extended in 1997 to include Caxton End with the emphasis on a group of scattered dwellings in open countryside setting.
- vii. If allowed, it would set a precedent for development of other vacant land on Caxton End.
- viii. Tidying up sites has never been accorded much weight in planning policy. The scale and density proposed would cause significant harm with its hard surface entrances and domestication of most of the site frontage behind the hedges.
- ix. Street elevations and a detailed landscaping scheme should be required.
- x. Vertical emphasis of the design would over-emphasise the bulk of the elements of the building, most of which exceeds the scale of the large cottage at No. 105 (Rosemead).
- xi. The “replacement” argument cannot justify development. Residential use has been abandoned - a period of 25 years or more applies in this case. One resident suggests residential use was abandoned in 1974. Thus there is no planning policy support for any form of residential development on this site.
- xii. The Environment Risk Assessment is not accurate and is incomplete. The site has yet to be proved to be contaminated land to the degree of causing harm to humans, flora and fauna.
- xiii. There have been at least 20 applications for housing development in Caxton End outside the village framework in the last 30 years. All have been refused, some at appeal. This identifies the pressure for development of the open spaces along Caxton End over that period.
- xiv. No Conservation Area Consent application has been submitted for demolition of buildings, including the former public house.
- xv. Trees within a Conservation Area are protected.
- xvi. An ecological survey is necessary.
- xvii. The Cock and Bottle pub ceased trading at the end of World War II. It was purchased by the Sparkes family in 1948 and was used as their private residence for the next twenty five years. Ownership of the house and land passed to Arthur “Sonny” Sparkes on the death of his mother. He ceased to live in the house and failed to maintain it, consequently it became derelict. The building is beyond repair.

- xviii. The occupiers of No. 105 are not averse to the proposal to build a new house on the footprint of the old Cock and Bottle pub. However, a replica of a 17th/18th century building would be inappropriate in a Conservation Area where it would be indistinguishable from the original buildings of that period. A distinctive modern house constructed from appropriate local materials would be more sympathetic. A single storey garage should be separate from the house and perhaps built to the rear.
- xix. Specifically No. 105 comments:
- a) No 105 has been significantly extended in recently years (with planning permission) and is now considerably larger than marked on the plans, and closer to the boundary line. In the amended design 9 windows and a glazed door overlook no. 105.
 - b) The ground level at 103 Caxton End is about 1-1.5 metres higher than that at 105, therefore any adjacent building would appear higher than shown on the drawings, unless the level of the land is lowered accordingly.
 - c) As noted in the Design Brief, the character of the Conservation Area in Caxton End is very rural, with scattered groups of buildings and large open spaces.
 - d) In view of the three factors mentioned above the proposed garage will be too tall and too close to the neighbouring house. The garage should be reduced in height and sited separately.
 - e) More space should be left between the proposed house and adjoining buildings. The fact that only a metre has been allowed between the property and its boundaries gives a very "urban" impression which is totally contrary to the character of the Conservation Area.
 - f) If the site is restored as amenity land it would be of far greater benefit to the community than the inappropriate building proposed.
- xx. Concern expressed if, in the future, the 4 main components of the new building as proposed were redeveloped and sold off as separate properties.
- xxi. The owners are responsible for cleaning up this land and returning it to its former agricultural use. However, the Council should bear some of the costs because of its negligence in the past in failing to stop illegal dumping.
- xxii. The proposed large houses ignore housing needs of Bourn and government policy to tackle rural housing crisis and build affordable homes for local people.
- xxiii. Occupiers of No. 140 Caxton End, a Grade II Listed Building, have no objections to one or two dwellings, but do object to the type of design and materials.
- xxiv. The Council has ample statutory powers to enforce clearance of the site by the current owners at their cost. Clearance of the site as "planning gain" would be a fundamental error amounting to mal-administration.

- xxv. Flooding problem in Caxton End remains unresolved. Any increased run off from additional buildings would add to the volume of water reaching the road and the sewers.
- xxvi. Notwithstanding that the proposal cannot be considered as a replacement, the new dwelling nearest No. 105 exceeds the maximum percentage increase of 15% by a significant amount (42% is quoted by one resident).
- xxvii. To concede planning gain in the grant of planning permission for development, without knowing the full facts on which to judge the extent of that gain, any development granted being proportionate to the gain (which, on the evidence, this certainly is not), would be challengeable in the courts.
- xxviii. There is no clear evidence to show that wide areas of the site are contaminated. There is no substantial evidence to justify two dwellings to cover the high cost of remediation.
- xxix. The proposal conflicts with every relevant policy in the Development Plan. There is no substantial evidence to justify the need for either of the two dwellings on the site.
- xxx. If the arguments for "caravan residence" for the application site are accepted, the Council would find it difficult to refuse planning permission for a dwelling on the remaining strip of land with a frontage of 25 metres to the north west of the site. This land also has caravans on it that were occupied over the last 10 years.
- xxxi. The estimated costs of clearing the site prior to development (in the region of £100,000) is similar to that for the new house at "Barrances" (41 Caxton End). Comparisons are made with the size and market value of "Barrances." Any abnormal site clearance of contaminated waste must be comprehensively identified and costed and any consideration of allowing any form of development to offset these costs must be proportionate to those costs, taking account of the cost of normal external works to be anticipated by the developer.
- xxxii. The condition of the site did not preclude designation of Conservation Area status in 1997.
- xxxiii. The rural narrow lane would not be up to the increase in traffic movements.
- xxxiv. The application should have been accompanied by an accurate ground survey comprehensively plotting all areas to identify the cause and extent of any contamination, together with trial hole samples. The Council has been more than reasonable in giving the applicants time to carry out further investigations. The extent of land contamination is still unknown. Further delay in processing the application is not justified.
- xxxv. Under the Environment Protection Act 1990 the Local Authority is the only statutory body able to define land as being contaminated. South Cambridgeshire District Council produced a Contaminated Land Strategy in July 2001. It is assumed that this site was not included. Local Authorities can receive Government monies and grants to clearing up contaminated sites. (DEFRA funding).

xxxvi. If the Council decides to recommend the application for approval as an expedient way of resolving the problem, and the Government Office decides not to call the case in, any such decision would be challenged in the High Court; largely on the grounds that the Council, would have acted unreasonably in failing to control illegal uses of the land, of which they were aware, over a long period of time, that have led to parts of that land becoming contaminated and then granted planning permission for an excessive and disproportionate amount of enabling development to get the site cleaned up.

Planning Comments - Key Issues

37. The site is located outside the village development framework for Bourn. No justification based upon agricultural need has been identified for the proposed development. The proposed development would therefore be contrary to Policy SE8 of the Local Plan aimed at restricting development to within village frameworks.
38. The proposed development would be similarly contrary to the provisions of Policy P1/2 of the Structure Plan, which aims to protect the rural character of the countryside by limiting development to uses and works which require a particular rural location. No such justification has been identified in this case.
39. Section 54A of the Town and Country Planning Act 1990 (as amended) requires that determination (of applications) shall be made in accordance with the development plan unless material considerations indicate otherwise.
40. The application described one of the proposed dwellings as a replacement for the former public house on the site. This building is now derelict. Indeed, from the information currently available to the Local Planning Authority, it is suggested that any use of that building, whether as a public house or as a dwelling, has long since been abandoned and that the building is beyond repair. A Senior Building Control Surveyor has visited the structure and considers that it poses a risk to the public. The Council has the power under Section 78 of the Building Act 1984 to remove the danger to the public. Although the application description has been amended to two new dwellings, no case can be made out that one dwelling should be permitted as a replacement dwelling in the Countryside (Policy HG15 of the Local Plan).
41. It is also understood from correspondence from the applicants' agents and from subsequent negotiations that the developer may wish to argue that the land has the benefit of residential use by virtue of the use of the land for the siting of a caravan or for some form of business use by virtue of the storage of vehicles described.
42. Should the developer wish to advance any of the above arguments, then it would be open to him to submit an application for a Certificate of Lawfulness of Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 (as amended) in order to confirm the authorised use of the site. The onus of proof for such an application lies on the applicant. In the absence of such an application, or the standard of evidence that would normally be required for the grant of a Certificate, it is suggested it would be inappropriate for the Local Planning Authority to treat the current proposal as a replacement dwelling but that it should be treated, in policy terms, as a new dwelling in the countryside. The application description has been amended as two new dwellings.
43. Thirdly, the developers' agent argues that the proposed development would involve the clearance of the scrap vehicles and other waste materials covering the site together with the removal of any contamination.

44. In response to the above suggestion it is noted that a consultant's report has been submitted regarding the likely contamination. This is a desk study also involving the drilling of 10 trial pits. Although the Chief Environmental Health Officer considers that the site is contaminated, further detailed inspection is necessary in accordance with PPS23 recommended guidelines, as summarised above by the Chief Environmental Health Officer.
45. That essentially requires the developer to carry out an adequate investigation to inform a risk assessment. That has not been done and, although the Chief Environmental Health Officer recommends the imposition of a condition, it is my opinion that insufficient information exists to satisfy the Authority that any unacceptable risks to human health, buildings and other property and the natural and historic environment have been identified.
46. In my opinion the case for development of the site to remediate contamination has not been proven, given that the Environmental Report does not contain evidence to suggest that contamination has migrated through the site either vertically or laterally.
47. The Council has identified the site under the Contaminated Land Strategy 2001 as requiring inspection. That has not yet been done, there being some 400 identified sites. This one is number 40 in the priority list.
48. Members are also advised that powers are available to the District Council in order to address any problems that might be identified on site. Should the site be identified as being contaminated, the District Council has powers under the Environmental Protection Act 1990 to require the site to be cleaned up. Funds are also available from DEFRA for Councils to find and deal with contaminated land.
49. Alternatively, should it be considered that the condition of the land adversely affects the amenity of the area, then Section 215 of the Town and Country Planning Act 1990 enables the Local Planning Authority to serve a notice to require a landowner to "tidy up" a site. Whilst there is a right of appeal to the magistrates court, there are also default powers which enable the Local Planning Authority to enter the land, take the necessary steps and recover reasonable expenses.
50. Turning to the other planning issues, Policy EN30 imposes expectations in relation to the scale, massing and materials of developments in Conservation Areas. In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon Local Planning Authorities, when considering development proposals in Conservation Areas, to pay special attention to the desirability of preserving or enhancing the character or appearance of that Conservation Area.
51. The scale of the new houses proposed will have a substantial physical impact on the character and appearance of this part of the Conservation Area, both from the street frontage and longer views. This will result from the opening up the frontage to the lane and the insertion of two very large building groups into the lane, which will compromise the informal, rural character of the lane and start to visually coalesce the development along Caxton End. The prevailing character of scattered, widely spaced development along the lane will be eroded by the introduction of this extensive collection of buildings, which, together with the two individual accesses, will occupy some 67% of the site frontage.

52. While there are existing outbuildings on the site, these are of no architectural/historical merit and are low lying. Their intrusion into the landscape is, therefore, minimal. This will not be the case with these substantial properties. At between 9 metres and 10 metres to ridge line above the level of Caxton End and spreading across the frontage, the proposed development will insert a disproportionately large amount of new development into the lane. This will take on an undue dominance in the rural scene, rather than sitting unobtrusively into its context. The impact of the north westerly dwelling will be somewhat mitigated at street level, by the visual 'layering' effect of the building blocks arranged parallel to the lane. The lower lying (4.7m) frontage blocks will work to deflect views and thereby the full scale of the main central block. However, from distance (across the valley) the full extent of the building group will be evident in the landscape.
53. The issue of materials and particularly the use of vertical boarding remains unresolved although the applicant would be content for this to be reserved by condition.
54. However, it is largely the scale of development in this essentially rural landscape which is considered to be harmful to the appearance and character of the Conservation Area. The proposal will not maintain the sensitive balance between buildings and open gaps along Caxton End.
55. There are no highway or drainage matters which would preclude the application being approved. A surface water drainage condition would need to be imposed if the application is approved.
56. The new house in the vicinity of the former public house has 6 windows to habitable rooms in the south east elevation some 10 metres from the boundary to No. 105 Caxton End. This house, which has been extended, is sited close to this boundary and at a lower level. On a site of this size there ought to be scope to avoid potential overlooking of this adjoining property.
57. Finally, Members are advised that previously developed land is defined in PPG3:

"Previously-developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Also excluded is land that was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings), and where there is a clear reason that could outweigh the re-use of the site - such as its contribution to nature conservation - or it has subsequently been put to an amenity use and cannot be regarded as requiring redevelopment."
58. In my opinion this site falls within the quoted exclusion to the previously developed land definition. Even if it doesn't, PPG3 makes it clear that the whole area of the curtilage of a building should not necessarily be re-developed. It is a matter of judgement for the Local Planning Authority bearing in mind factors such as development in the countryside, how the site relates to the surrounding area and requirements for landscaped areas.

Conclusion

59. The proposal is contrary to Development Plan Countryside, settlement and conservation policies. It is not considered that the issues raised by this application and discussed in this report outweigh the policy objections.
60. As a Departure from the Development Plan, should the Committee be minded to approve the application, the application should be referred to the Secretary of State.

Recommendation

61. That the application be refused for the following reasons:
 1. The proposed erection of two new dwellings in the countryside would be contrary to Policy P1/2 of the approved Structure 2003, which states that development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location; no such justification has been put forward in this case.
 2. The proposed development site is located outside the village framework for Bourn as defined on Inset Proposals Map 10 of the South Cambridgeshire Local Plan ("The Local Plan") 2004; the proposed erection of two new dwellings on the site would be contrary to Policy SE8 of the Local Plan, which precludes residential development outside village frameworks.
 3. The scale, height and extent of the proposed buildings across the frontage of the site would start to visually coalesce development along Caxton End and would erode the informal rural character of scattered and widely spaced dwellings along the lane; the proposal would not therefore preserve or enhance the character and appearance of Bourn Conservation Area and would consequently be contrary to Policies P7/6 of the Structure Plan 2003 and EN30 of the Local Plan 2004.
 4. It is not considered that previous uses, extent of former buildings, appearance or contamination of the land justify, individually or cumulatively, allowing the scale of the proposed development contrary to the above-mentioned Development Plan policies.

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

- PPG3: Housing
- PPS23: Planning and Pollution Control
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref S/1265/04/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/0712/05/F - Caxton
**Retention of Portakabin Office and Foul Drainage Pipe at Firs Farm, St. Peters Street
for R & J Millard.**

Recommendation: Delegated Approval
Date for Determination: 10 August 2005

Site and Proposal

1. The roughly rectangular site measuring 20m by 20m (0.04 ha) is situated on the eastern edge of Firs Farm adjacent St. Peters Street. A thin-strip of land 15m long by 1m wide, extends from the main portion of the site on Firs Farm, over St Peters Street, to the north-western boundary of the Tates Farmhouse site (diagonally opposite the site). The site is situated close to, but just outside the village framework boundary of Caxton. A row of trees runs along the road frontage, with some gaps between trees. The site is approximately 0.6m above the ground level of St. Peters Street.
2. The full application received 12 April 2005 seeks retrospective planning consent for the siting of a portakabin-type office measuring 12.15m in length, 3.61m in depth and 2.3m in height. The walls of the portakabin are clad in brown metal sheeting, with grey metal cladding on the roof. By virtue of amended plans received 15th June 2005, the proposal also seeks retrospective approval for a drainage pipe which passes diagonally through the site and under the portakabin office and is connected to drainage pipes installed on the adjacent Tates Farmhouse site.

Planning History

3. Planning permission was given in June 1997 for the conversion of farm buildings for business use, demolition of buildings and landscaping at Firs Farm, subject to the signing of a Section 106 legal agreement (**Ref: S/0452/94/F**).
4. Planning permission was also given in August 2000 for the conversion of agricultural buildings to offices at Firs Farm (**Ref: S/1363/00/F**).
5. In May 2002, planning permission for the renewal of application **S/0452/94/F** was given (**Ref: S/0787/02/F**). This consent has not been implemented.
6. Within the vicinity of the site, the following planning applications are also considered relevant:

In October 2003, planning permission was given for the erection of four dwellings and garages, and conversion of farmhouse into 2 dwellings on the Tates Farmhouse site, subject to the signing of a Section 106 legal agreement (**Ref: S/0710/02/F**).

On 5th August 2005, a planning application for the variation of Condition 1 of planning permission **S/0771/04/F** to extend period for which the mobile home can be used, on land to the north of the site was received (**S/1543/05/F**). This application is currently under consideration.

Planning Policy

The site lies outside the Caxton village framework boundary. As such the following policies are relevant:

7. **Policy P1/2: Environmental Restrictions on Development** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") restricts development within the countryside, unless it can be demonstrated to be essential in a particular rural location.
8. **Policy P1/3: Sustainable Design in Built Development** of the County Structure Plan requires a high standard of design, which responds to the local character of the built environment for all new development.
9. **Policy P2/6: Rural Economy** of the County Structure Plan states that sensitive small-scale employment development will be facilitated where it contributes to one of seven objectives, including enabling farm or rural diversification.
10. **Policy P6/4: Drainage** of the County Structure Plan requires all new development to "avoid exacerbating flood risk locally and elsewhere by utilising water retention areas and other appropriate forms of Sustainable Drainage Systems for the disposal of surface water run off."
11. **Policy CS3: Foul and Surface Water Drainage** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that "in proposals for development, the presumption is for drainage to a public sewer to be provided wherever possible".

Consultation

12. **Caxton Parish Council** - In response to amended plans, has recommended the refusal of the planning application. It objects to both the retention of the portakabin office and the drainage pipe.

It is noted that the Parish Council recommended the approval of the original application submitted for the portakabin-type office alone.

13. **Building Control** - No objection. They add "with reference to the foul drainage, we already have an application. For connection of foul drains to the mains in Tates Field our reference is BN/05/0262. To date this work is satisfactory. As the portakabin is existing, we have no comment to make."
14. **Environment Agency** - No objection.
15. **Local Highways** - No comment

Representations

16. Letter received from local resident at 80 Ermine Street objecting to application on the following grounds:
- a) Planning permission should have been obtained upfront for portakabin and drainage pipe;
 - b) The Parish Council and local residents were led to believe that planning permission for Firs Farm was conditional to the relocation of the pig farm, with its long history of environmental problems;
 - c) The whole pig unit including the farm office should be relocated from the Firs Farm site;
 - d) The farm office should be sited at Redwood Farm, Gransden Road, which is “close to the existing (relocated) pig unit, within the extended farm area and just as close to both residential homes as St. Peters Street”; and
 - e) Concern that the portakabin will lead to additional development on the site.

Representations by Agent

17. The agent has stated in the application that the portakabin is used as a farm office for agricultural land in Caxton, Huntingdonshire and Northamptonshire extending to 103.2 hectares in size; and that the use of the site for pig rearing ceased four years ago. The farm office was previously located in Firs Farmhouse on the opposite side of St. Peters Street, but this site is no longer available due to the sale and refurbishment of the farmhouse. Three persons are employed at the site and it is anticipated that one to two vehicles visit the site on an average working day.
18. The applicant lives locally and wants to retain their farm office in the locality. It is intended to create a replacement farm office within the buildings that have been granted planning permission for business use conversion (Ref: S/0787/02/F). “Unfortunately, due to financial and commercial reasons the conversion works have been delayed and as an interim arrangement our clients found it necessary to install the Portakabin office building for the farm needs. That said, an office building would also be required in association with overseeing the approved conversion works”.
19. Letter from the agent dated 6 June 2005 states “it is the intention that the Portakabin will also serve as a site office for the conversion works, and allowing for the anticipated programme of these works, we invite you to consider granting planning permission for a period of two years”.

Planning Comments - Key Issues

20. The key issues for consideration in this application are:
- a) Whether the proposal is acceptable in this rural location and if not, whether there are material considerations which justify a departure from this policy;
 - b) The visual impact of the proposed building on the visual amenities of the countryside;
 - c) Potential impacts on the amenity of adjacent land users; and

d) Whether the proposal will have any impact on local flooding or water quality.

Principle of New Farm Office Building On-Site

21. The proposal represents a Departure from Development Plan policies. The proposal is contrary to Policy P1/2 of the County Structure Plan, as it is not essential in this rural location and is contrary to Policy P1/3 of the Country Structure Plan, which requires a high standard of design that would contribute to a positive sense of place.
22. Nevertheless, I am of the view that there are material circumstances in this case, which outweigh more general planning considerations. The site benefits from planning permission for the conversion of buildings to business use (Ref: S/0787/02/F). It would be possible to convert some of the existing agricultural buildings to a farm office for the use of the applicant, under the above planning application, without the need for a further consent from the Local Planning Authority.
23. It is noted that the stationing of a portakabin on-site to administer building work associated with the implementation of the above consent, would not require planning permission.
24. The portakabin positioned on site is of modest size and height and is largely screened from public view by existing vegetation along the road frontage. The portakabin is sited near a cluster of existing farm buildings, and will not be seen as an isolated new building within the countryside. I am of the view that the proposal does not seriously harm the visual amenities of surrounding land within the countryside.
25. I am of the view that the impacts of the proposal are able to be sufficiently mitigated by a temporary period of consent for the proposed portakabin.
26. The proposal would not adversely affect the amenity of adjacent land owners.
27. The drainage pipe proposed is considered adequate for the portakabin and no objection to this pipe has been received from the Environment Agency or Building Control. Given its underground position, it has no impact on the visual amenities of the countryside.
28. The adequacy of the drainage pipe for drainage associated with the implementation of planning application S/0787/02/F or future development applied for on the site, will be examined through the signing off of conditions of consent, or the assessment of a new planning application, respectively.
29. Having regard to the nature, scale and limited life of the proposal, together with the existing planning permission on the site, I do not consider it to be necessary to refer the application to the Secretary of State.

Recommendation

30. Delegated approval as amended by letter dated 6th June 2005 and Drawing No. M-318/P/3 franked 15th June 2005, subject to the expiry of the notification of the application as a departure from the development plan.

Conditions

1. The portakabin, hereby permitted, shall be removed and land restored to its former condition on or before the 31st December 2006 or within 14 days of the completion of the conversion of an existing farm building (or part thereof) to farm office, whichever is the sooner.
(Reason - Approval of the proposal on a permanent basis would be contrary to the proper planning of the area and land should be reinstated to facilitate future beneficial use.)

Informatives

Reasons for Approval

1. The proposed portakabin is not essential in this rural location, contrary to Policy **P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 and is not of a high standard of design that would contribute to a positive sense of place, contrary to Policy **P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003.
2. Nevertheless, it is considered that there are material considerations in this case, which include the existing planning permission on the site, the presence of several farm buildings in the vicinity of the portakabin, location of applicant's farm in the region, unavailability of previous site for farm office, partial screening of site by trees/hedgerow along the road elevation and the temporary nature of farm office, which warrant the granting of temporary consent.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File References S/0452/94/F, S/1363/00/F, S/0787/02/F, S/0710/02/F, S/1543/05/F and S/0712/05/F

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

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/0572/05/O - Highfields Caldecote
Dwelling, Land Rear of 99 Highfields Road, Highfields Caldecote
for Dr R Falconer and Dr S Gale**

**Recommendation: Approval
Date for Determination: 18th May 2005**

Site and Proposal

1. The outline application, received on 23rd March 2005, proposes the erection of one bungalow on 0.08 hectares of garden land to the rear of No. 99 Highfields Road. All matters are reserved for further consideration although a 'feasibility study' plan has been submitted illustrating the siting on the land of a three bedroom bungalow of 112 sq.m. footprint.
2. A Flood Risk Assessment (FRA) was submitted by letter dated 25th July 2005.
3. The density of the proposed development equates to 12.5 dwellings per hectare.
4. Proposed access to the site is some 41 metres in length from the highway boundary to the bulk of the site. It passes between the blank flank walls of two hipped roof bungalows at Nos. 97 and 99 Highfields, both of which have separate garages and individual accesses. The garage of No. 97 abuts the proposed access, which is some 3.5 metres wide between the flank walls and 3 metres wide between the front garden fences of these bungalows.
5. To the north east of the site is woodland; to the north west are gardens of bungalows at Nos. 37-43 West Drive; and to the south west are gardens of properties in Highfields Road.
6. Between the front boundary of gardens at Nos. 97 and 99 Highfields Road and the carriageway is a 3 metre wide verge and a footway.

Planning History

7. There is no relevant history on the site.
8. The applicants quote the following cases of backland development on sites to the north east:
 - (a) **S/0390/02/F** - 2 dwellings at 107a and 109a Highfields Road - approved;
 - (b) **S/2519/87/O** - 2 dwellings at 115a and 115b Highfields Road - approved;
 - (c) **S/2375/01/F** - One dwelling at 15a West Drive - approved; and
 - (d) **S/1902/01/O** - One dwelling rear of 121 Highfields Road - dismissed at appeal.

Planning Policy

9. 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.
10. Policy **SE4** of the South Cambridgeshire Local Plan 2004 ('The Local Plan') identifies Highfields Caldecote as a Group Village in which residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted 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;
 - (d) Residential development would not conflict with another policy of the Plan, particularly Policy **EM8** (Loss of Employment Sites).
11. 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.
12. 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.
13. **Planning Policy Guidance (PPG) 3**, "Housing", advocates making more efficient use of land, while at the same time ensuring that the quality of the environment is protected. Considerations of design and layout should be informed by the wider context and development should be designed sympathetically and laid out in keeping with the character of the village.

Consultation

14. **Caldecote Parish Council** recommends refusal:
 - (a) Overdevelopment of the site;
 - (b) Access to the site is narrow. Concerns were expressed over safety;
 - (c) Additional drainage would be required due to backland flooding.
15. The **Chief Environmental Health Officer** has no objections.

16. The **Senior Building Control Officer** states that:
- (a) There will be a requirement for access to have a firm approach which is able to support a wheelchair and enable easy manoeuvrability. This may preclude a gravel drive mentioned in the FRA; and
 - (b) It may be appropriate to request evidence for the calculation of the 5 cubic metre rainwater harvesting storage tank, although the report does suggest the tank is oversized.
17. **Environment Agency** comments that the FRA is acceptable in principle, although there are no details submitted in respect of the overflow facility. In view of local soil conditions it is recommended that oversized perforated soakaway chambers provide additional storage. In addition the applicant must ensure that the entire system is contained on site to avoid impact upon third parties.

Representations

18. The occupiers of No. 41 West Drive object:
- (a) Flooding of the site after heavy rain spreads to the garden of No. 41; and
 - (b) Overdevelopment of Caldecote.
19. The occupiers of No. 97 Highfields Road express the following concerns:
- (a) There may be boundary details to deal with;
 - (b) The access is not wide enough or strong enough to support construction vehicles. A considerable amount of hedging would need to be removed. Another access on to Highfields Road by a roundabout would be too dangerous; and
 - (c) The garden of No. 99 floods after heavy rain. This problem would be exacerbated if a property were to be constructed on the site.

Planning Comments - Key Issues

20. The site is located within the village framework where there is a presumption in favour of residential development.
21. The proposal therefore needs to be assessed against the criteria incorporated in Policy HG11 of the Local Plan, which encapsulates the provisions of Policies P1/3 of the Structure Plan, SE4 and HG10 of the Local Plan, together with drainage considerations.

Impact on Adjoining Properties

22. The site, with the access drive discounted, has a depth of 36 metres and a width of 16 metres. The illustrative plan shows a single storey property occupying no more than 20% of this site area and located some 19 metres, 4 metres and 5.5 metres from adjoining garden boundaries to the north west, south east and south west respectively. In addition, the bungalows at No. 41 West Drive and 99 Highfields Road are some 30 metres and 23 metres from the north west and south east site boundaries respectively.

23. Although the layout is illustrative only, I consider that a bungalow can be accommodated on site without resulting in overbearing, overlooking or overshadowing of existing properties, whilst paying due regard to the spacious layout of the surrounding area.

Impact on adjoining properties through the use of the access

24. The access between Nos. 97 and 99 Highfields Road exists, albeit not used as the principal access to the applicant's bungalow (No 99). These adjoining bungalows have blank walls abutting the access. The garage of No. 97 abuts the access. A 1.8m high close boarded fence screens the back garden of No. 97 and a hedge partly screens the back garden of No. 99.
25. Whilst there will be some disturbance caused to these gardens by the use of the access, I do not consider that the movements caused by one dwelling will be sufficient to object to the proposal, having regard to the above factors and to the ability to impose conditions regarding the treatment of boundaries either side of the access and the surface of the access.

Highway Impact

26. Highfields Road is subject to traffic calming and some 20 metres to the south west is a mini-roundabout at the junction with Clare Drive.
27. Vehicle visibility is good and pedestrian visibility is achieved, by virtue of the position of the footway 3 metres forward of the front boundary of adjoining properties and the presence of the drive to No. 97 adjacent to the access.
28. Whilst the access achieves the minimum width of 2.5 metres for a single dwelling, it does not meet Building Regulations requirements for fire service access width of 3.7 metres for a drive longer than 45 metres to the planned footprint. This issue can be resolved under the Building Regulations and is not a reason to refuse the application.

Character and appearance of the area

29. The Inspector, in his decision letter of 31st July 2002 (see Paragraph 8(d) above) noted:

"The western side of Highfields Road is characterised by frontage development comprising a mixture of bungalows and 2 storey dwellings. The rear gardens extend towards the rear gardens of similar residential properties along West Drive, a parallel road to the west. Between these two road frontages, some backland development has taken place in the form of bungalows served by private drives.

In my opinion, bungalows in a backland position between development fronting Highfields Road and West Drive have become part of the character of this area, with several such properties built or approved close to the appeal site. I recognise that the appeal proposal together with the plot to the rear of Nos. 15 and 17 West Drive would introduce a "second tier" to the line of backland properties. However, it seems to me that this, in itself, is not a reason to refuse permission if the layout remains sufficiently spacious to maintain the existing relatively loose knit pattern of development."

30. That appeal was dismissed on grounds that the development would appear unduly cramped in relation to other backland sites, with the buildings and hard surfaces dominating (on a site discounting the access of 0.04 hectares).

31. In my opinion this application site (0.065 hectare discounting the length of drive necessary to serve the site) can accommodate a bungalow without appearing to be squeezed into the site or to be out of character with the pattern of development in the vicinity.

Drainage

32. The FRA recognises the difficulty of disposing surface water drainage due to the clay subsoil, flat nature of the site and absence of watercourses. Hence it proposes 5 cubic metres of storage in a below ground storage tank as part of a rainwater harvesting system. This is equivalent to 40 days of average rainfall and will enable the recycling of rainwater falling on to the site.
33. In order to address the comments of the Environment Agency it is suggested that a planning condition should require the details of this system for surface water drainage, including the capacity of the tank, to be submitted for approval.

Recommendation

34. Approve. Subject to the following conditions:
1. SCB - Time Limited Permission (Rc B)
 2. SC1 - Reserved Matters
 - (a) The siting of the building;
 - (b) Design and external appearance of the building;
 - (c) Means of access; and
 - (d) The landscaping of the site (RC1)
 3. SC52 - Implementation of landscaping scheme (RC52)
 4. SC5(b) - Details of surface water drainage and rainwater harvesting system (RC5(b))
 5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied. Development shall not be carried other than in accordance with the approved details.
(Reason - To protect the amenity of adjoining residents.)
 6. No development shall take place 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 not be carried out other than in accordance with the approved details.
(Reason - To minimise disturbance to adjoining residents and to ensure satisfactory drainage of the site.)

7. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason - To minimise noise disturbance to adjoining residents.)
8. The dwelling hereby permitted shall be single-storey in height and all living accommodation contained within it shall be on the ground floor only.
(Reason - To ensure the development is satisfactorily assimilated into the area and is in keeping with the character of adjoining dwellings.)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
Policy P1/3 (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004:**
Policy SE4 (Development in Group Villages)
Policy HG10 (Housing Design)
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:
 - Flooding, overdevelopment, access and boundary details.

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

- PPG3: Housing
- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File References: S/0572/05/O, S/0390/02/F, S/2375/01/F, S/1902/01/O and S/2519/87/O.

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

**S/1426/05/F - Caldecote
Extension 16 West Drive for Mr and Mrs I Jackson**

**Recommendation: Approval
Date for determination: 13th September 2005**

Members will visit the site on Monday 5th September 2005.

Site and Proposal

1. The application related to an existing 1½-storey chalet bungalow within the village framework. The dwelling has not previously been extended. To the north, the dwelling is adjoined by a detached house at 14A West Drive. The applicants' dwelling has a ridge height of 8.5m. The ridgeline is located 9.0m from the boundary with No.14A, and the nearest side wall is 2.5m from this boundary. There is a 1.8m high close boarded fence on this boundary.
2. The application, received 18th July 2005, is to extend the rear of the dwelling in two-storey fashion by 2.7m. To achieve this, the existing 8.5m high ridge is shown to be lengthened by 1.5m, and the hip extended downwards to allow for the full 2.7m depth at a height of 5.0m. This will enable the two rear bedrooms to be enlarged.

Planning History

3. **S/0337/05/F** Planning permission granted earlier this year to extend in single storey fashion at the rear by a depth of 2.7m. The permission also included a side extension towards No.14A having 3.7m in width and 6.5m in height, with a small hipped end. This extension was shown to come to 1.0m of the boundary with No. 14A. Consent was granted in addition for the erection of a double garage at the front of the site.
4. **S/2050/04/F** Planning permission refused in 2004 to extend full height at the rear 2.7m and at the side near full height by 3.7m. The grounds for refusal were overshadowing and overbearing impact on No.14A.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003:

5. **Policy P1/3** (Sustainable Design in Built Development): 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 and pays attention to the detail of forms, massing, textures, colours and landscaping.

South Cambridgeshire Local Plan 2004:

6. **HG12** - (Extensions and Alterations to Dwellings within Frameworks): Planning permission will not be permitted where:
 1. The design and use of materials would not be in keeping with local characteristics;
 2. The proposals would seriously harm the amenities of neighbours;
 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.
7. Office of the Deputy Prime Minister Planning Fact sheet 3 (Overshadowing) states: "Doesn't the law lay down minimum distances between buildings, or acceptable angles of shadow? - No. Houses, flats and gardens tend to be all shapes and sizes, at different distances from, and in a unique orientation to, any neighbouring buildings. No practical, reasonable and enforceable design standards have been devised which would allow the full use of land while guaranteeing retention of all daylight for every householder. Where there is a planning application to assess, securing a reasonable degree of daylight for everyone is a task for the expertise and judgement of each local planning authority".
8. Guidance published by the Building Research Establishment (1991) recommends that no more than 20-25% of the amenity area of a garden should be prevented by buildings from receiving any sunlight on 21st March (the equinox). For gardens that would become so shaded, if the reduction in the area that receives sunlight on 21st March falls below 0.8 of its former value as a result of the development, the loss of sunlight is likely to be noticeable.

Consultations

9. **Caldecote Parish Council** - Recommends refusal on the grounds of overshadowing of 14A West Drive and overbearing impact on this dwelling (Policy HG12)

Representations

10. The occupiers of 14A West Drive have objected on the grounds of the extension being overbearing when viewed from their garden, and overshadowing. The existing property at 16 West Drive already extends a third of the length of the neighbours' garden. The proposed extension will add nearly 3 metres to this length, about the same as their patio again. This means that it will extend nearly two thirds of their garden, which they believe to be certainly overbearing. The approved application will already seriously diminish the amount of light coming into their garden, this proposal would add to this. They believe that this is planning by piecemeal. To all practical purposes this is the same as the refused application.
11. In response to this and earlier refused application S/2050/04/F the objectors have submitted a photographs taken on 21st October, at 9.37am, 11.13am and 13.31pm. At 9.31am, the shadows are long but do not encroach on the objectors' garden.

At 11.31am, the applicants' roofline casts a shadow over approximately one third of the width of the garden and over its full length i.e. some 30-40% of its area. The photograph at 13.31pm shows the shadow of the existing roof to fall almost halfway across the rear garden, and approximately halfway down it i.e. some 25% of its area.

Representation from the Applicant

12. This application is made to enable the applicants' children to have rooms large enough to take full-length single beds.
13. The applicants are familiar with the guidance published by the Building Research Establishment (1991). Applying this advice, they conclude that the impact of the extension on loss of skylight will be nil. This is on account that there are no windows in the elevation of 14A that face south towards the applicants' dwelling, and because the distance of the roof extension from the boundary is adequate, and because of the long hip in the design.
14. In relation to sunlight, they conclude that the impact of the extension on the rooms in No.14A will be nil, as there are no facing windows. As regards the rear garden, this will be affected by shadowing only in late autumn and winter during the hours approximately 9.30am to 10.30am, when the sun is low and to the south east. This is a negligible impact. The photograph submitted by the occupier of No.14A does not indicate the time of day that it was taken, nor does it track the movement of the shadow.
15. The applicants have submitted photographs taken at 9.30am and 1.30pm on 23rd April and 8am, 9am, 10am, 11am, 12 noon and 1pm on 15th May. These show that the shadow of the existing roof does not encroach at all on the adjacent garden at these times. The applicants conclude that the proposed extension will not cast a shadow on the adjacent garden on the equinox, 21st March. They believe that there is no ground to refuse the application on the basis of being overbearing or overshadowing.
16. The applicants have raised procedural concerns about the comments of the Parish Council. These have been brought to the attention of the Clerk to the Parish Council. These concerns do not affect the planning merits of the proposal.
17. As a result of representations received, the agent has indicated that he will supply further evidence of the effects of overshadowing of the adjacent dwelling and its rear garden area to be considered at Committee.

Planning Comments - Key Issues

Amenity of adjoining dwelling

18. In viewing the site, Members will be able to assess the likely overbearing impact of the extension on the use of the neighbouring garden at No 14A. The proposal has been designed to limit the extension of the existing roofline to 1.5m, the remainder of the additional volume to be accommodated under the extended hip, so reaching a 2.7m depth at a height of 5.0m. This is a modest increase in the bulk and mass of the existing profile of the building when viewed from the adjacent garden, which in my view is insufficient to justify a refusal of planning permission under Policy HG12.

19. Members will also be able to consider the likelihood of serious overshadowing of the neighbouring garden area having visited the site. The photographs submitted by the adjoining owner indicate overshadowing in October during the morning and early afternoon. There is no evidence of overshadowing during the summer months, nor as early as April, based on the photographs supplied by the applicants. The agent is expected to provide evidence of the path of the shadow at the equinox, 21st March. Moreover, the main part of the extension is at 5m height, which is considerably lower than the ridge, and still less than that refused in S/2050/04/F. Taking these factors into account, I am not persuaded that any serious overshadowing or loss of daylight will result from the proposed development.

Recommendation

20. Approval, subject to the following conditions:
1. Standard Condition A - Time limited permission (Reason A)
 2. SC19 (Matching materials) (RC19)
 3. SC22 (No further windows at first floor level in the northern elevation) (RC22)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development)
 - **South Cambridgeshire Local Plan 2004: HG12** (Extensions and Alterations to Dwellings within Frameworks)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity by reason of overshadowing and overbearing effect

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/1426/05/F; S/0337/05/F; S/2050/04/F
- Office of the Deputy Prime Minister Planning Fact sheet 3 (Overshadowing)
- Building Research Establishment: Site Layout - Planning for Daylight and Sunlight by P J Littlefair (1991)

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

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/2529/04/LB and S/2530/04/F - Comberton
Alterations to Existing Walls, Erection of New Walls and Installation of Gates with Piers at Church Farmhouse, The Causeway, Comberton for Dr R and Mrs C Dickinson

Recommendation: Approval of Listed Building Consent and Planning Permission
Date For Determination: 8th February 2005

Site Visit 5th September 2005

Site and Proposal

1. Church Farmhouse is a Grade II Listed building dating from the early 18th century. It is within the conservation area which focuses on the Parish church. The house is outside of the village framework and is located within the Green Belt.
2. The farmhouse is a substantial property built in a grand classically influenced style for a gentleman farmer. The building has a symmetry to the main façade fronting onto the Causeway centred on the main front door which has an ornate hood canopy feature.
3. The Causeway is a public right of way leading to the church – the main vehicular traffic follows Royston Lane to the west of the property. The applicants own land on both sides of the Causeway and have applied to enclose their land fronting onto this on the western side.
4. The owners have a long-term garden plan for the site. To the Causeway frontage an axis focused on the front door has been started to be implemented. A pathway and planting have been set out. Planning permission was granted for the erection of a store /stable on this axis in 2000. As this consent which included a change of use of the land to garden land has been part implemented this is still a valid consent. The approved structure has a central square tower element measuring 11.6 metres in height which has the form of a traditional dovecote. This element needs to be considered in the context of any means of enclosure.
5. The current applications have been revised since their original submission following extensive discussions with the Georgian Group, the Garden History Society and the owner's own research.
6. The proposals now presented for consideration are to erect a brick wall along the eastern boundary to the Causeway.
7. The garden is currently enclosed by a wall on the southern side. It is proposed to insert a new pedestrian gate in this wall at a point where it has been repaired in the past. The gate would be a solid timber one. The wall is also to be raised by 65cm using soft red bricks for a length of 2.24 metres where it abuts the Farmhouse.

8. The proposed eastern wall to the Causeway will be between 11 and 17 courses (approximately 1.2 metres) high with brick piers at either end and two piers located either side of the central footpath to the front door. The height of the wall would rise in a curved detail adjacent to the gate piers to 2.0 metres. The wall would be constructed in a Flemish bond in a soft red brick with a coping to match that of the existing section of wall. Between these it is proposed to hang a wrought iron gate with a York stone threshold. The gate is a reclaimed one of an ornamental design.
9. To the south western corner a new pair of solid timber gates have already been hung across an access leading to the barns formerly associated with the farm – some of which have been converted into separate residential use. The pattern used for this follows photographic evidence of gates which previously existed in the farmyard. The gates have a painted grey finish. By way of justification the applicant has said that they are seeking solid gates to protect the privacy of the residential occupants of the barn unit. Evidence from a previous occupier of Church Farm (John Baker) confirms that there were a similar pair of boarded gates with a small hand gate in this location and a similar pair of gates between the barns during the 100 years or so his family owned the site. He also confirmed that there was formerly a red brick wall fronting the Causeway which collapsed in the 1930's and was replaced by an open trellis fence.
10. By way of comparison the applicant has submitted photos of a house in Hilton which is of a similar period to the farmhouse and in a rural location. This property is enclosed by an old red brick wall and has a pair of wrought iron gates dated 1945 but of a similar form between two gate piers with a rising section of wall adjacent to the piers. Visually the gates and wall form a very similar format to that proposed by this application.

Relevant Planning History

11. **S/0386/00/F** – Planning permission was granted in August 2000 for change of use of land to garden land and erection of store/stable and ancillary works.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003:

Policy P7/6 Historic Built Environment will be protected and enhanced to ensure the quality and distinctiveness and quality of the historic built environment is secured
Policy P9/2a Green Belt – limits development in the Green Belt the purpose of which is to preserve the character of the area.

South Cambridgeshire Local Plan 2004:

Policy GB1 and 2: seek to protect the setting and special character of the Green Belt.
Policy EN28 Development within the Curtilage or setting of a Listed Building seeks to ensure any development is appropriate in its setting, scale and visual relationship.
Policy EN30 Development within a Conservation Area - - expects any new development to protect or enhance the character of the Conservation Area.
Policy EN31 Expects a high standard of materials and landscaping within a Conservation Area.

Consultations

12. **Comberton Parish Council:** Consider the eastern wall and gateway to be too imposing forbidding and too high given it will front onto the ancient Causeway and is within a rural location.

13. They strongly object to the solid gate to the former access to the farmyard which is considered to be out of keeping with the farmhouse location. They consider that a five bar gate is more appropriate. They consider that the issue of privacy to the adjacent barn conversion can be addressed by measures such as shutters to this dwelling unit.
14. **Cambridgeshire County Council:** A public footpath runs along the eastern side of the site known as the Causeway. There are no objections raised in principle to the works. They have requested that in the event of consent being granted that an informative is placed on the consent to ensure the works do not adversely affect this public right of way.
15. **The Georgian Group:** They agree that the most likely location for the original 'polite' or formal entrance to the property would have been from the Causeway which focuses on the front elevation of the house and that this entrance would or should have a more elaborate or architecturally distinctive treatment than afforded elsewhere. They acknowledge it is a difficult task to design a new entrance which is appropriate to the simple restrained simplicity of the farmhouse and yet is discernibly grander than that already created to the rear.
16. They welcome the efforts made by the applicants to simplify their design and the deletion of the previously proposed railings which would have sat on a lower plinth wall.
17. They remain of the opinion that a relatively simple painted wooden gate would be historically more appropriate than the iron gate.
18. The Georgian Group therefore conclude that if Members are minded to approve the application, the metal gate should be painted in an appropriate historic paint colour – not black or gold but a mid grey, cobalt blue or Prussian blue which were the commonly used colours of the 18th Century.
19. **The Garden History Society:** concur with the Georgian Group in that the introduction of decorative iron gates and railings in the context of an eighteenth century farmhouse would be inappropriate. They also support the deletion of the railings and suggest the use of timber rather than iron gates.
20. **The Conservation Manager:** This application has been registered for nine months now and there is difficulty in achieving a solution which satisfies all parties. The key issue must be whether the proposed eastern wall and gate would detract from the character and appearance of the Listed farmhouse or its setting.
21. The historical evidence of footings and oral accounts suggests that there was previously an old red brick wall enclosing the house frontage facing The Causeway. The use of such a means of enclosure is not objected to by The Georgian Group or The Garden History Society as being historically inappropriate. The proposed new eastern wall would tie into the existing wall running along the southern side boundary. The applicant has considered in great detail the height of the wall to ensure it accords with the sill height of the ground floor windows so that the views from the house are not thus impaired. Similarly the property would still be viewed over the wall from the Causeway and in particular through the central metal gate.
22. The design of the gates is the issue which causes most concern. The gates to the yard, which are in situ cause concern to the Parish Council as they are solid boarded. However there is evidence that this form of gates was used in the farmyard in the twentieth century. Photographic evidence from the post-war period shows a metal bar gate in place.

In considering the form of enclosure the changing use of the site has to be considered – the site is no longer a working farm and the barns and brew house have been converted to residential use. The form of the gates is considered to be appropriate for the farmyard and is not considered to adversely affect the setting of the Listed Building.

23. With regard to the use of the proposed salvaged iron gate, there is no evidence of what existed on the site in the 18th century. The gate is not contemporary with the earliest date of the house but as the Hilton property referred to above, shows a gate of a later period can successfully work in such a context. This elevation to the farmhouse exhibits the restrained grandeur of a Georgian property purposefully designed to impose itself upon its rural location. The applicant has undertaken extensive research to show there is a huge variety of gates and means of enclosure of properties of this date, as one might expect in an age before mass production. Without clear evidence of what originally existed any form of gate is a modern introduction. The applicants clearly feel very strongly that this is the correct solution for the overall plan for the context of the house.
24. On balance it is considered that the style and form of the gate and its supporting piers will not harm the setting and appearance of the building. It will also serve to emphasise the axial relationship of the front door to the new dovecote building proposed on the opposite side of the Causeway and referred to above. It is considered important that the appearance of the gate is historically appropriate as possible by painting in an appropriate historic colour as suggested by the Georgian Group. It would thus blend with the paintwork to the house and the other new gate to the yard.
25. The form of eastern enclosure will serve to emphasise this as the principle frontage of the building and retain the hierarchy of gates and walling around the former farmhouse and yard.
26. Consequently it is considered historically appropriate to both enclose and focus viewpoints on the main elevation to a house of this stature. The design and form of the enclosure has been subject to considerable expert analysis and is not considered to detract from either the character or appearance of the Listed Building or its setting. The proposal is therefore recommended for approval

Planning Consideration

27. The material planning considerations are the impact of the works on the setting and appearance of the Listed Building and the countryside location in which it is set. As set out above the proposals are not considered to harm either of these important issues and the proposal is therefore supported.

Recommendation

28. To grant planning permission and Listed Building Consent, as amended by plans dated 18th July 2005, subject to conditions

Conditions

1. Standard five year
2. The iron gates to be installed between the two gate pillars to the new boundary wall to the Causeway frontage shall be finished to a traditional 18th century paint colour the details of which shall be submitted to and agreed in writing with the LPA. The gate shall be finished in the agreed colour before it is hung in place.
Reason: To secure an acceptable form of development.
3. A sample panel of brickwork shall be constructed on site to enable the Local Planning Authority to agree the type of brick, the bond, the joint detail, the coping detail and the mortar mix.
Reason: To ensure detailing and materials appropriate to this Listed Building.

Reasons for approval

1. The development is in accordance with the development plan and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003:
P7/6 (Historic Built Environment)
Policy P9/2a (Green Belt)
 - South Cambridgeshire Local Plan 2004:
GB1 and 2 (Green Belt)
EN28 (Development within the curtilage of a Listed Building)
EN30 and EN31 (Development with a Conservation Area)
2. The implemented and proposed works are not considered to materially harm the historic setting, appearance of this Listed Building or its associated curtilage buildings. They are not considered to harm the quality of space around the grouping of structures or the relationship of these to the open Countryside. The works are considered to complement the design and layout of the grounds to main building.
3. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation of the proposals:
 - Impact on the countryside setting of the property
 - Impact on the setting of the Listed Buildings and curtilage buildings in this locality
 - Impact on the character and appearance of the Conservation Area
 - Impact on the setting of the Causeway

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
- History file (S/0386/00/F) and current application files

Contact Officer: Charmain Hawkins- Historic Buildings Officer and
Allison Tindale – Area Planning Officer
Telephone: (01954) 713178 and (01954) 713159

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/1339/05/O - Cottenham
Erection of Bungalow and Garages at Land Rear of 58 Lambs Lane
for Mr M Gadsby and Ms S Dence

Recommendation: Refusal
Date for Determination: 2nd September 2005

Site and Proposal

1. This site, measuring 0.052 hectares, forms land to the side and rear of 58 Lambs Lane. The existing dwelling, to the front of the site, is a detached Edwardian house. It has a vehicular crossover to the east of the frontage that leads to a vehicular access to the side of the house, adjacent to the eastern boundary with no.56 Lambs Lane. A hedge and wall to the western boundary with the school and a mature hedge to the access and rear boundary with the site enclose the private rear garden to the existing dwelling. The boundary with no. 56 Lambs Lane is marked by a wire fence, with some screening provided by shrubs in its rear garden. To the rear of the site, a close-boarded timber fence marks the boundary with a new development of houses at Victory Way to the north. The site is relatively flat and other than a derelict garage adjacent to the school, is featureless. There is a mature tree to the frontage of no. 56, adjacent to the access serving no. 58.
2. This outline planning application received on 7th July 2005 seeks approval for the siting of a detached bungalow on the land to the rear of no. 58. It is proposed that this be formed into a u-shape around a courtyard that will face southwest (towards the school). It will be served by a double garage adjacent the rear garden of the existing house, which will provide car parking for both the existing and proposed dwellings. The site will be accessed via the existing drive to the side of no. 58 which is 4.6m wide.

Planning History

3. There is no planning history for this site.

Planning Policy

4. **Policy SE2 'Rural Growth Settlements'** of the South Cambridgeshire Local Plan 2004 ("Local Plan") defines Cottenham as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.
5. **Policy HG10 'Housing Mix and Design'** of the Local Plan requires developments to include a mix of housing types and sizes, with the design and layout being informed by the wider area. A high quality of design and distinctiveness and energy efficiency should also be achieved.

6. **Policy HG11 'Backland Development'** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - Result in overbearing, overlooking or overshadowing of existing residential properties;
 - Result in noise and disturbance to existing residential properties through the use of its access;
 - Result in highway dangers through the use of its access; or
 - Be out of character with the pattern of development in the vicinity.
7. **Policy TP1 'Planning for More Sustainable Travel'** of the Local Plan seeks to promote sustainable travel and as such planning permission will only be granted where small-scale increases in travel demands will result, unless satisfactory measures to increase accessibility are included. Standards for maximum car parking levels and requirements for cycle storage are found in Appendices 7/1 and 7/2.
8. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan, 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultations

9. **Cottenham Parish Council** has recommended the application be approved.
10. The **Chief Environmental Health Officer** recommends conditions limiting the times during which power tools can be used during construction and pile driven foundations.
11. **Old West Internal Drainage Board** has no comment from a drainage point of view.
12. The comments of the **Trees and Landscape Officer** are awaited and will be reported verbally to the Committee.

Representations

13. The occupier of 21 Victory Way comments that the proposal will result in a loss of visible skyline and greenery and that a suitable distance must be maintained from the boundary hedge in order to ensure that its roots are not damaged during construction and that it is therefore retained.
14. The Cottenham Village Design Group supports the development of appropriate infill plots and agrees that this site can accommodate a single dwelling of the type proposed. Should outline permission be granted, it would encourage an individual development using good quality materials.

Planning Comments – Key Issues

15. The key planning issues in considering this application are the likely impacts of this backland development on neighbouring amenity and highway safety.

Noise and disturbance to existing residential properties through the use of its access

16. The proposed access to the dwelling will pass by the side of both the existing house at no. 58 and the neighbouring dwelling at no. 56. While both of these dwellings do not have side windows or doors serving habitable rooms, the drive will pass directly

adjacent to the front and rear windows of no. 58, which serve habitable rooms and rear windows and the private rear garden of no. 56. The intensification of the use of the driveway in close proximity to these areas will result in harm to the amenities of both the existing and neighbouring dwellings.

Highway dangers through the use of its access

17. The access will become a shared private drive serving both the existing and proposed dwelling. Vehicular visibility splays of 2.4 metres by 90.0 metres and pedestrian visibility splays of 1.4 metres from and 2.0 metres along the highway boundary are required and cannot be achieved from this access point due to the adjacent to tree and frontage shrubs at no. 56, outside of the applicant's control.
18. A shared private drive should be a minimum of 5.0 metres wide over a length of 15.0 metres back from the road. Two cars would be unable to pass each other on the drive with the width currently available. The access would have to be widened to include part of the front garden to no. 58, removal of the flower border to the side of the house, which currently provides a limited buffer from the drive to the side of the house, and removal of the existing mature hedge that screens the drive from the private rear garden area of the existing dwelling. It is not possible to widen the access towards no. 56 due the boundary and proximity of the neighbouring frontage tree.
19. The application fails to address the issues relating to the access arrangements. The proximity to the school and heavy use Lambs Lane, particularly at school times, means that these matters are of particular importance.

Recommendation

20. It is recommended that the application be refused on the following grounds:
 1. Lambs Lane is a busy through route, particularly at school drop off and pick up times, as the site lies adjacent to Cottenham County Primary School. In this location it is considered to be essential that vehicular visibility splays of 2.4 metres by 90.0 metres and pedestrian visibility of 1.4 metres by 2.0 metres be provided. The proposed access does not provide the necessary vehicular and pedestrian visibility splays and as such will be detrimental to highway and pedestrian safety.
 2. The proposed dwelling will be served by a shared private drive. The width of the driveway will not allow two vehicles to pass each other and as such falls below basic highway requirements for a shared private drive. In this location the likely result would vehicles have to reverse onto the road to the detriment of highway and pedestrian safety or into the site, to the detriment of neighbouring amenities.
 3. The use of the proposed drive by both the existing and proposed dwelling will result in an intensification of the movements made on the driveway. It will significantly increase the number of vehicular movements adjacent to the private habitable rooms and rear garden of no. 56. In addition, it will result in movements by the occupiers of the proposed bungalow in very close proximity to windows serving habitable rooms of the existing dwelling. These movements will result in a reduction in amenity to the existing and neighbouring dwelling and as such the proposal is contrary to policy HG11 of the South Cambridgeshire Local Plan, adopted 2004.

4. + any objection from the Trees and Landscape Officer.

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/1339/05/O

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

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

TOWN AND COUNTRY PLANNING ACT 1990

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

1. Decisions Notified By The Secretary of State

Ref. No.	Details	Decision and Date
S/2079/04/F	Mr & Mrs Clark 18 Granhams Road Great Shelford Extension (Delegated Refusal)	Dismissed 15/07/2005
S/2177/04/F	Mr & Mrs R Walker Adj 1 Bartons Close Balsham Dwelling (Officer Recommendation to Approve)	Allowed 21/07/2005
E485	Mr & Mrs Cuff Cow Fen Drove Swavesey Enforcement of removal of temporary stable block	Dismissed 22/07/2005
E485A	Mr & Mrs Cuff Cow Fen Drove Swavesey Enforcement against change of use to residential caravans and dog breeding	Dismissed 22/07/2005
S/1385/04/F	Mr & Mrs Russell Land R/O 22 Town Street Newton Detached Bungalow & Garage (Officer Recommendation to Approve)	Dismissed 22/07/2005
E493	Miss Lovitt & Mr Scrafton 6 Honey Hill Gamlingay Enforcement for removal of 5-bar gate and gate posts	Allowed 22/07/2005
S/2230/04/O	Mr & Mrs C Elsom R/o 17 Cambridge Road Linton Bungalow (Delegated Refusal)	Dismissed 22/07/2005

S/0019/05/F	Mr J and Mrs R Davey 125 The Causeway Bassingbourn Extension (Officer Recommendation to Refuse)	Allowed 22/07/2005
S/1861/04/F	Mr G Skinner 2 Church End Coton Replacement dwelling following demolition of existing dwelling and erection of additional dwelling (Delegated Refusal)	Allowed 26/07/2005
S/1951/04/LB	Mr R Poulter Golden Gables, Sanders Lane Fulbourn Total demolition of listed, thatched barn (Officer Recommendation to Approve)	Allowed 01/08/2005
E502	Mr H Price Adj Moor Drove, Cottenham Road Histon Operational Development	Dismissed 02/08/2005
E502A	Mr H Price Adj Moor Drove, Cottenham Road Histon Enforcement against material change of use to storage and residential use of caravans.	Dismissed 02/08/2005
E502C	Mr H. Price Land at Moor Drove, Cottenham Road Histon Enforcement against installation of foul sewers & mains water & electricity	Dismissed 02/08/2005
S/0446/05/A	Marshall Mitsubishi 699 Newmarket Road, Cambridge Fen Ditton Signs	Allowed 18/08/2005

2. Summaries of recent decisions of interest

Mr H Price – Use of land as gypsy caravan site – Moor Drove, Histon – Appeals against enforcement notices dismissed

1. The land is currently in use as a gypsy caravan site and lies within the Green Belt. It is divided into six plots, five of which are occupied by the Price family and the other by Robert Smith. Planning permission was refused and three separate enforcement notices were issued relating to the use of the site and associated operational development. The appeals were in respect of the three notices and were heard by way of a public inquiry. The decision was made by the ODPM based on the recommendations of his inspector.

2. The main issues were whether the occupants have gypsy status; the effect of the development on the character and appearance of the area, including the openness of the Green Belt; the safety and free flow of traffic along Cottenham Road; flooding; the affect on the occupants of Beck Farm; and whether there were any very special circumstances that clearly outweigh the harm caused by the inappropriateness of the use and any other identified harm. The County Council provided technical evidence on highway matters for the District Council. The Parish Council attended the inquiry and was legally represented. Three of the site's occupants gave evidence in person, as did the occupant of Beck Farm.

Gypsy Status

3. Having heard the evidence given by the occupants, the Council accepted that they were gypsies for the purposes of planning policy.

Character and appearance and openness of the Green Belt

4. It was agreed that the development is inappropriate in the Green Belt. The inspector concluded that the development of the site has meant it has lost much of its open rural character. While Moor Drove is not a public right of way, walkers and horse riders have regularly used it. As this is in effect trespass, little weight can be attached to what they might have seen. Nonetheless legitimate users such as adjoining landowners would have seen the development of the appeal site. There are also distant glimpses of the site from Cottenham Road at times of year when intervening vegetation is not in leaf and the inspector observed lights on the site during the hours of darkness. In any event, the urban character of the development harms the character and appearance of its rural setting.
5. The site lies between Histon and Cottenham and although it is in a backland location, it still has an adverse effect on the gap between the two villages. In that sense it undermines the objective of Green Belt policy to prevent the coalescence of settlements. It is therefore contrary to Green Belt and countryside protection policies

Free flow and safety of traffic

6. The inspector visited the site on several occasions. He formed the impression that vehicle speeds are relatively high in relation to speed limits and that bunching of vehicles approaching and leaving the nearby 40 mph speed limit area was not uncommon. The Moor Drove junction is not a prominent feature, especially at night or in other poor lighting conditions. Turning movements need to be undertaken relatively slowly due to the width, alignment and surfacing of the road. Visibility in either direction is restricted and cannot be readily improved. There have been both reported and unreported accidents in the general vicinity of Moor Drove.
7. In the light of these conditions, the inspector agreed with the Council's highways witness that the required site lines at the junction should be at the higher standard than was suggested by the appellant. The available distance to both the north and south falls well short of that standard. The increased vehicular movements associated with the use do interfere with the safety and free flow of traffic using Cottenham Road. Any development that generates increased vehicular use of Moor Drove should be firmly resisted.

Flooding

8. The matter was raised by the Parish Council during the inquiry based on changes to the flood plain maps prepared by the Environment Agency. A flood risk assessment was eventually prepared on behalf of the appellants and subject to conditions was considered acceptable by both the District and Parish Councils. Flooding was therefore not a factor that should weigh against the development.

Effect on residential amenity

9. The issue was limited to the impact on the occupants of Beck Farm, which adjoins Moor Drove. It has several living room windows that face Moor Drove and the boundary hedge was found to be an ineffective visual screen. The additional traffic would disturb the occupants of the house. There has therefore been a “significant” loss of amenity.

Very special circumstances

10. The factors put forward by the appellant and the inspector’s conclusions are as follows:
- Lack of any special landscape designation – the open rural character of the area would still be harmed.
 - There is a substantial need for gypsy accommodation in South Cambridgeshire. No alternative site is available. Eviction would lead to roadside camping – These were considered serious failings that weigh heavily in favour of the appellant.
 - The site is the least harmful site available for gypsy occupation – not accepted, as no comprehensive exercise to identify suitable sites has yet been carried out by the Council. There is also harm in terms of highway safety and impact on residential amenity.
 - Education of children – This will be disrupted and weighs in favour of the appellant.
 - Health needs – Weighs in favour of the appellant although the necessary access to GP services could be found elsewhere.
 - Cumulative effect of the above considerations – While there are factors that weigh in favour of the appellant, the development causes substantial harm, which is seen as an overriding objection. On balance, the appellant’s circumstances are not so very special that they clearly outweigh the harm caused.

Human Rights

11. Interference with the appellant’s human rights is justified as a proportionate response to the protection of the Green Belt, the safety and free flow of traffic and the residential amenities of the occupants of Beck Farm. In respect of this latter point, the inspector considered it material to note that the human rights of the occupants of Beck Farm have been adversely affected.

Period for compliance

12. The Council had proposed three months. The appellant requested three years (to allow a quantitative assessment to be carried out and suitable sites identified). The inspector considered three years excessive given the harm caused by the development. He was tempted to extend the period to one year (as he has tended to do in other appeals elsewhere), but this was inappropriate in this case particularly in view of the traffic considerations. The period for compliance should remain at three months.
13. The inspector therefore recommended that all three appeals be dismissed.

ODPM decision

14. The ODPM accepted the recommendations of his inspector. None of the circumstances affecting Mr Price and other occupants of the site amount, singly or collectively, to very special circumstances sufficient to outweigh the harm to the Green Belt and the other identified harm.

Application for costs

15. The local highway authority had objected to the planning application on the grounds of inadequate visibility. The District Council first asked the County Council to provide the necessary technical evidence to support the reason for refusal in April 2004. Despite repeated requests in May, June and July 2004, no response was forthcoming until shortly before the start of the inquiry in August. A proof of evidence was finally prepared but was not seen by the appellant's representatives until shortly before the start of the inquiry.
16. On the first day of the inquiry, the appellant requested an adjournment because he had not had sufficient time to consider the Council's highways evidence. The Council's advocate accepted this was reasonable and the inspector duly agreed. The late submission of evidence was judged to amount to unreasonable behaviour by the Council and a partial award of costs based on unnecessary and wasted expense in relation to the first day was granted. The details of these costs have not yet been received.
17. The Head of Legal Services wrote to the County Council's solicitor on 31st August 2004. The letter invited the County Council to accept that it was responsible for the delay and that it would meet any costs imposed on the District Council. Following a further exchange of correspondence, **it is understood that the County Council has accepted this.**

Comment: The outcome of this appeal is another example of good close working relationships between the Council and the Parish Council. The occupants of the site have until 1st November 2005 to cease using the site and to remove caravans and other associated operational development.

Mr R Scrafton & Miss H Lovitt – Erection of gate within curtilage of listed building – 6 Honey Hill, Gamlingay – Appeal against enforcement notice allowed

1. The appellant's property resulted from the conversion of outbuildings to the rear of a grade II listed property. The unauthorised development comprised two 5-bar gates set between timber posts which were erected to enclose a small courtyard visible from Honey Hill. Enforcement action was authorised because of the perceived harm to both the setting of the listed buildings and the character and appearance of the conservation area.

2. The inspector found that the gate is of traditional design and is well-constructed from good-quality materials. It has a pleasant rural character that blends in successfully with the appearance of surrounding dwellings. The open area in which the gates and posts are located is used for vehicular access, parking and turning and is a common area to which the respective buildings have traditionally related. The development does not harm the open quality of the area to any significant extent. Nor does it unduly detract from the setting of the listed buildings.

*Comment: The former openness of the courtyard has been much reduced since enforcement action was first taken. A number of planting boxes have been sited along property boundaries such that the sense of space in the courtyard as a whole has been lost. As a result, the impact of the fence is arguably now much less than was **originally the case***

Mr & Mrs Davey – Single storey extension and garage – 125 The Causeway, Bassingbourn – Appeal allowed

1. The main issue in this appeal was the impact on the outlook from the adjoining residential property. The Council's objection related only to the extension.
2. No. 123 is the other half of this pair of semi-detached properties and has a pair of patio doors and a small ground floor window in its rear elevation. The inspector approached the question of outlook on the basis of any harm that would be caused by an overbearing development, rather than loss of view. Even though the extension would be 6m deep and visible over the dividing fence, he did not consider its mass would create a dominating or claustrophobic effect on the outlook from no. 123. In arriving at this conclusion, he also noted that the neighbour had not objected and that an extension of similar depth had been erected at a nearby property. Planning permission was granted subject to a condition regarding details of materials.

Mr & Mrs R Walker – Single residential unit - Land adjacent to 1 Bartons Close, Balsham – Appeal allowed

1. This application was refused because of its impact on the character and appearance of the area and the amenities of the neighbour at 12 West Wickham Road. The proposed house is part two storey and part single storey set some 5 metres from the northern boundary with no 12. The space between the two properties would be used as a garden and for car parking.
2. The inspector found the design and siting of the dwelling acceptable and would not harm the neighbour's amenities. The gap between the property and its neighbours would not result in unacceptable overlooking, overshadowing or the house appearing overbearing.
3. The appeal was allowed subject to conditions regarding sample materials, landscaping, boundary treatment, visibility splays and restrictions on pd rights.

G Skinner – Replacement dwelling and new dwelling – 2 Church End, Coton – Appeal allowed

1. The main issues in this appeal were the affect on the appearance of the surrounding area including the Coton Conservation Area and the living conditions for the occupants of 1 and 3 Church End.

2. The inspector noted that the appeal site is the central of three good-sized plots set on a private access drive behind properties fronting Whitwell Way. The area is of mixed character and although Policy HG11 is particularly concerned with the effect of backland development on villages having a strong linear character, this part of Coton does not exhibit this characteristic. This aspect of Policy HG11 should not therefore be applied to the appeal proposal. The existing flat-roofed single storey property is in a dilapidated condition and of unremarkable design. Its retention is not essential to the character of the village.
3. The proposed tandem development would be of “an interesting contemporary design” that would fit well into the area. The Council’s view that the existing pattern of development would be harmed was not accepted. The rear boundary of the site is well planted and views from the nearby footpath would not be adversely affected, even in winter. The development would not affect the setting of, or views into or out of the conservation area.
4. Dense vegetation on the common boundary with no. 3 would assist in screening its residents from noise and disturbance from the use of the access. Additional screening could be provided to the driveway of the rear plot and along the boundary to no 3. The distance between properties and the innovative design of the new property would prevent any overbearing effect on adjacent gardens and homes.
5. The appeal was therefore allowed subject to details of materials, landscaping, boundary treatment, restriction of further windows in first floor elevations and obscure glazing where appropriate.

3. Appeals received

Ref. No.	Details	Date
S/0204/05/F	Mr & Mrs W Rankine 1Woollards Lane Great Shelford Dwelling (Amended Design) (Officer Recommendation to Approve)	18/07/2005
S/0475/05/O	Mr D J Harradine Clive Hall Drive/Mills Lane Longstanton 3 Bungalows (Officer Recommendation to Refuse)	22/07/2005
S/0917/05/O	Mr & Mrs G Cole 66 Cambridge Road Great Shelford 4 dwellings following demolition of existing dwelling (Delegated Refusal)	27/07/2005
S/2505/04/F	Mr & Mrs A Brown Schole Road Willingham siting of 2 gypsy caravans (retrospective) utility block and mobile medical unit for disabled person (Non-Determination)	27/07/2005

S/1203/04/F	Mr & Mrs J Culbert Keepers Cottage, Haverhill Road Stapleford Erection of dwelling and garage following demolition of existing dwelling (Officer Recommendation to Approve)	28/07/2005
E 506A	Michael O'Brien Plot 5 Orchard Drive, Smithy Fen Cottenham Enforcement of removal of caravans, sheds other ancillary structures and hard standings	28/07/2005
E506B	Margaret O'Brien Plot 5A Orchard Drive, Smithy Fen Cottenham Enforcement of removal of caravans, sheds other ancillary structures and hard standings	28/07/2005
E506C	Nora O'Brien Plot 6 Orchard Drive, Smithy Fen Cottenham Enforcement of removal of caravans, sheds other ancillary structures and hard standings	28/07/2005
E506D	Nora Slattery Plot 10 Orchard Drive, Smithy Fen Cottenham Enforcement of removal of caravans, sheds other ancillary structures and hard standings	29/07/2005
S/0328/05/F	J G Christy 27 Mill Lane Arrington Removal of condition 1 of permission S/0288/89/F to allow use of annexe as separate dwelling (Delegated Refusal)	29/07/2005
E506E	Michael Hegarty Plot 11 Orchard View, Smithy Fen Cottenham Enforcement of removal of caravans, sheds other ancillary structures and hard standings	01/08/2005
S/0306/05/F	Mr & Mrs Golder 9 Skiver Close Sawston Extension (Officer Recommendation to Approve)	04/08/2005

S/1100/04/F	Mr & Mrs Hogg 1 Bourn Road Caxton House and garage (Officer Recommendation to Approve)	04/08/2005
S/0022/05/F	Woolrugs Ltd Junct The Moor/Moat Lane Melbourn Erection of 2 dwellings and retrospective parking and access layout to existing 1 bedroom dwellings (Delegated Refusal)	10/08/2005
S/0662/05/A	Countryside Properties PLC Garden Centre & Chinese Restaurant A428 Papworth Everard 2 non illuminated signboards (Delegated Refusal)	15/08/2005
S/0750/05/F	Mr & Mrs R Maynard Adj Gurner House, 20 Church Street Ickleton Dwelling & Garage (Delegated Refusal)	16/08/2005
S/0777/05/A	Tesco Stores Ltd 15-18 Viking Way Bar Hill Signs (Delegated Refusal)	19/08/2005

4. Local Inquiry and Informal Hearing dates scheduled before the next meeting on 5th October 2005

Ref. No.	Details	Date/Time/Venue
S/2240/04/O	Mr G Jennings Harlton Road Haslingfield Agricultural Bungalow (Informal Hearing)	20/09/2005 Monkfield room 10.00am
S/1692/04/F	Mr R Dias 44 Station Road Histon Use of premises for hot food takeaway between 11am & 2.30pm (Informal Hearing)	21/09/2005 Monkfield room 10.00a.
S/0629/04/F	Mr and Mrs Noyes 22 North Brook End Steeple Morden Extension (Informal Hearing)	04/10/2005 Monkfield room 10.00am

5. Appeals withdrawn or postponed - None

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

Ref. No.	Details	Date
S/1109/04/F	Beaugrove Ltd. Crail, High Street Croydon Erection of two houses following demolition of existing house (Hearing)	11/10/2005 Confirmed
E499	Mr F Cooke Hilltrees, Babraham Road Stapleford Removal of motor vehicles etc (Inquiry)	18/10/2005 Offered/
S/1470/04/F	Mr W Willett Adj Appletree Close, Histon Road Cottenham Use of land as extension to mobile home park (no increase in numbers) incorporating landscape belt (Hearing)	08/11/2005 Offered/
S/0592/04/F	R W S Arnold Bennell Farm, West Street (Comberton) Toft Erection of B1 offices (Hearing)	09/11/2005 Confirmed
S/2062/04/F	R W S Arnold Bennell Farm, West Street (Comberton) Toft Erection of B1 offices (Hearing)	09/11/2005 confirmed
E502	Mr M Walker 2 Denny End Road Waterbeach Construction of a garage without planning permission (Hearing)	22/11/2005 Offered/
S/6258/04/RM	MCA Developments Land South of Great Cambourne Cambourne Alterations in land form (dispersion of soil from building works.)	19/04/2006 Offered/

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL PLANNING APPEAL STATISTICS

FROM 1ST APRIL TO 30TH JUNE 2005

Total Number of Appeals Received	27
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Appeals Against Planning Decisions and Non-Determination	Written Representations	17
	Informal Hearings	7
	Local Inquiries	0
Appeals Against Enforcement Notices	Written Representations	0
	Informal Hearings	1
	Local Inquiries	2

Total Number of Decisions Received	41
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Appeals Against Planning Decisions and Non-Determination	Written Representations	34
	Informal Hearings	1
	Local Inquiries	2
Appeals Against Enforcement Notices	Written Representations	2
	Informal Hearings	2
	Local Inquiries	0

Number and % of Decisions Received Dismissed	68	%
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Appeals Against Planning Decisions and Non-Determination	Written Representations	71	%
	Informal Hearings	100	%
	Local Inquiries	50	%
Appeals Against Enforcement Notices	Written Representations	100	%
	Informal Hearings	0	%
	Local Inquiries	-	%

Number and % of Decisions Received Allowed	32	%
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Appeals Against Planning Decisions and Non-Determination	Written Representations	29	%
	Informal Hearings	0	%
	Local Inquiries	50	%
Appeals Against Enforcement Notices	Written Representations	0	%
	Informal Hearings	100	%
	Local Inquiries	-	%

Total Number of Appeals Withdrawn	2
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

7th September 2005

AUTHOR/S: Finance and Resources Director

Tree Preservation Order – Elsworth

Recommendation: To confirm without modification

Purpose

1. To review Tree Preservation Order no.07/05/SC, made under delegated powers at Ashwell House, Fardells Lane, Elsworth.

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. Section 198 of the Town and Country Planning Act 1990 enables local planning authorities, where it is expedient in the interests of amenity, to make provision for the preservation of trees or woodlands in their areas, to make Tree Preservation Orders with respect to such trees, groups of trees or woodland, as may be specified in the Order.
4. Any such Order may prohibit the unauthorised cutting down, topping, lopping, uprooting, wilful damage, or wilful obstruction of trees and may require replanting of any part of woodland area filled in the course of permitted forestry operations.
5. Once made, Tree Preservation Orders remain in force for a provisional period of six months, but can be confirmed at any time.

Considerations

6. Tree Preservation Order 07/05/SC was made on 1st April 2005.
7. The Council made the Order because the Field Maple tree would be affected by a planning application. The tree contributes visually to the quality and

character of the local environment and enhances the area, and is considered of such value as to warrant its retention.

8. The statutory period for the registering of objections to the Order ended on 11th May 2005. There were no objections received within this period.

Options

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

Financial Implications

10. There are no financial implications.

Legal Implications

11. Representations, in respect of an Order, must be made to the local planning authority, no later than the date specified in the Notice accompanying the Order. Before confirming the Order, the Authority must first consider any objection or representation. The Authority may confirm the Order with or without modification.
12. The validity of an Order may not be questioned, except by way of an application to the High Court.
13. Contravention of a Tree Preservation Order is an offence, under Section 210 of the Act, and it is an offence of absolute liability. On summary conviction, a person guilty of this offence shall be liable to a fine not exceeding £20,000, or on conviction of indictment, to a fine.

Staffing Implications

14. There are no staffing implications.

Risk Management Implications

15. There are no risk management implications.

Consultations

16. A copy of this report has been sent to the local Members, Councillor MP Howell and Councillor NIC Wright..

Conclusion

17. TPO number 07/05/SC remains provisionally in force until 30th September 2005. By confirming it now, the Council will ensure that the Tree Preservation Order remains in force beyond that date.

Recommendations

18. It is recommended that Tree Preservation Order 07/05/SC in Elsworth be confirmed without modification.

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

- Tree Preservation Order no. 07/05/SC In Elsworth and the relevant file maintained by the Trees and Landscape Section

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

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**First Schedule
07/05/SC**

N° on Map

Description

Situation

Individual Trees

(Circled in black on the map)

T1

Field Maple

Located on the Western
boundary of Ashwell
House, Fardells Lane,
Elsworth

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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