

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a meeting of the Development and Conservation Control Committee held on  
Wednesday, 5 October 2005 at 10.00 a.m.

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

Councillors:	Dr DR Bard	RE Barrett
	JD Batchelor	RF Bryant
	Mrs PS Corney	SM Edwards
	R Hall	Mrs SA Hatton
	Mrs JM Healey	Mrs CA Hunt
	SGM Kindersley	RB Martlew
	Mrs JA Muncey	Mrs CAED Murfitt
	CR Nightingale	R Page
	EJ Pateman	A Riley
	Mrs DP Roberts	NJ Scarr
	Mrs HM Smith	JH Stewart
	JF Williams	Dr JR Williamson
	SS Ziaian-Gillan	

Councillors SJ Agnew, NN Cathcart and Dr SA Harangozo were in attendance, by invitation.

Apologies for absence were received from Councillor Mrs J Dixon, Mrs A Elsby, Mrs DSK Spink MBE and RJ Turner.

### **1. MINUTES**

The Committee authorised the Chairman to sign, as correct records, the Minutes of the meetings held on 13 May 2005, 3 August 2005 and 7 September 2005.

### **2. MEMBERSHIP OF COMMITTEE**

Members noted that Councillors Mrs EM Heazell and D Morgan had both resigned from the Committee due to other commitments.

### **3. S/1528/05/F - SAWSTON**

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

### **4. S/1800/04/F AND S/2054/04/LB - SAWSTON**

Members discussed, and received legal clarification of, a range of procedural issues relating to the consideration of this application.

Councillor Mrs JM Healey (Conservation, Sustainability and Community Planning Portfolio Holder) expressed disquiet at the requirement for Members to leave the Chamber on this occasion. She argued that the Conservation Advisory Group had simply been consulted about this application, and possessed no decision-making powers.

Councillor Mrs SA Hatton expressed her sympathy for those Members who had been prevented, through alleged prior determination, from taking part in the debate despite being "sufficiently able and honourable to put aside their prior consideration of the

conservation aspects” of the application, and equally able to limit themselves to “the planning issues, all the planning issues, and nothing but the planning issues”. She deplored “yet another example” of the apparent determination of Parliament and the courts to keep the control of local government out of democratically-elected hands.

Councillor SM Edwards pointed out the the Development and Conservation Control Committee had already made a decision previously and that, in effect, all those Committee members who had voted at the April meeting and who were currently in the Chamber, should declare their predetermination. In fact, this was not in issue, and thus underlined what Councillor Edwards referred to as the “ridiculous” nature of the argument.

The following Members were present for the entirety of this debate namely Councillors Dr Bard, Barrett, Batchelor, Bryant, Mrs Corney, Edwards, Mrs Hatton, Mrs Hunt, Martlew, Mrs Muncey, Mrs Murfitt, Nightingale, Pateman, Riley, Mrs Roberts, Scarr, Mrs H Smith, Williams, Dr Williamson and Ziaian-Gillan. Councillor Kindersley was present at the beginning of the debate, but left the Chamber on other Council business prior to the vote. Councillor Page entered the Chamber during the course of the debate, but did not contribute to it, did not vote, and was not present at the Conservation Advisory Group meeting on 8<sup>th</sup> December 2004. Although Councillor Mrs Roberts was listed as having been present at the said Conservation Advisory Group meeting, she was there by invitation for an earlier item and had left the meeting by the time Members discussed Sawston Hall. Having sought clarification from the Head of Legal Services, Councillor Mrs CA Hunt declared that she had arrived late for the Conservation Advisory Group meeting on 8<sup>th</sup> December 2004, and had not been present when members there had discussed Sawston Hall. Councillor RF Bryant attended the Conservation Advisory Group meeting by invitation, and did not contribute to the debate. Councillor Dr DR Bard was a member of Sawston Parish Council, which had considered this application on 14<sup>th</sup> September 2004. He produced to the Head of Legal Services a copy of the Minutes of that meeting which stated that he, as well as the other local Members (Councillor Mrs Hatton and Councillor Ziaian-Gillan) had not contributed to the debate or voted.

Councillors R Hall (who attended the Conservation Advisory Group site visit to Sawston Hall on 7<sup>th</sup> December 2004 though not a member of the Group at that time), Mrs JM Healey, Dr JPR Orme and NIC Wright declared alleged predetermination, withdrew from the Chamber, took no part in the debate and did not vote. Councillor JH Stewart was not a member of the Conservation Advisory Group on 8<sup>th</sup> December 2004, but withdrew from the Chamber, took no part in the debate and did not vote.

At the nomination of Councillor SGM Kindersley, seconded by Councillor RE Barrett, the Committee

**RESOLVED** That Councillor Mrs CAED Murfitt be elected Chairman of the meeting for the remainder of this item.

Councillor Mrs CAED Murfitt took the Chair.

At the nomination of Councillor Dr J Williamson, and with general support, the Committee

**RESOLVED** That Councillor JD Batchelor be appointed Vice-Chairman of the meeting for the remainder of this item.

The Committee considered afresh the application relating to the restoration, refurbishment and Change of Use of Sawston Hall to Hotel; and of the Coach House to Hotel accommodation, and associated works.

The Council had received notice of an application for Judicial Review of the decision of the Development and Conservation Control Committee dated 6<sup>th</sup> April 2005. The grounds relied upon bias, unreasonable rejection of highways objections, and the lack of evidence of justification for the decision.

The Head of Legal Services had advised that the allegation of bias presented the Council with a real problem. Whilst he was not in post at the time of the original decision, he had been informed that those Members of the Conservation Advisory Group attending the 6<sup>th</sup> April Development and Conservation Control Committee had not declared their alleged pre-determination, took part in the discussion and voted thereon.

The report from the Director of Development Services summarised the legal issues and, in particular, the House of Lords' decision in the leading cases of *Porter v Magill* and *Weeks v Magill*, the leading cases in this respect.

Members had each received and considered the letter from Messrs. Hewitsons, Solicitors, dated 30<sup>th</sup> September 2005, sent on behalf of an objector.

It was considered that the application posed no serious threat to the fabric of Sawston Hall, or to its setting or character. Proposed demolition of certain elements was justified because the buildings in question were not deemed worthy of retention. One of the main issues raised in opposition to the application had been that of traffic safety. Whilst Members considered the scheme satisfactory with the existing 30mph speed limit along Church Lane, it was suggested that the Local Highways Authority be asked to extend the 20mph speed limit zone to beyond the access to Sawston Hall.

Members had seen for themselves some of the dilapidation on site. This in itself would seem to justify some kind of renovation. Any use of the site would be better than allowing it to deteriorate, so long as it served to enhance the listed building. Vehicular access was deemed suitable, and the potential employment opportunities at all levels were to be greatly welcomed. It was considered that the implications for existing local businesses were minimal, and that the proposal should be seen instead as providing a challenge that would be to the benefit of the community and local businesses.

Councillor Kindersley left the Chamber at this stage, and did not return until after the conclusion of consideration of this application.

Councillor Dr Bard noted that visibility splays and the width of Church Lane were limited, but served as safety features. A language school had operated from Sawston Hall for some 20 years without any apparent problems, despite it generating a significant number of pedestrian movements. Church Lane was too narrow for there to be provided a separate footpath. Councillor Bard considered that a number of unsympathetic extensions had been added to the Hall in the past, the design of which was more utilitarian than that currently proposed. He concluded by pointing out that, marketing during the past three years had failed to identify an appropriate alternative use for this Grade 1 Listed Building.

A Member raised the following concerns, namely:

- The impact of Green Belt policies contained in the South Cambridgeshire Local Plan 2004
- The Green Travel Plan
- Viability of the Business Plan
- Implications were the venture to fail

Members noted the significance of Sawston Hall to the History of England.

Having visited the site on 4<sup>th</sup> April 2005, upon the recommendation of Councillor Mrs DP Roberts, seconded by Councillor Mrs SA Hatton, and by 19 votes to one, the Committee was **MINDED TO APPROVE** the application and to reaffirm its decision made on 6<sup>th</sup> April 2005 namely that it was Minded to Approve the application subject to the proposal being referred to the Secretary of State and not being called in by him for determination, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to in the report presented to that meeting other than Condition 6 under paragraph 112 (to be deleted), with Condition 11 under paragraph 112 being expanded to require also details of any alternative cleansing tank to be agreed, and an additional Condition requiring the agreement of the precise position of the crèche/laundry building, service trenches and the structural grass road providing access to the pool and treatment rooms and the prior signing of a Section 106 Agreement to ensure the whole site only operates as a single planning unit. Whilst mindful of the Local Highway Authority's latest comments, Members, having visited the site, considered that the proposal was acceptable having regard to the following matters: the proposal involved an appropriate use for, and without harm to, this important site/listed building; highway matters were carefully considered at the time of Committee's site visit; the use would enable a degree of public access to the site; the use would provide local employment; a modest amount of new and well-conceived build was proposed; the proposal involved a number of sustainable features; the removal of the restaurant attached to the Coach House and the link between the Hall and the Coach House would enhance the setting of the listed building; and, by not involving alterations to the listed gate piers, frontage walls or Church Lane itself, the scheme preserved the character and appearance of the Conservation Area and the character and setting of the Hall, gate piers and St Mary's Church.

Additionally, the Committee cited as reasons for approval, the positive implications for the listed building, and the opportunities posed by addressing the highways issues, sustainability matters, and commercial viability. They considered the extent of new build development proposed to be appropriate having regard to the comments of HLL Humberts Leisure and Peters Elworthy & Moore. They also resolved that the planning permission should be subject to a further Condition relating to a Green Travel to Work Plan for staff.

For the avoidance of any doubt, the applications would again be referred to the Secretary of State

Councillor Dr JPR Orme returned to the Chamber and took the Chair following the conclusion of the debate and taking of the vote. He noted that Charmain Hawkins, the Historic Buildings Officer, was leaving the Council, and he conveyed to her the Committee's good wishes for the future.

**5. S/1000/05/F - SWAVESEY**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to the withdrawal of Permitted Development Rights in respect of the construction of vehicular access to Gibraltar Lane.

**6. S/1499/05/F - GREAT ABINGTON**

**DEFERRED** for one month to give the Parish Council an opportunity to provide evidence of actual flood incidents referred to in paragraph 17 of the report.

Councillor NIC Wright took the Chair for this item. Councillor Dr JPR Orme (local

Member) remained in the room, contributed to the debate, and voted.

**7. S/1377/05/F - PAMPISFORD**

**DELEGATED APPROVAL** as amended by drawings date stamped 4<sup>th</sup> October 2005 for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, and to the satisfactory conclusion of negotiations between officers and the agent in connection with the access arrangements in light of the Local Highway Authority's comments on the application.

Councillor NIC Wright took the Chair for this item. Councillor Dr JPR Orme (local Member) remained in the room, contributed to the debate, and voted.

**8. S/1133/05/RM - STEEPLE MORDEN**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and to outstanding drainage issues being addressed satisfactorily.

Mr S Travers-Healy of Steeple Morden Parish Council addressed the meeting.

**9. S/1013/05/0 - GREAT SHELFORD**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services, for reasons of the length and position of the access and the resultant loss of trees along the boundary with properties in Hinton Way detracting from the character of the area and the use of the access by residents of and visitors to the proposed dwelling resulting in an unacceptable level of noise and disturbance to the occupiers of neighbouring properties, and the occupiers of No.2 Mingle Lane in particular. Members had visited the site on 3<sup>rd</sup> October 2005.

Councillor CR Nightingale declared a prejudicial interest as owner of the property, withdrew from the Chamber, did not contribute to the debate and did not vote.

Councillor Mrs DP Roberts declared a prejudicial interest and withdrew from the Chamber, did not contribute to the debate and did not vote. As the Council's representative on the Local Government Association, Councillor Mrs Roberts leaves her car outside the property before catching the train to London.

Councillors Dr DR Bard, R Hall and R Martlew did not attend the site visit, and did not vote.

**10. S/2283/04/F - GREAT SHELFORD**

**APPROVAL**, as amended by drawing nos. 4.563F and 4.564D date stamped 19<sup>th</sup> September 2005 and drawing nos. 4.576E and 4.578E date stamped 22<sup>nd</sup> September 2005, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

**11. S/1529/05/F - GREAT SHELFORD**

**APPROVAL** as clarified by letters dated 5<sup>th</sup> and 8<sup>th</sup> September 2005 and amended by letter dated 14<sup>th</sup> September 2005, for the reasons set out in the report from the Director of Development Services

**12. S/1560/05/F - WATERBEACH**

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

**13. .S/1451/05/F - WILLINGHAM**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members took the view that a flood risk assessment was not required and that there was sufficient parking and turning on site to avoid a need to widen the access bridge.

Councillor Dr DR Bard did not attend the site visit and did not vote.

**14. S/1600/05/F - SHUDY CAMPS**

**DELEGATED APPROVAL/REFUSAL**, Approval if the proposed finished floor level of the dwelling and the roof pitch are lowered to the satisfaction of the Local Planning Authority and provided the Trees and Landscape Officer has no objections and, failing that, Refusal.

Councillors Dr DR Bard and NJ Scarr did not vote.

**15. S/1415/05/F - BAR HILL**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members felt that the window in the side elevation of the proposed extension was not intrusive and that there was no conflict with Policy HG12 of the South Cambridgeshire Local Plan 2004.

Councillor Dr DR Bard did not attend the site visit, and did not vote.

**16. S/1588/05/F - BARTON**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Members felt that there would be no adverse impact on the character of the Conservation Area. Relocation of the panels to the rear of the cottage would not reduce their visual impact, as they would then be clearly visible from an adjacent public footpath. Additionally, the panels needed to be south facing and close to the water tank for maximum efficiency. The Committee deemed it important to support such a contribution to renewable energy, subject to agreement being reached on the panels' colour.

**17. S/1630/05/F - LITLINGTON**

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

**18. S/6309/05/F - CAMBOURNE**

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

**19. S/6286/05/RM - CAMBOURNE**

**APPROVAL** of Reserved Matters, for the reasons set out in the report from the Director of

Development Services and subject to the Conditions referred to therein.

**20. S/1520/05/F - COMBERTON**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the siting, bulk and extent across the site conflicted with Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, SE9 and HG10 of the South Cambridgeshire Local Plan 2004 and adversely affected the amenities of the adjoining property to the north.

Councillor Dr DR Bard did not attend the site visit and did not vote.

Dr Howard Roscoe, a member of Comberton Parish Council, addressed the meeting.

**21. S/1612/05/F - COTTENHAM**

**REFUSED** for the reasons set out in the report from the Director of Development Services, and for the additional reasons of the narrowness of the access and adverse impact on the Conservation Area.

**22. S/1610/05/F - FULBOURN**

The Committee was **MINDED TO APPROVE** the application, contrary to the recommendation contained in the report from the Director of Development Services, subject to it being advertised as a departure from the Development Plan, referred to the Secretary of State, and called in for determination by him. Members considered that, in view of the special circumstances of the case, service to the community, need to preserve customer base, sustainability, employment opportunities, and removal of an existing building, the proposal should not be viewed as inappropriate development in the Green Belt. Accordingly, they deemed there to be no conflict with Policies P1/2, P2/6 and P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003, or Policies GB2 and GB3 of the South Cambridgeshire Local Plan 2004.

**23. S/1626/05/0 - FULBOURN**

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

**24. S/0691/03/RM - GIRTON**

**RESOLVED** that South Cambridgeshire District Council raises no objections to the plan for the open space at the south eastern end of the site but that further negotiations, to include the Drainage Manager and local Members, be conducted to finalise an acceptable Management Plan.

**RESOLVED** to authorise officers to serve Breach of Condition Notices in respect of Conditions 9, 14 (not 13 as in the report) and 15 of Planning Consent S/0691/03/RM should more than 50 dwellings be occupied.

**25. S/1573/05/0 - MILTON**

**APPROVAL**, as amended by letter dated 8<sup>th</sup> September 2005 and plan H4321 date stamped 9<sup>th</sup> September 2005, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

Councillor Dr DR Bard did not attend the site visit and did not vote.

**26. S/1622/05/F - WIMPOLE**

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

Councillor SGM Kindersley informed Members that he was County Councillor for the Electoral Division of Gamlingay, which covered the Parish of Wimpole.

Mr Richard Hoole, Chairman of Wimpole Parish Council, addressed the meeting.

**27. S/1539/05/F - CROYDON**

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

Councillor Dr DR Bard did not attend the site visit and did not vote.

**28. S/1273/05/F - GAMLINGAY**

**DEFERRED** for further information.

**29. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

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

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest

In connection with the appeal allowed at Golden Gables, Fulbourn, Councillor SGM Kindersley expressed disappointment at the outcome, especially in view of the value for money estimate that the Council had given in relation to repairing the structure.

- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting on 2<sup>nd</sup> November 2005
- Advance notification of Local Inquiry and Informal Hearing dates (subject to postponement or cancellation)

Members noted that no appeals had been withdrawn or postponed since the last meeting.

On behalf of the Committee, the Chairman conveyed Members' appreciation of the professionalism and dedication of the Appeals team.

**30. ENFORCEMENT ACTION - INDEX AND DETAILED REPORTS**

Members **NOTED** the Enforcement Action Progress Report dated 5<sup>th</sup> October 2005.

On behalf of the Committee, the Chairman conveyed Members' appreciation of the professionalism and dedication of the Enforcement team. He noted that Shelley Bidwell, one of the Assistant Enforcement Officers, was leaving the Council, and he conveyed to her the Committee's good wishes for the future.



**31. TREE PRESERVATION ORDER - FULBOURN**

The Committee considered a report seeking its authority to make and serve a Tree Preservation Order in respect of land at 35 Pierce Lane, Fulbourn.

**RESOLVED** that the Committee authorise officers to make and serve a Tree Preservation Order in respect of a horse chestnut tree at 35 Pierce Lane, Fulbourn and, subject to there being no formal objection, which is not withdrawn and which therefore triggers a site visit, to confirm the Order in due course.

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**The Meeting ended at 4.10 p.m.**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

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

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

Councillor JA Hockney was in attendance, by invitation.

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

#### 1. **MINUTES OF PREVIOUS MEETING**

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

#### 2. **S/0530/05/F - HASLINGFIELD**

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

#### 3. **S/2379/01/O - IMPINGTON**

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

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

#### 4. **S/2604/04/F - IMPINGTON**

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

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

#### 5. **S/0520/05/F - LINTON**

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

**6. S/2445/03/F - LINTON**

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

**7. S/0475/05/O - LONGSTANTON**

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

**8. S/0200/05/F - MELBOURN**

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

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

**9. S/0402/05/F - MELBOURN**

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

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

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

**11. S/0587/05/F - ORWELL**

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

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

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

**13. S/0306/05/F - SAWSTON**

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

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

**14. S/0393/05/F - SAWSTON**

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

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

**15. S/0313/05/F - TEVERSHAM**

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

**16. S/0620/05/F - TEVERSHAM**

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

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

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

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

**APPROVAL** of amended plans as requested in paragraph 19 of the report from the Director of Development Services.

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

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

**20. S/0524/05/F - LANDBEACH**

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

**21. S/0391/05/F - WATERBEACH**

**DEFERRED** for a site visit.

**22. S/0462/05/F - WATERBEACH**

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

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

**23. S/0497/05/F - THRIPLow**

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

**24. S/0438/05/F - SHEPRETH**

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

**25. S/0543/05/F - BASSINGBOURN**

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

**26. S/0516/05/F - ELTISLEY**

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

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

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

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

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

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

**29. S/0551/05/F - COMBERTON**

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

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

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

**30. S/0552/05/F - COMBERTON**

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

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

**31. S/2412/04/F - COTTENHAM**

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

**32. S/0467/05/RM - DUXFORD**

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

**33. S/1154/04/F- FULBOURN**

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

**34. S/2194/01/F- GAMLINGAY**

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

**35. S/2193/01/F - GAMLINGAY**

**REFUSED** contrary to officer recommendation. Members considered that the agricultural dwelling was no longer justified in the light of refusal of application no. S/2194/01/F.

**36. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

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

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

**37. APPEAL STATISTICS**

The Committee **NOTED** planning appeal statistics for the period from 1<sup>st</sup> January 2005 to 31<sup>st</sup> March 2005.

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

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

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

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

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

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

It was **RESOLVED**

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

It was **RECOMMENDED** that Cabinet

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



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

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

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

It was **RESOLVED**

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

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**The Meeting ended at 3.15 p.m.**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a meeting of the Development and Conservation Control Committee held on  
Wednesday, 3 August 2005 at 10.00 a.m.

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

Councillors:	Dr DR Bard	JD Batchelor
	RF Bryant	Mrs PS Corney
	Mrs J Dixon	SM Edwards
	R Hall	Mrs SA Hatton
	Mrs JM Healey	Mrs CA Hunt
	HC Hurrell	SGM Kindersley
	RB Martlew	Mrs JA Muncey
	Mrs CAED Murfitt	CR Nightingale
	EJ Pateman	Mrs DP Roberts
	NJ Scarr	Mrs HM Smith
	Mrs DSK Spink MBE	JH Stewart
	RJ Turner	Dr JR Williamson
	SS Ziaian-Gillan	

Councillors J Shepperson, Mrs VM Trueman and TJ Wotherspoon were in attendance, by invitation.

Apologies for absence were received from Councillors RE Barrett, Mrs A Elsby, Mrs EM Heazell, A Riley and JF Williams.

**1. MINUTES OF PREVIOUS MEETING**

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 6<sup>th</sup> July 2005.

**2. S/1121/05/O - TEVERSHAM**

The Committee was **MINDED TO APPROVE** the application, subject to it being referred to the Secretary of State as a departure from the Development Plan and not being called in by him for determination, for the reasons set out in the report from the Director of Development Services, and subject to the Conditions referred to therein and an additional Condition relating to the placing of appropriate signage. Members also asked officers to write to the Local Highways Authority, exploring the possibility of placing a mirror opposite the entrance to aid visibility.

Members of Teversham Youth Club attended the meeting for this item.

Councillor Mrs C Hunt declared a personal and prejudicial interest, as Vice Chairman of Teversham Parish Council and Chairman of the Teversham Village Hall Committee, withdrew from the Chamber, did not take part in the debate and did not vote.

**3. S/1056/05/O - WEST WRATTING**

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

**4. S/0881/05/F - BARTON**

**DEFERRED** to enable the applicants to explore options for relocating the proposed car park within the site, and introducing appropriate landscaping that would minimise the car park's visual intrusiveness.

**5. S/1321/05/F - GRANTCHESTER**

**DELEGATED APPROVAL**, for the reasons set out in the report from the Director of Development Services, subject to no new material planning considerations arising as a result of consultation, the period for replies to which expires on 4<sup>th</sup> August 2005, to the applicants exploring options for minimising the adverse effect of light pollution, to the Conditions referred to in the report, and to an additional Condition requiring that obscure glazing be incorporated into the bathroom window in the west elevation.

Councillors Mrs DP Roberts and NJ Scarr did not attend the site visit on 1<sup>st</sup> August 2005 and, not being otherwise familiar with the site, abstained from voting.

**6. S/6297/05/F - CAMBOURNE**

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

**7. S/1239/05/F - CALDECOTE**

The Committee was **MINDED TO APPROVE** the application, contrary to the recommendation contained in the report from the Director of Development Services, subject to it being advertised as a departure from the Development Plan, referred to the Secretary of State and not being called in by him, and subject also to safeguarding Conditions. Having visited the site, Members were satisfied that the site was well-screened, would have no adverse impact on neighbours and that the access road was suitable for the number of vehicle movements likely to be generated by the proposed development.

**8. S/2497/04/O - KINGSTON**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Members were satisfied that there existed a clear functional need for the dwelling, and that the Cambridgeshire and Peterborough Structure Plan 2003 and South Cambridgeshire Local Plan 2004 policies referred to in the report would not be contradicted. The applicant's agent had provided additional information addressing the Conservation Manager's specific concerns about siting of the dwelling and that it should be restricted to a single storey.

Councillor NIC Wright declared a personal interest by virtue of his acquaintance with the applicant.

**9. S/0568/05/F - COTTENHAM**

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

Councillor TJ Wotherspoon, not a Member of the committee but in attendance as a local Member for another item on the agenda, declared a prejudicial interest by virtue of the close proximity of his house to the proposed development, withdrew from the Chamber, did not take part in the debate and did not vote.

**10. S/0923/05/F - COTTENHAM**

**APPROVAL** of planning consent personal to the applicant only, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the development did not contravene policies in the Cambridgeshire and Peterborough Structure Plan 2003 and South Cambridgeshire Local Plan 2004, but asked that appropriate safeguarding Conditions be imposed, including ones requiring suitable landscaping (in consultation with local Members) and the ongoing breeding of Suffolk Punch horses.

Having sought advice from the Head of Legal Services, Councillor Mrs J Dixon declared a personal and prejudicial interest and pre-determination (as having previously signed a petition in support of the application), withdrew from the Chamber, took no part in the debate, and did not vote.

Councillor Mrs DP Roberts voted for refusal of the application.

Mr Robert Clarke of Cottenham Parish Council addressed the meeting.

**11. S/1260/05/F - GAMLINGAY**

Members noted that this application had been **WITHDRAWN** from the agenda pending the receipt of further information and possible arrangement of a site visit.

**12. S/1123/05/F - GIRTON**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the receipt of amended plans, no objections from the Trees and Landscape Officer, Drainage Manager and Anglian Water, Conditions referred to in the report and an additional Condition requiring nest boxes to be included on site as compensatory habitats for sparrows and starlings which currently nest in the buildings to be demolished. Members also asked that an additional informative be attached to the Decision Notice, seeking negotiation with the developer over the retention of the pond.

Councillor Mrs JM Healey (local Member) expressed appreciation for the efforts made by officers in processing the application.

**13. S/0990/05/F - HISTON**

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

**14. S/1181/05/F - HISTON**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, Condition 2 being reworded so as to exclude reference to any specific colour for the window frames.

**15. S/1039/05/O - GREAT AND LITTLE CHISHILL**

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

Councillor HC Hurrell declared a prejudicial interest by virtue of his acquaintance with the applicant, withdrew from the Chamber, took no part in the debate and did not vote.

**16. S/1054/05/F - MELBOURN**

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

**17. S/1114/05/F - MELBOURN**

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

Councillor JH Stewart declared a personal interest as a member of the South Cambridgeshire Primary Care Trust.

**18. S/1249/05/F - MELBOURN**

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

**RESOLVED** by 18 votes to two to issue an Enforcement Notice to remove the wall with a three month compliance period.

**19. S/1250/05/F - MELBOURN**

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

**20. S/2408/05/F - ELSWORTH**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to concerns relating to flood risk and the footpath being addressed to the satisfaction of the Local Planning Authority, and to the Conditions referred to in the report.

**21. S/0039/05/F - SWAVESEY**

**DELEGATED APPROVAL**, as amended by plans dated 18<sup>th</sup> July 2005, for the reasons set out in the report from the Director of Development Services, subject to no objections being received from the Local Highways Authority, to the prior completion of a Section 106 Legal Agreement securing affordable housing in accordance with Policy HG7 of the South Cambridgeshire Local Plan 2004, and to the Conditions referred to in the report.

**22. S/2495/04/O - GREAT ABINGTON**

The Committee was **MINDED TO APPROVE** the application, as amended by Transport Assessment Addendum 1 date stamped 16<sup>th</sup> March 2005, and Josephine Morrison Landscape Architect's letter dated 4<sup>th</sup> July 2005 and accompanying percentage mixes for the woodland planting schemes, but only after further discussions have taken place in relation to the requirements of the S.106 Agreement. Members questioned whether a financial contribution towards the provision of a segregated cycleway along the A1307 was the most appropriate requirement. They felt that a cycleway link to Sawston (via Babraham and/or Pampisford) and the Shelfords and improvements to the A1307, and the Hildersham junction in particular, would be more appropriate. Members were also concerned that the cycleway along the A1307 might not be implemented even with the £350,000 contribution and questioned how the figure of £350,000 had been arrived at. Members gave officers delegated powers to approve the application as amended when agreement is reached on the highway requirements of the S.106 Agreement with Councillors Orme, Bard and Batchelor with input from County Councillor Orgee subject to

the application being referred to the Secretary of State and not being called in by him, and subject to the prior completion of a Section 106 Legal Agreement to also cover the following

- Ensuring that use of the buildings reflects the use stipulated as part of the Agreement covering Phase 1
- Ensuring that the “agricultural zone” shown on drawing no. 517/102 is only used for agricultural purposes and that no development, including development that would otherwise be permitted development, is carried out within that area; and
- Requiring an Ecological Management Plan for the site

and to the Conditions referred to in the report save that, with reference to recommended Condition 21, in response to the Local Highway Authority’s latest comments that the relocated sign on the north-western arm could block visibility, an amended plan be required showing this sign sited so as not to reduce forward visibility and that Condition 21 be revised to refer to this amended drawing number.

Councillor Dr JPR Orme being the local Member, Councillor NIC Wright took the Chair during the consideration of this item.

**23. S/1200/05/F - STEEPLE MORDEN**

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

**24. S/1013/05/F - GREAT SHELFORD**

Members noted that this application had been **DEFERRED** at the applicant’s request.

**25. S/1206/05/F - GREAT SHELFORD**

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

**26. S/0958/05/F - STAPLEFORD**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposal would be unduly overbearing when viewed from the house and garden at 19 Dukes Meadow, and that the inclusion of part of a field in the Cambridge Green Belt within the curtilage of the proposed dwelling would be harmful to the openness and landscape character of the Green Belt. This constituted inappropriate development in the Green Belt, for which no very special justification had been demonstrated.

**27. S/1119/05/O - OVER**

**APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein and an additional Condition requiring the implementation of an appropriate landscaping scheme.

**28. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

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

- Decisions notified by the Secretary of State

Members paid tribute to those officers instrumental in securing dismissal of the Appeal relating to S/6182/03/O (Cambourne Enhanced). Councillor SGM Kindersley asked officers to analyse the Fee note from the Council's Counsel to determine whether at least part should be met by the developers who, it was felt, had precipitated the Cambourne Enhanced question in the first place. Councillor Mrs DSK Spink urged caution since everyone had a right to submit a planning application if they wanted to.

Councillor SM Edwards congratulated those officers involved with the appeals relating to Travellers.

- Appeals received
- Appeals withdrawn or postponed

Members noted that there were no Local Inquiries or Informal Hearings scheduled to take place before the next meeting of the Committee on 7<sup>th</sup> September 2005.

The Deputy Director of Development Services reported verbally that he had just been informed that the Secretary of State had dismissed an Appeal in respect of unlawful development at Moor Drove, Histon. The Council had been ordered to make a contribution towards the appellant's costs. This related to a delay in connection with highway matters. The Committee endorsed the view of the Deputy Director of Development Services that this contribution to costs should be met by the Local Highways Authority. Details would be reported to the Development and Conservation Control Committee meeting to be held on 7<sup>th</sup> September 2005.

## 29. PERFORMANCE CRITERIA

Members **NOTED** the latest available performance criteria.

The Deputy Director of Development Services highlighted an error in the first paragraph of the report and informed Members that the fall in the number of planning applications received by South Cambridgeshire District Council was 1.6% and not 12% as stated. He then referred to ongoing staffing issues in the Development Services Department, to which to some degree the performance criteria could be attributed.

Members noted these circumstances, and recorded their appreciation for the efforts of all officers in the Development Services Department.

## 30. GRAPHICAL DATA

Members **NOTED** graphs in respect of:

- Planning Decisions for the year ended 31<sup>st</sup> March 2005
- Planning Decisions for the Quarter January to March 2005
- Major Decisions for the year ended 31<sup>st</sup> March 2005
- Major Decisions for the Quarter January to March 2005
- Minor Decisions for the year ended 31<sup>st</sup> March 2005
- Minor Decisions for the Quarter January to March 2005
- Other Decisions for the year ended 31<sup>st</sup> March 2005
- Other Decisions for the Quarter January to March 2005



- Total Decisions issued quarterly by South Cambridgeshire District Council
- Percentage of all applications determined within eight weeks

**31. PUBLIC FOOTPATH NO. 5 IN KINGSTON: PROPOSED DIVERSION**

Members considered a proposal by Cambridgeshire County Council to divert part of Public Footpath no. 5 in Kingston.

The Committee **RESOLVED** that Cambridgeshire County Council be informed that South Cambridgeshire District Council, as a statutory consultee, has no objection to the proposal to divert part of Public Footpath no. 5 in Kingston, as indicated on the plan attached to the report from the Finance and Resources Director.

**32. TREE PRESERVATION ORDER - TEVERSHAM**

The Committee considered a report on Tree Preservation Order no .04/05/SC in Teversham, made under delegated powers.

The Committee **RESOLVED** to authorise officers to confirm, without modification, Tree Preservation Order no. 04/05/SC affecting a Blue Cedar at 56 High Street, Teversham.

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

Members considered a progress report on the “embargo” on issuing planning permissions for market housing at Cambourne, which they had lifted at the March 2005 meeting. In May 2005, they had refrained from reinstating the embargo in order for the developers’ consortium to progress the legal matters associated with the provision of the trailer park.

The New Village/Special Projects Officer quoted from a letter received from the developers’ Project Director, indicating that all works relating to the trailer park should be completed within the next couple of months, and that the delay was not all on the part of the developers.

Members expressed their appreciation for the efforts of officers involved in concluding this matter.

At the recommendation of officers, the Committee **RESOLVED** that the embargo remain lifted for the time being, and that officers present a further progress report to the meeting of the Development and Conservation Control Committee to be held on 2<sup>nd</sup> November 2005.

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**The Meeting ended at 3.30 p.m.**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a meeting of the Development and Conservation Control Committee held on  
Wednesday, 7 September 2005 at 10.00 a.m.

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

Councillors:	Dr DR Bard	RE Barrett
	RF Bryant	Mrs PS Corney
	SM Edwards	Mrs A Elsby
	Mrs SA Hatton	Mrs EM Heazell
	Mrs CA Hunt	RB Martlew
	Mrs CAED Murfitt	CR Nightingale
	EJ Pateman	A Riley
	Mrs DP Roberts	NJ Scarr
	Mrs HM Smith	Mrs DSK Spink MBE
	JH Stewart	RJ Turner
	JF Williams	Dr JR Williamson

Councillors BR Burling, NN Cathcart, Dr SA Harangozo, DC McCraith and Mrs GJ Smith were in attendance, by invitation.

Apologies for absence were received from Councillors JD Batchelor, Mrs J Dixon, R Hall, Mrs JM Healey, HC Hurrell, SGM Kindersley, DH Morgan, Mrs JA Muncey and R Page.

**1. S/1017/05/F - LITTLE EVERSDEN**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to the relocation of a window, the submission of a plan showing how the site can be appropriately landscaped whilst retaining sufficient access for the maintenance of the adjacent watercourse, and other safeguarding Conditions. Members did not consider a site visit to be necessary.

**2. S/1290/05/F - HASLINGFIELD**

**DELEGATED APPROVAL**, subject to the Trees and Landscape Officer being satisfied that the walnut tree can be safeguarded.

Councillor Mrs EM Heazell declared a prejudicial interest by virtue of her acquaintance with the applicant, withdrew from the Chamber, and took no part in either the debate or the vote.

**3. S/1459/05/F - LINTON**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Members were satisfied that the well-screened proposal would not adversely affect the character or appearance of the Conservation Area. The proposal therefore complied with Policies P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and EN30 of the South Cambridgeshire Local Plan 2004.

**4. S/1220/05/F - PAPWORTH EVERARD**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the proposed density was inappropriate

and there was insufficient public open space, contrary to Policy SE3 of the South Cambridgeshire Local Plan 2004. A further reason for refusal would be investigated in relation to traffic flows, subject to clarification from the Local Highways Authority.

Mr Chris Jones of Papworth Everard Parish Council addressed the meeting.

**5. S/2339/04/F - SAWSTON**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposed development constituted overdevelopment of the site in that there was inadequate provision for wheelie bin storage within the site (given that only one of the three dwellings would have access to the rear where bins could be stored) and inadequate provision is made for the parking of vehicles within the site, particularly given the proximity of the site to Mill Lane's junctions with The Stakings and New Road. Members noted that pedestrian/wheelie bin access to the rear of all three dwellings could be provided by providing a path alongside the western and southern boundaries of the site, but this would not enable the necessary soft landscaped edge to be provided along the important western (countryside and Green Belt) boundary of the site.

Councillor Mrs SA Hatton requested that her vote to refuse the application be recorded.

**6. S/1342/05/F - GULDEN MORDEN**

**DELEGATED APPROVAL**, as amended by drawing SS/TB/05/1A date stamped 18<sup>th</sup> August 2005, for the reasons set out in the report from the Director of Development Services, and subject to

- the Conditions referred to therein
- additional Conditions requiring details of the location of construction vehicles during the period of construction
- the submission of an accurate plan showing the existing and proposed layout accurately determining the extent of the boundary of the site, the access serving the property to the rear and the public highway to the front

with informatives addressing the need to keep the access to the rear clear during construction and to indicate that the public highway verge at the front of the property should not be crossed by occupiers of the property once development is complete.

**7. S/1334/05/F - GREAT SHELFORD**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services, subject to safeguarding Conditions including a Condition mitigating the effect of construction on the ecology. Having visited the site, and having regard to the approved scheme for extensions, Members were satisfied that the proposal would not have an adverse impact on the character of the locality. Therefore, the proposal was in compliance with Policy SE2 of the South Cambridgeshire Local Plan 2004.

**8. S/1365/05/F - GREAT WILBRAHAM**

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

**9. S/1410/05/F - LITTLE WILBRAHAM**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services, subject to agreement on the inclusion of more sympathetic

windows and a conservation roof light. Having visited the site, and the garden of no. 51 High Street, Members were satisfied that the proposal would not have an adverse impact on the adjacent property. Therefore, it complied with Policy HG12 of the South Cambridgeshire Local Plan 2004.

**10. S/1137/05/RM - THRILOW**

**APPROVAL** as amended by plans date stamped 1<sup>st</sup> August 2005, 12<sup>th</sup> August 2005 and 5<sup>th</sup> September 2005 for the reasons set out in the report from the Director of Development Services, subject to the Conditions referred to therein, and an additional Condition relating to the sustainable management and maintenance of the former pill-box.

**11. S/1386/05/F - WHITTLESFORD**

**REFUSED** for the reason set out in the report from the Director of Development Services, on the Chairman's casting vote.

**12. S/1407/05/O - OVER**

**APPROVAL** contrary to the recommendation contained in the report from the Director of Development Services. Members considered that a single dwelling remained sensitive to the character of the village and locality and satisfied the requirements of Policy SE3 of the South Cambridgeshire Local Plan 2004.

Councillor B Burling, a local Member but not a member of the committee, declared a prejudicial interest as a Trustee of the Estate, withdrew from the Chamber, and did not contribute to the debate.

**13. S/2249/04/F - OVER**

**DELEGATED APPROVAL**, as amended by plans date stamped 26<sup>th</sup> April 2005 and 20<sup>th</sup> July 2005 and by ownership certificate, for the reasons set out in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement securing affordable housing and an education contribution, the receipt of amended plans, the further comments of the Local Highways Authority and the District Council's Landscape Design Officer and Recycling and Waste Minimisation Officer, to the Conditions referred to in the report, and an additional Condition requiring the matter of foul drainage to be addressed fully.

**14. S/1306/05/F - BASSINGBOURN**

**DELEGATED APPROVAL** for the reasons set out in the report from the Director of Development Services, subject to a revised design being sought, that revision being acceptable to the two local Members and to the Conditions referred to in the report.

**15. S/1265/04/F - BOURN**

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

Councillor EJ Pateman declared a prejudicial interest in this item, by virtue of financial involvement, withdrew from the Chamber, and took no part in either the debate or the vote.

Mr Graham Smith, Vice Chairman of Bourn Parish Council, addressed the meeting.

**16. S/0712/05/F - CAXTON**

Members were **MINDED TO APPROVE** the application, as amended by letter dated 6<sup>th</sup> June 2005 and Drawing No. M-318/P/3 date stamped 15<sup>th</sup> June 2005, subject to the expiry of the notification of the application as a departure from the development plan and it not being called in for determination by the Secretary of State, for the reasons set out in the report from the Director of Development Services and subject to the Conditions referred to therein.

**17. S/0572/05/O - HIGHFIELDS CALDECOTE**

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

**18. S/1426/05/F - CALDECOTE**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site and the adjoining garden at 14A West Drive, Members considered that the bulk of the proposal and overbearing impact on the garden of no.14a West Drive conflicted with planning policies and, in particular, with Policy HG12 of the South Cambridgeshire Local Plan 2004.

**19. S/2529/04/LB & S/2530/04/F - COMBERTON**

**REFUSED** contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the proposal would have a detrimental impact on Church Farmhouse (a Grade II Listed Building) and on The Causeway, contrary to planning policies and, in particular, to Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies EN28 and EN30 of the South Cambridgeshire Local Plan 2004.

Mrs Dorothy Morison, a member of Comberton Parish Council, addressed the meeting.

**20. S/1339/05/O - COTTENHAM**

**DELEGATED REFUSAL**, for the reasons set out in the report from the Director of Development Services, subject to the confirmation of measurements in relation to the visibility splays referred to in Reason 1.

**21. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

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

- Decisions notified by the Secretary of State
- Summaries of recent decisions of interest
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting on 5<sup>th</sup> October 2005
- Advance notification of Local Inquiry and Informal Hearing dates (subject to postponement or cancellation)

The Deputy Director of Development Services said that, with three vacant posts frozen in the Development Control section of the Development Services Department, service

delivery was beginning to suffer and the majors target would be difficult to achieve despite the significant improvements in the first Quarter.

Sawston Hall was the subject of a potential Judicial Review. The Head of Legal Services was currently discussing this with lawyers acting on behalf of the applicants, and it was likely that the application would be presented again to the Committee for decision.

Staff resources and other priorities may preclude there being a tour by Members of the southern part of the District to evaluate the quality of development permitted by the Council. If a date could be identified, suggestions for appropriate sites to visit would be sought from Members.

With the impending departure of one of the two Assistant Planning Enforcement Officers, the enforcement team might have to prioritize its commitments and, in turn, this could result in a deterioration in response times to non-urgent matters.

Members noted that no appeals had been withdrawn or postponed since the last meeting.

## 22. APPEAL STATISTICS

The Committee **NOTED** planning appeal statistics for the period from 1<sup>st</sup> April 2005 to 30<sup>th</sup> June 2005.

## 23. TREE PRESERVATION ORDER - ELSWORTH

The Committee considered a report on Tree Preservation Order no .08/05/SC in Elsworth, made under delegated powers.

The Committee **RESOLVED** to authorise officers to confirm, without modification, Tree Preservation Order no. 08/05/SC affecting a Field Maple at Ashwell House, Fardells Lane, Elsworth.

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**The Meeting ended at 3.40 p.m.**

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 6<sup>th</sup> April 2005  
**AUTHOR/S:** Director of Development Services

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**S/1800/04/F and S/2054/04/LB - Sawston**

**S/1800/04/F - Restoration, Refurbishment and Change of Use of Hall to Hotel; Restoration and Conversion of Coach House to Hotel Accommodation; Erection of New Restaurant, Pool and Treatment, Accommodation, Crèche and Laundry Facilities, and Plant Buildings; Alterations to Internal Roads; and New Parking Area.**

**S/2054/04/LB - Change of Use from Former Language School and Alteration and Extension as Part of Conversion to Hotel Comprising 41 Bedrooms Suites: Demolition of Extension to Coach House and Out Buildings with New Freestanding Accommodation Blocks and Restaurant Adjacent to Kitchen Garden Wall and Swimming Pool with Associated Car Parking. Rerouting of Access Drive**

**Sawston Hall, Church Lane, Sawston, for Adrian Critchlow**

**Recommendation: Minded to approve: Both applications to be sent to Secretary of State for consideration as a departure and works affecting a Grade I Listed Building. Dates for determination: 24<sup>th</sup> November 2004/5<sup>th</sup> January 2005**

**DEPARTURE APPLICATION, AFFECTS GRADE I LISTED BUILDING AND CONSERVATION AREA**

Members will visit the site on Monday 4<sup>th</sup> April 2005.

**Site**

1. This 24 hectares approximately site is occupied by the Hall, a former stable block used as part of the attached restaurant and a number of outbuildings, its grounds and Sawston Hall Meadows Site of Special Scientific Interest (SSSI). Residential properties bound the site to the northeast, south and west. Church Lane, from which vehicular access is obtained, Spring Close Cottage and St Mary's Church are to the north. The site is located close to the centre of Sawston.
2. The site's heritage designations are as follows:
  - Sawston Hall is Grade I Listed;
  - Within the site a statue of Atlas and a pump located within the central courtyard area are Listed in their own right Grade II;
  - The entrance gates are Listed Grade II;
  - The grounds are Grade II Listed on the National Historic Parks and Gardens Register;
  - The site abuts St Mary's Church, a Grade I Listed Building;

- The site has been identified as being of archaeological interest;
- It is located within Sawston Conservation Area;
- Parts of the grounds are designated a SSSI;
- The trees are subject of a TPO;
- The Hall and grounds are outside of the village development limits and are within the countryside and Green belt.

### **History of the Building**

3. The records show the original house on the site was destroyed by fire in 1553 by a mob reacting to the fact that Mary Tudor had stayed there. The current clunch stone building was built between 1557-1584 probably from stones salvaged from Cambridge Castle. Date stones on the building provide some evidence for this chronology.
4. In the architectural analysis submitted as part of the applications, it is suggested that the original floor plan was in a U-shape consisting principally of a Great Hall and screens passage. By 1600 the current courtyard arrangement had been laid out with the long gallery being formed on the southern side. The northern wing remains the oldest part of the building.
5. The building was privately owned by descendents of the Huddlestone family from 1557 until 1982 when it was sold. The family were catholic and there is a private chapel and at least three priest holes in the building.
6. The building was extensively remodelled in the Victorian period - the chapel, most of the windows, main staircase and general layout, including the short gallery, date from this period.
7. During WWII the building was requisitioned for use by the 66th Fighter Wing Command in association with Duxford Airfield and graffiti still remains in the attic floor from this period.
8. Alterations in the twentieth century include alterations to the attic floor roof trusses, an extension to the coach house to form a restaurant and a glazed link to this.
9. In the period 1982- 2002 the Hall was used as a private educational establishment. This went into receivership and the building has not had a secure use for over two years. It has been put on the Council's Listed Buildings 'At Risk Register' as a precaution to monitor with regard to any deterioration of the condition of the building. The site was sold in 2004 to the applicant.

### **The Proposal**

10. The current applications seek change of use of the site as a whole for use as a hotel and associated leisure facilities. As part of the submission the following details have been received:
  - An historical architectural appraisal of the building by Mr T Baggs;

- An assessment of the impact on the historic designed landscape, gardens and grounds by Dr Twigs Way and Dr David Brown;
  - A design statement; and
  - A business case and plan for the proposals,
11. The main Hall would accommodate the ground floor public lounge and bar areas. It is hoped to have the chapel re-consecrated. The upper floors would accommodate 16 bedroom suites and the ground floor a further four rooms.
  12. The coach house would be converted to provide a further 8 bedroom suites. The attached restaurant would be removed.
  13. New build elements would include a restaurant built to accommodate the existing garden wall - the glazed form gives the appearance of a modern peach or glasshouse in design; a series of three accommodation blocks located where outbuildings from WWII are currently standing to provide a further 13 rooms.
  14. A total of 41 bedrooms are thus proposed. A freestanding modern design swimming pool with indoor and outdoor facilities is proposed close to the new accommodation blocks - this will have a grass covered dome roof and utilise a traditional 'HaHa' ditch element to secure the outdoor pool. A crèche and laundry facility and plant buildings are also proposed.
  15. The hotel will retain existing tennis courts on site.
  16. The aim is for the hotel to be the most environmentally friendly and sustainable hotel in Britain - it will be using solar energy, electric cars and a reed bed filter as part of achieving this.
  17. Vehicular access will be rerouted through the woodland to the eastern side of the church, so that vehicles approach the main frontage of the Hall. On an 1811 tithe map, an avenue is shown in this position leading to Church Lane. It is not clear if this was a former access driveway or not and there has been debate over this between the landscape consultants for the applicant and the Garden History Society.
  18. The case to justify this new approach is that it utilizes a former visual access that relates to the character of the Hall and by minimizing the loss of trees and seeking a no dig approach represents a sensitive and reasonable approach. Some of the existing hard surfacing will be replaced by lawn. Parking will be on the western side of the site where previously some temporary buildings associated with the language school were located. The Leylandii hedge will be removed and new planting is proposed.

### **Relevant Planning History**

19. The principal applications in the planning history to date are summarised as follows:
  - 1964 - Planning permission was approved for restaurant use to the coach house and extension (**SC/0567/63**);
  - 1971 - Change of use was granted to business conference centre and erection of a hostel for 70 persons (**SC/0064/71/O**);

- 1972 - Permission was granted for 131 dwellings to be built on part of the estate (**SC1228/72/D**);
  - 1974 - Planning permission was granted for the erection of a covered way between the main hall and restaurant (**SC/1316/73/F**);
  - 1973 -renewal of the permission for change of use to conference centre and erection of 70 person hostel (**SC/1381/73/O**);
  - 1982 - Change of use to a language teaching and research centre was approved (**S/0221/82/F**);
  - 1990 - the erection of 2 tennis courts approved;
  - 1991- Alterations and extensions to stables and restaurant (not implemented) (**S/1413/91/LB and S/1416/91/F**) Approved;
  - 1991 - West garden - erection of students and tutors accommodation building (not implemented) **S/1450/91/F** Approved. As part of this proposal, a master plan for the site was produced by Donald Insall & Associates. This proposed in addition to the one approved block a further two student accommodation blocks and a lecture theatre and sports hall in the west garden;
  - 1996- renewal of stable block applications **S/1413/91/LB and S/1416/91/F - (S/1916/96/F and S/1917/96/LB)** Approved;
  - 1997 - Renewal of students and tutors block **S/1450/91/F (S/1129/97/F)** Approved;
  - 1998/2000 Siting of portable buildings to provide student accommodation. Approved (**S/1571/00/F and S/0093/98/F**);
  - 2002 - Second renewal of stable block applications **S/1916/96/F and S/1917/96/LB (S/0109/02/F and S/0264/02/LB)** Approved and still valid until 2007;
  - 2003- Second renewal of student and tutors accommodation **S/1129/97/F (S/2018/02/F)** Refused.
20. This was refused as by this time the use of the Hall as a language school had gone into receivership - the application was made on behalf of the receivers. The development was considered to fail the criteria of enabling development as set out in the English Heritage Policy Statement Document 'Enabling development and the conservation of heritage assets'. New development could not be justified in a departure situation - the development would be in the Green Belt and affecting the setting of the Grade I Listed Building where there was no current user of the site to justify the need for this development. The whole point of enabling development is to secure the long-term future of a property and prevent fragmentation of control and management of the Hall and grounds. Such issues were not considered to be addressed by this application which was a purely speculative application;
- 2003 - Listed building consent for the removal of Atlas statue from the site Refused (**S/1256/03/LB**).

#### **Relevant Local Planning Policy**

21. The site is both within the countryside and the Cambridge Green Belt.
22. **Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
23. **Policy P1/3** requires a high standard of design and sustainability for all new developments.
24. **Policy P3/2** requires proposals for leisure and sporting and shopping facilities and other uses which attract large numbers of people to be focused in existing city and town centres. Out of town locations should only be considered where no suitable city, town or edge of centre sites are available.
25. **Policy P4/1** states that new or improved tourism, recreation and leisure development should:
  - Maintain or increase employment opportunities
  - Meet the needs of the local community as well as visitors
  - Be accessible by a choice of sustainable transport modes
  - Strengthen and diversify the local economy.
26. **Policy P7/6** states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
27. **Policy P8/2** requires new development to increase the ability to move by cycle, public transport and on foot. Travel plans will be required for new and expansion of non-residential developments.
28. **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.
29. **South Cambridgeshire Local Plan 2004**
30. **Policy GB2** sets out the presumption against inappropriate development in the Green Belt unless very special circumstances can be demonstrated. The list of developments that are not inappropriate includes the re-use of buildings provided that:
  - The development does not result in a materially greater impact on the openness and purpose of the Green Belt;
  - Strict control is exercised over any proposed extensions and associated uses of land;
  - The form, bulk and general design of buildings are in keeping with their surroundings.
31. **Policy TP1** states that the Council will seek through its decisions on planning applications to promote more sustainable transport choices, to improve access to major trip generators by non-car modes and reduce the need to travel especially by car. This includes securing appropriate improvements on and off site.
32. **Policy RT1** requires the Council to have regard to the need for tourist facilities and the benefits which might accrue. Nine criteria are identified against which tourist

related developments must be judged including proximity to an existing settlement, impact on ecology, amount of new build and impact of vehicle movements and waste generation.

33. **Policy RT10** supports the conversion of buildings to holiday accommodation where the criteria of RT1 and the following criteria are met:
  - The building is in sound condition and is capable of being reused without significant rebuilding, extension or alteration;
  - The building itself and the proposal are of an appropriate scale, environmentally acceptable and in keeping with the character of the area and surrounding buildings;
  - Together with the cumulative effect on neighbouring proposals, development would have an acceptable impact on the character and amenity of the locality.
34. **Policy RT11** states that development to provide overnight accommodation, public houses and restaurants will not be permitted outside the framework of settlements except (where the site is outside the Green Belt) in the cases of modest extensions to existing facilities or the change of use/conversion of existing buildings not requiring large extensions.
35. **Policy EN3** requires landscaping and design standards for new development in the countryside to be appropriate in the particular Landscape Character Area.
36. **Policy EN4** states that the District Council will not grant planning permission for development which would adversely affect or lead to the loss of important areas and features of the historic landscape whether or not they are statutorily designated.
37. **Policy EN9** states that, in all its planning decisions affecting SSSIs, the Council will safeguard, and wherever enhance, the intrinsic features of interest.
38. **Policy EN13** relates to protected species.
39. **Policies EN15** and **EN16** relate to archaeological sites.
40. **Policy EN20** states that the District Council will refuse planning permission for extensions to Listed Buildings which:
  - Are not necessary to the continuing use of the building;
  - Would dominate or detract from the Listed Building in scale, form, massing or appearance;
  - Would imply the loss of building fabric or architectural or historic interest;
  - Would damage archaeological remains of importance;
  - Would harm the well-being or setting of adjacent Listed Buildings.
41. **Policy EN26** states that, in judging applications for planning permission to change the use of Listed Buildings, the Council will consider whether or not:

- The existing use can continue with reasonable utility or life expectancy;
  - All other options for less damaging uses have been explored, including the outcome of any attempts at disposing of the building at a fair market price;
  - The proposed use can take place without the necessity of extensive alterations or extensions which would be harmful to the fabric, character or setting of the building;
  - The proposals would harm the setting and amenity of adjacent buildings.
42. **Policy EN28** sets out the criteria against which applications for new development within the curtilage or setting of a Listed Building will be considered and states that the District Council will resist and refuse applications which:
1. Would dominate the Listed Building or its curtilage in scale, mass, form or appearance;
  2. Would damage the setting, well being or attractiveness of a Listed Building;
  3. Would harm the visual relationship between the building and its formal or natural landscape;
  4. Would damage archaeological remains of importance unless some exceptional overriding need can be demonstrated.
43. **Policy EN30** sets out the requirements for developments in Conservation Areas, including the requirement that the development must preserve or enhance the special character of the area.
44. **Policy EN44** sets out the presumption in favour of the use of renewable energy resources and energy efficient technology as part of developments.
45. **Government Planning Policy Guidance (PPG's)**  
Of relevance are PPG6 'Town Centres and Retail Development', PPG9 'Nature Conservation', PPS9 (consultation paper) 'Biodiversity and geological conservation', PPG13 'Transport', PPG15 'Planning and the Historic Environment', PPG16 'Archaeology and Planning' and PPG 21 'Tourism'.
46. **PPG6** sets out the need for a sequential approach to development. Preferred locations are town centre sites, followed by edge of centre and then out of centre.
47. **PPG9** and PPS9 (consultation paper) relate to nature conservation, biodiversity and geological conservation.
48. **PPG 13** promotes the use of sustainable transport facilities. It emphasises the need to address links to public transport systems and the use of transport management.
49. **PPG15** sets out the Government Policies for the protection and reuse of historic buildings.
50. **PPG16** gives advice on how a site known to be of archaeological importance needs to address this issue with the new development.

51. **PPG21 Annex A** refers to the reuse of historic buildings as hotels. It states:  
'If carefully designed, additions can be achieved without adversely affecting the historic fabric or character and maintain the historic building in viable use. But large scale buildings in a small scale setting, buildings which break prominently into the skyline and those which by their design, materials, illumination or building line are out of sympathy with neighbouring historic buildings will normally be unacceptable.'
52. **English Heritage:** Policy Statement - "Enabling Development and the conservation of Heritage assets" offers guidance on what is enabling development and how this should be assessed in order to assist with the consideration of development which affects the setting of significant Listed Buildings.  
The statement only applies to development contrary to an established planning policy.

The statement sets out the following criteria:

- The development must not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of the asset or its setting;
- It avoids fragmentation of management of the asset;
- It will secure the long term future of the heritage asset;
- The issues arise from the inherent needs of the asset rather than the circumstances of the present owner or price paid;
- Sufficient financial assistance is not available from any other source;
- The enabling development is the minimum necessary to secure the future of the asset;
- The value or benefit of the survival of the asset or enhancement of it outweighs the long term cost to the community of providing it;
- Permission should only be granted if;
- The impact of the development is fully considered at the outset;
- The development is linked to securing the future of the asset;
- The asset is repaired to an agreed standard;
- The Local Planning Authority closely monitors implementation.

### **Consultations**

53. **Sawston Parish Council** recommends approval of the applications.
54. **The Councils Conservation Manager** supports the proposed new use for the building and the associated works to the Hall and Coach house. The removal of the rear extension and modern link element from these buildings is an enhancement.

The new build elements are considered to be of a suitable scale and form which complement and are subservient to the Listed Building and its setting. It should be noted that the Statutory Consultees are in general support of the proposals. A



detailed appraisal to support these conclusions is incorporated in the Planning Comments section below.

55. **Trees & Landscape Officer** states that the revised scheme is generally acceptable but recommends that, in order to retain the best quality trees, the precise positions of the crèche/laundry building and the structural grass road providing access to the pool and treatment building should be reconsidered. He also has concerns in relation to the proposed principal service trench and requests that its precise route and trenching method be investigated in more detail.
56. **Landscape Design Officer** raises no objections subject to the agreement of full landscaping details.
57. **Ecology Officer** has met the applicant's bat specialist on site and accepts that the proposal would not affect any protected species. He is happy with the proposed provision of the bat loft but recommends a condition be attached to any approval requiring details of an ecological management plan, including details of the proposed reed bed, for the part of the site outside the SSSI.
58. **Chief Environmental Health Officer** raises no objections.
59. **Building Control** states that the conversion of the main hall appears to be satisfactory and the latest amended plans satisfactorily address his original concern that fire brigade access to the new build may be insufficient.
60. **Local Highway Authority** has considered the proposal in terms of trip generation, impact upon transport network, layout, mitigation measures, sustainability and, subject to the securing of a pedestrian footway along Church Lane, it states that the proposed access and parking details as shown upon the latest site plan (SAW/01.101E) are acceptable. Its comments in relation to the highway objection received (detailed under the representation heading below) will be reported verbally.
61. **Environment Agency** raises no objections but recommends that a condition relating to pollution control, including foul and surface water drainage, is attached to any permission and makes advisory comments.
62. **County Archaeology** states that the site lies in an area of high archaeological potential and it is possible that significant archaeological deposits survive on site which could be destroyed or damaged by the proposal.

It recommends that the site is subject to a programme of archaeological investigation in order to confirm the presence or absence, date, character and significance of any archaeological deposits. This programme of work can be secured through the inclusion of a negative condition (PPG16 para 30) on any planning consent and should be commissioned and undertaken at the expense of the developer.

63. **Cambridgeshire Fire and Rescue Service** asks that adequate provision is made for fire hydrants by way of Section 106 Agreement or planning condition. It also states that, from the information supplied, access and facilities for the Fire Service as shown on the original plans may be considered inadequate and should be provided in accordance with the Building Regulations Approval Document. It continues by stating that responsibility for approving access and facilities for the Fire Service rests with the Building Control Department of the Local Authority. It raises no objections to the proposed conversion stating that the proposals offer a satisfactory standard of fire safety. One issue raised is that the use of the Long

Gallery for general use is not supported - given the limited size and nature of the exit using the turret staircase it is only acceptable for use by small numbers. The proposed use as a family bedroom is thus preferred.

64. **English Nature** advises that a Wildlife Enhancement Scheme Agreement has been signed by both the applicant and English Nature allowing positive management to proceed at Sawston Meadows Site of Special Scientific Interest. In addition, it has submitted to the applicant a letter supporting an application for planning permission to install an access to the SSSI in the north-east corner of the property which would facilitate management of the SSSI. It advises that it wishes to withdraw its original objection subject to conditions covering the following matters:

- English Nature has not yet been informed of the location of the proposed reed bed, and whether an alternative cleansing tank will also be required. It seeks assurance that there will be no nutrient enrichment or pollution threat to the aquatic and grassland interest of the SSSI.
- English Nature advised that the Authority directs the applicant to commission a bat survey of all areas to be affected by the works described in the application, and we await the detail of this survey, and additional information about the potential impacts of the proposal on protected species and, where necessary, details of mitigation which should be submitted before the application is determined.

65. **English Heritage** states that Sawston Hall is the most important Elizabethan house in the County. The proposed conversion of the house into a hotel would entail some change to the building but would not significantly compromise its architectural and historic interest.

The development of ancillary hotel accommodation within the grounds would be regrettable, but the proposals for this have been thoughtfully conceived and are modest in scale. Subject to a number of matters of detail and to appropriate conditions the proposals are generally acceptable.

It also states that the information contained in the Historic Designed Landscape Impact Assessment and the recommendations made in respect of the design and maintenance of the gardens are considered to be acceptable. A no dig approach for the construction of the new drive is very important together with the need to maintain important views of the Hall.

It notes that their advice on the deletion of the stable block roof lights to the front elevation has been followed and have no further comments on the scheme, noting only that it needs to be referred to the Secretary of State.

66. **The Garden History Society** has considered the Impact assessment prepared by Dr T Way and Dr D Brown. The historic information obtained from documentary sources is considered to be used to produce a clear evaluation of the surviving historic designed landscape. They are in broad agreement with the findings.

The principal areas of special landscape interest are:

- The rectangular garden spaces or enclosures to the south and east of the Hall which may date from 16th or 17th century with a 19th or 20th century formal layout imposed on this;

- Elements of the moat;
- The walled garden;
- The park-like grounds north and east of the Hall.

The issues they raise are:

- Whether sufficient weight has been given to the development of the landscape to the north and east of the Hall particularly in the 19th century;
- It is not clear that the evidence fully demonstrates a driveway in the proposed alignment and requests further consideration of the new driveway in historic landscape terms;
- The opportunity exists to soften the eastern edge of the car park further;
- It is noted that the new kitchen is on the site of a former structure but it does extend further south. They are concerned at the increasing sense of enclosure which would result;
- They have no objections to the siting of the swimming pool and suggest an alternative siting of the kitchen garden rooms west of this facility.

67. These concerns have been relayed to the applicant for further response - on behalf of the applicant, **Dr D Brown** has commented:

- The new belt of planting along Church Lane in the 19<sup>th</sup> century created a park-like paddock and the report was not intending to down play this;
- The avenue to Church Lane may have been a purely visual one rather than a drive - the location of the new drive would build upon this visual relationship to the principal elevation of the house;
- They stand by the location of the new restaurant on the site of a former building - they consider it is important to retain a compact rectilinear form within the historic garden walls to protect the character of the open garden beyond;
- The garden to the south and west is less conspicuously designed but is important as a countryside setting in views out from the house and development in this area could erode this;
- The overall quality of the scheme must be balanced - it is not always possible to address all of the differing views put forward. In this case the consultants consider the proposals are of sufficient quality and offer potential for proper management to be considered as beneficial to the historic landscape of the Hall.

68. **The Society for the Protection of Ancient Buildings (SPAB)** broadly supports the scheme. It calls for control (via conditions) of the following issues:

- The design of the new driveway including lighting and signage which could form visual clutter to the site;
- The internal redecoration details to ensure the use of acceptable materials;

- Treatment of the floors in particular how the stone floors are to be conserved;
- Any works of repair to the timber panelling;
- Works to up grade the roof insulation - in particular the coach house to ensure this does not adversely affect the moisture balance leading to damp and decay.

These points are included in the proposed conditions on the LBC.

69. **The Ancient Monuments Society** raises no objections to the proposals (as amended) and for further detailed comments they defer to English Heritage.
70. **Architectural Advisory Group** concluded that the overall design approach to the new build elements was acceptable - it was considered to be of a high standard of modern design and would not compromise the important historic buildings on the site or their landscape setting. The scale and form of the new buildings was supported and the materials proposed were considered to be appropriate.
71. **Conservation Advisory Group:** In December 2004, the Conservation Advisory Group visited the site and considered the proposals as consultees with a special interest in heritage to inform the progression of the development proposal.
72. The consensus of the **CAG Members** was that a modern approach to the new build elements was a correct one and that the scale of the proposed buildings was acceptable. The design of the swimming pool in particular was considered to be innovative and interesting. The CAG concluded that reconsideration of the new accommodation blocks should be undertaken and a realignment of the driveway to address the Landscape and Tree Officers concerns.

The scheme now presented for consideration has consequently been revised since the meeting of the CAG. The principal alterations are:

- Realignment/redesign of format of the drive to take into account the landscape and tree officers concerns;
- Redesign of the three new bedroom accommodation blocks - they now have pitched roofs and are all two-storey. Revised fenestration;
- Repositioning of the proposed accommodation blocks to address landscape and tree officers concerns.

The CAG welcomed the work being done to secure a management agreement for the SSSI.

The CAG was fully supportive of the proposed new use and means of converting the main Hall which was considered to respect the special character and historic fabric of the building.

### **Representations**

73. A number of letters of objection have been received from Dr's Bayraktaroglu of Spring Cottage, Church Lane (former owner of Sawston Hall).
74. The main grounds of objection raised are summarised below:

- The application should be considered on the basis of English Heritage's Enabling Development and the Conservation of Heritage Assets policy document and should be refused outright as contrary to planning policy unless it complies with this policy. In an appeal decision for a similar development at Wickham Court in Kent, this document was an important material consideration and a planning application for the renewal of Students and Tutors Accommodation Building (S/2018/02/F) at the Hall was refused on the grounds that the proposal failed to satisfy the set criteria contained in the Statement. By definition, enabling development is development contrary to established planning policy. The proposed change of use and new development fails to meet the criteria produced by English Heritage on Enabling Development. The use is considered to harm the Hall and its setting. It is not considered that this would remain the centre piece of the site and the new development would have a detrimental impact on the integrity of this heritage asset;
  - The financial viability of the scheme is questioned. The submitted Business Plan contains insufficient information to enable it to be verified;
  - Sawston Hall was purchased in the open tender after competing with many other interested parties and it was bought in the knowledge that the building needed repairs. Other than attention to the panelling, the repair of the main staircase and the strengthening of floor boards, there are no major repairs presently required to the building to justify the need of a large scale of conversion and development for a hotel use of this important historic house or which constitute special circumstances to approve the applications;
  - The works to the Hall will damage its architectural integrity. In particular objection is raised to the removal of the 19th century roof trusses, use of the Long Gallery as a bedroom, the works to the Short Gallery, external alterations within the courtyard and the proposed alterations to the chapel;
  - The proposal would have a detrimental impact on this Grade I listed building and its setting and the setting of St Mary's Church;
  - Concern that Officers have not approached this in the correct way - the proposal should be considered as enabling development and is harmful to the setting of the Listed Building and the benefits do not outweigh the setting aside of the Green Belt Policy; and
  - The use of the Hall as a private house would be less detrimental and the repairs could be carried out while the Hall is used as a private house.
  - They also state that they are statutory protected tenants.
- (a) In addition, a statement of highway objections submitted by Rutherfords Highway and Transport Planning on behalf of the occupiers of Spring Close Cottage objects on the following grounds:
- i. The submitted layout plans are very inaccurate and misleading at the Church Lane entrance;
  - ii. The visibility splays are severely substandard;
  - iii. The width of the access is restricted by gates; Church Lane to the east is narrow with inadequate footways which cannot be improved without causing regular road blockages;

- iv. Pedestrians have recently been injured in accidents on the short section of Church Lane in front of the Church;
  - v. The provision of adequate footways between the hotel and the High Street would impede access to the nearby shoppers' car park which already causes congestion even off-peak; and
  - vi. Within the grounds of the Hall, the proposed segregated footway through the adjacent woods would create safety concerns at night.
- (b) A letter was received from the applicant in response to the original objections from Dr Bayraktaroglu.
- (c) A representation has been received from Hon Mr Jones writing on behalf of the 66th Fighter Wing Association and US 8th Army Air Force. He is concerned that a war memorial formerly located in the grounds is returned to the site from its current location at The Imperial War Museum Duxford.
- (d) The Secretary to the PCC of St Mary the Virgin states that the PCC has no objection in principle to the restoration and refurbishment of the Hall but it is concerned that the new road close to the southern boundary of the churchyard could cause damage to the boundary clunch wall and it hopes increased traffic in the drive from Church Lane will not damage the wall on the western side of the churchyard. It also hopes few specimen trees will need to be felled.
- (e) The parish priest of St Mary's Church supports the proposal but is concerned about possible damage to the churchyard wall.
- (f) A letter signed by 10 residents of Hide Close and Glover Close states that a development of the scale proposed will undoubtedly have a detrimental effect on all the wildlife both in the immediate and surrounding area.
- (g) Occupier of 1 Church Lane is generally happy but objects on the basis that the access and Church Lane are not wide enough to serve the development.
- (h) Occupier of 14 Prince William Way is generally happy with the application but is concerned that use of the proposed swimming pool would generate noise and lead to loss of privacy and outlook. She also states that the beauty of the natural environment should be kept preserved as much as possible and requests additional screening to minimise noise coming from the pool. She also asks that provision be made to minimise noise during the construction period and that it is not carried out outside of work hours (i.e. not in the evenings or weekends).
- (i) Occupier of Byways, Church Lane, objects on the grounds of loss of view due to felling of trees, insufficient parking provision resulting in parking in Church Lane, noise from traffic and devaluation.
- (j) Occupiers of 3 Church Lane have no objection to the change of use but are very concerned that access to and from the site would constitute a considerable traffic hazard added to the number of vehicles which already use Church Lane.

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

#### ***Change of use***

75. The Hall was built to serve as a dwelling and continued in this use up until the 1980's when the use changed to a language teaching school. The guidance in PPG 15 is

that the best way of securing the upkeep of historic buildings is to keep them in active use. The preference is to try and retain a building in the use for which it was originally designed.

76. When the building was in receivership the main interest for residential use was for the conversion of the Hall into flats and the redevelopment of part of the grounds for new build dwellings. Such a use of the Hall was considered to harm the special character and lead to too greater intervention to the fabric and internal layout of the building. The further fragmentation of the grounds was considered to be harmful to the setting of the Hall, the character of the Conservation Area, the Historic Gardens and the quality of the natural landscape.
77. The principal objectors argue that the Hall should remain in educational use or should be used a single dwelling. They claim that a number of parties were interested in the Hall. No such parties approached the LPA and no formal applications were received on this basis.
78. One concern the LPA would have with such an educational use continuing is the further institutionalisation of the character of the Hall and the need for extensive new development in the grounds. The original master plan for the former use showed three linked accommodation blocks adjacent to the coach house and a sports hall and lecture theatre.
79. The proposals under consideration as part of this application propose a use which both the LPA and English Heritage consider to have similarities to a domestic use. The overall internal layout and circulation space of the house could be retained without significant intervention. The principal rooms on the ground floor would be retained for communal use. The alterations are therefore confined to more subordinate rooms and ancillary buildings such as the coach house. The principal rooms on the upper floors will be put back to the original function as bedroom spaces. The reintroduction of domestic furnishing would greatly add to the character and appearance of these rooms which has been significantly eroded by their use as classrooms.
80. The use enables the whole Hall to be brought into economic use and importantly the grounds would serve to function in association with this use. Whilst there is an element of new build proposed, this is not independent development to be sold off but would function as part of the overall use. The use as a hotel will have a more intensive use than if it were a single dwelling, but such an intensification has already been accepted in the 1980's with the education use. The proposed sensitive treatment of the new build elements and screen planting to the parking area and driveway realignment together with the proposed management of the Hall and grounds is considered to present a holistic approach to the various built heritage and landscape considerations of the site.
81. The LPA and the national amenity groups all consider the use to be an appropriate one which will not harm the special character of the buildings or landscape setting and therefore the tests of Policy EN26 are considered to be met.

### ***New Build***

82. There are five elements of new build proposed:
  - A new restaurant in the walled garden

- Three two-storey blocks of bedroom accommodation running along the garden wall to the western side of the garden
  - A indoor/outdoor pool
  - A subterranean crèche/laundry building; and
  - A plant building
83. Other than siting, no details of the proposed subterranean crèche/laundry and plant buildings were included as part of the application. The applicant proposes that these details be conditioned.
84. The existing restaurant attached to the former stable blocks and a number of outbuildings, detailed below, are to be demolished.
85. The new elements are of modern design to contrast with the architecture of the Hall. The scale and form of the structures are not considered to dominate the Listed Building or the landscape context in which they will be located. The LPA and national amenity groups agree these have been designed in a discrete and sensitive manner so as to meet the criteria of national and local policies. English Heritage has not taken the view that the proposals constitute enabling development but, if one considers the development in the context of the enabling development guidance, the proposals are considered to accord with the principles of this:
- It is not considered to detract from the archaeology, historic architectural landscape or biodiversity interest of the site;
  - It avoids fragmentation of the site;
  - It secures the long-term future use of the site as a whole;
  - There is a clear need to secure a long-term use for the site as a whole;
  - A business plan has been submitted to demonstrate the long-term viability of the scheme and the need for the new build elements;
  - The scheme secures investment in both the natural and built heritage of the site;
  - The Parish and local members are supportive of the scheme as it is seen as a benefit to the village and will enable a higher degree of 'public' access to the site than previous uses have afforded.
86. Internal and external alterations to Hall:
- Prior to formulating the application, a historical analysis of the building had been undertaken to establish the development of the layout of the building. The works can be summarized as follows:
87. Ground floor:
- The reinstatement of the front porch as the main entrance to the building;
  - Reinstatement of decorative ceiling to main hall which collapsed in 1960's;
  - Works to staircase to eastern range which is currently temporarily propped as it has structural problems caused by modern alterations;



- Formation of four bedroom spaces with en-suite bathrooms including one in vaulted area inserted in 19th century which will be part removed to reinstate window;
- Refurbishment of chapel with intention of bringing back into consecrated use and reinstatement of two former openings to this;
- Addition of new doorway within courtyard where existing window is.

88. First floor:

- Use of long gallery as bedroom, creation of new plaster ceiling and removal of modern beams to ceiling;
- Creation of six further bedrooms with ancillary en-suites including removal of twentieth century stud walls to western range. Some en-suites are in former wardrobe areas;
- Short gallery to be formed into semi open balcony areas associated with the two principal bedrooms in the two panelled rooms. Provision of bathroom to one bedroom within open gallery space;
- Formation of new staircase to second floor in eastern range;
- Roof terrace garden to be formed to flat roofed area to western end of long gallery.

89. Second floor:

- Creation of nine bedrooms with en-suite facilities;
- Removal of 19th/ 20th century queen post trusses and installation of new structural supports within wall void to all ranges;
- New roof lights.

90. Coach house:

- Formation of 8 bedroom units on the two floor
- Installation of roof lights to rear elevation
- Formation of bat roost area to roof void
- Fenestration

91. The guidance in PPG 15 is that where new uses are proposed that the proposed alterations to the building must be balanced against the special interest of the building and the viability of the proposed use and that of any alternative less damaging uses.

92. The LPA and the national amenity groups are of the opinion that the alterations proposed keep to a minimum the level of intervention necessary and where alterations are proposed it is principally to 19th or 20th century structures some of which detract from the special character of the building and their removal will be of benefit to the building.

***Archaeology***

93. The site has been identified as being of archaeological importance but the County Archaeological team is satisfied that this does not preclude the proposed development from taking place. The investigation of the archaeology below ground can be secured by a condition following the advice of paragraph 30 of Planning Policy Guidance Note 16 'Archaeology and Planning'.

***Demolition***

94. The structures on site which are proposed to be demolished all date from the war or post war period. These consist of:
- A range of buildings on the western side of the walled garden;
  - Some freestanding corrugated outbuildings in the south western area of the site;
  - The post war extension to the coach house;
  - The glazed post war link between the coach house and the Hall.
95. None of the structures is considered to be of significant historic interest or architectural importance to warrant retention. It is proposed that a photographic record be made of the structures prior to their demolition.

***Impact on character and appearance of the Conservation Area***

96. The Hall is not easily visible from public land. The landscape grounds provide an important setting to the housing which has developed around the site. The new use for the site and proposed development is not considered to adversely impact on the character and appearance of the site.
97. The new build elements are considered to be of an appropriate and high quality design which are considered to fulfil the test of preserving or enhancing the character of the area.

***Impact on Historic landscape and gardens***

98. The formal and natural landscapes are both to be formally managed as part of the use of the site as a hotel. An analysis of the historic landscape has been undertaken as part of the proposals. This supports the location and form of the new build elements as proposed. General support for the approach has been given by the Garden History Society and where they have raised a slightly different point of view this has been responded to.

***Impact on Listed buildings and their setting***

99. The impact on the Hall and coach house have been considered above. In addition to these buildings are the entrance gates, the church and statue of atlas to be considered. The entrance gates are not to be altered as part of the works and the Highway engineers have accepted the access width at this point. The new access will be taken around the rear boundary of the church and so the setting of this needs to be considered. The surface treatment of the driveway and the retention of the majority of the existing trees are considered to minimise any potential impact of this development. The statue will remain in situ within the courtyard area of the Hall.

**Development plan policies including impact on Green Belt**

100. Local Plan Policy RT11 supports the principle of the conversion of existing buildings outside village frameworks to provide overnight visitor accommodation and Policy GB2 states that the re-use of buildings is not inappropriate development in the Green Belt. The conversion of the Hall and stables elements of the scheme accords with these policies. However, the new build element of the scheme is inappropriate development in the Green Belt and, as it involves new building in the countryside, is also contrary to Local Plan Policy RT11. Very special circumstances are required to set aside the presumption against inappropriate development in the Green Belt and, in order to allow new build overnight visitor accommodation and restaurants in the countryside, there must be material considerations which justify setting aside the presumption against the approval of such development in the countryside.
101. It is considered that it is important to find a viable and sustainable use for the Hall site. There is also a benefit of what might be termed a semi-public use like a hotel and restaurant use over the use of the site as a single dwelling in that there would be a degree of public access to this important site. In order to ensure that the proposed hotel use would be viable but did not involve any more development than is necessary, a firm of consultants, HLL Humberts Leisure, a Chartered Surveyors and International Leisure Business Consultancy, was instructed to comment on the proposal. Specifically, it was asked it to comment on the scheme on the basis that the District Council needed to ascertain whether any new build development is necessary in order to make a hotel use of the site viable and sustainable, and if so, what scale of new build development is necessary (i.e. is the scale and nature of new build development proposed necessary and appropriate in scale?). In response, it concluded that:
- The hotel is in a reasonable catchment for corporate and high net worth leisure visitors. The immediate catchment in the local area does not fit the trading profile of the proposed hotel.
  - The property is not in a high profile location and will therefore need to attract the customer profile that has been recognised in its business plan through its “offering” and through aggressive marketing.
  - To operate successfully within its identified market profile, the hotel needs to be of the order of 40 bedrooms. It also needs a high quality spa and a restaurant of sufficient size and quality to enable it to gain award winning-status. The existing building is not of sufficient size to accommodate these facilities.
  - Without the new build, the market profile of the business will, of necessity, be different. Conferencing and leisure will be limited which, in turn, will impact on occupancy levels.  
It can be the case to expect occupancy levels to decrease as bedroom stock is increased. In this case the reverse would be true because the market mix would be restricted.
  - The absence of the new build would potentially reduce the number of local non-residential visits. There would be no day spa guests and the number of non-resident diners would be lower. This would impair local amenity enjoyment.
  - Without the new build, the quality of conference delegates and leisure users would be diminished because of the lack of associated facilities such as the spa which are now an expectation of many conference goers. The resultant

reduction in revenues through both lower achieved room rates and less food and beverage spend would be to the financial detriment of the business.

- The level of return on capital, without the new build would put in jeopardy the restoration of an important Grade 1 Listed building.
- Without the new build facilities, the EBITDA and value of the property would be reduced to a level where funding of the project would probably be unobtainable and if it were forthcoming, the business would not be able to cover interest and capital repayments.

102. It is also worthy of note that, as Members will see from the Planning History section of this report, the District Council has approved applications for new build development on the site in the past, including an accommodation building for the language school which was never implemented. In order to ensure an appropriate use of the site, having carefully considered the detailed advice from HLL Humberts Leisure and considering that the continuing income generated by occupation of the new build elements of the scheme would provide revenue to ensure that the Hall and grounds are appropriately maintained, it is considered that there are very special circumstances in this instance to justify the approval of the scheme even though it constitutes inappropriate development in the Green Belt and as a departure from development plan policies.

103. It is considered that the proposal would not seriously detract from the openness of the Green Belt or the visual amenities of the countryside.

#### ***Impact on trees***

104. The scheme has been amended in response to concerns about the impact on trees. Subject to (1) the receipt of satisfactory amended plans and further information in relation to the precise positions of the crèche/laundry building and the structural grass road providing access to the pool and treatment building and details of the proposed principal service trench in response to the Trees & Landscape Officer's comments and (2) conditions, the proposal is considered to be acceptable in this respect.

#### ***Ecological impact***

105. In its latest response, English Nature still requests the results of a bat survey. However, the Ecology Officer is of the opinion that the proposal has appropriately addressed this issue and is seeking English Nature's updated view on the matter. Bat activity was identified but it did not necessarily constitute a roost. The Council's Ecology Officer is satisfied that no protected species would be affected. English Nature's further comments in response to this will be sought before the meeting. Subject to the receipt of confirmation from English Nature that it does not require any further information before the applications are determined, and conditions, the scheme as amended is considered to be acceptable with respect to ecological interests as it provides a significant new bat roost and management of the SSSI.

#### ***Highway safety and access issues***

106. The Local Highway Authority has carefully considered the proposal and, subject to the securing of a pedestrian footway along Church Lane, it states that the proposed access and parking details as shown upon the latest site plan (SAW/01.101E) are acceptable.

107. Appendix 7 of the Local Plan sets out maximum standards for car parking provision. It sets out a maximum provision of 1 space per 5 square metres of public restaurant area and a maximum of 13 spaces for 10 guest bedrooms, which equates to 53 spaces for the hotel use and 32 spaces for the restaurant. The proposed pool and treatment building is also likely to generate some demand for parking. The proposed parking provision (52 car spaces, 6 spaces for courtesy electric cars plus 20 cycle racks) is considered to be acceptable. Although some way below the maximum standards, many of those visiting the restaurant and pool/treatment building will be hotel guests. Unnecessary parking could also detract from the setting of the Hall and the appearance of the site.

***Sustainability***

108. The applicant's aim is for the hotel to be the most environmentally friendly and sustainable hotel in Britain. He proposes using solar energy, electric cars and a reed bed filter as part of achieving this.

***Impact on surrounding uses***

109. The proposal would not unduly affect the amenity of occupiers of neighbours or surrounding uses.

***Other issues***

110. Both the Imperial War Museum, Duxford, and the applicant are willing to enter in discussions over the return of the memorial to the site from its current location at the Imperial War Museum once the change of use/long-term future of the site has been secured.

***Recommendation***

111. That, subject to (1) the receipt of satisfactory amended plans and further information in relation to the precise positions of the crèche/laundry building and the structural grass road providing access to the pool and treatment building and details of the proposed principal service trench in response to the Trees & Landscape Officer's comments; and (2) the receipt of confirmation from English Nature that it does not require any further information before the applications are determined, the applications be referred to the Secretary of State and, if he does not call them in, that they be approved as amended subject to the conditions set out below.

112. S/1800/04/F - Planning Conditions

1. Standard time limited condition
2. External materials to be used for the new buildings and full details of the crèche/laundry building and new plant building
3. Archaeology
4. Protection of trees during course of development
5. Agreement and implementation of landscaping scheme
6. Widening of Church Lane footway

7. During the period of construction and alterations, no power operated machinery outside specified hours except in accordance with agreed noise restrictions
  8. Pollution control, including foul and surface water drainage
  9. Details of construction and surfacing of the new access roads
  10. Demolition of existing buildings
  11. Ecological management plan, including details of the proposed reed bed, for the part of the site outside the SSSI
  12. Fire hydrants
  13. Use of the crèche by guests only
113. S/2054/04/LB - Listed Building Conditions
1. Listed Building Consent 1- standard time limit. (Reason LBC1);
  2. LBC2. Drawing numbers:
    - Block plan SAW/01.101 F 15.02.05
    - Existing site plan SAW/01.191
    - North drive detail SAW/01.111
    - Pool: SAW/01.216
    - Kitchen layout
    - Restaurant SAW/01.219
    - Proposed Ground floor SAW01.201 E
    - Proposed first floor SAW/01.202 E
    - Proposed second floor SAW/01.203 D
    - Proposed courtyard elevations SAW/01.225 and 226 A
    - Proposed Hall elevations SAW/01.222A, 223A
      - Proposed coach house elevations SAW/01.224C
    - Proposed layout for coach house SAW/01.205D
    - Kitchen garden rooms SAW/01. 317B,318B
    - Proposed roof plan SAW/01.204
    - Existing elevations SAW/01.210, 211,212 and 213
    - Existing coach house elevations SAW/01.214
    - Existing floor layouts SAW/01.101,102,103
    - Existing roof plan SAW/01.104
  3. LBC 9 - securing archaeological investigation. (Reason - LBC9).
  4. The buildings and extensions to buildings to be demolished as part of this consent shall be subject of a photographic record prior to any demolition taking place. The photos shall be annotated to a site plan. Three copies of the record shall be submitted to the LPA within six months of the demolition having taken place.  
(Reason - To ensure the buildings to be demolished are properly recorded before the demolition works take place).
  5. LBC 3 - full specification and schedule to be secured;
  6. LBC 12 - access to English Heritage for recording;

7. LBC16 - window details;
8. LBC 20 - hard landscaping details;
9. LBC 23 - details of materials;
10. LBC 28 Agreement of following details;
  - a. Specification and method statements for all repair works and site meeting with proposed contractors to discuss the works including stone work, roof, internal floor repairs and repair or cleaning of panelling;
  - b. Protection measures for the historic features of the main building to be installed for the duration of the works in particular to protect the turret staircase, glass in the windows and panelling and fireplaces within the building;
  - c. Detailed specification for all interior decoration;
  - d. Details of the screen to be installed to the balcony to the chapel;
  - e. Details of the treatment of the new roof terrace adjacent to the Long Gallery including any strengthening works and materials to be employed;
  - f. Details of treatment of floors including the method of lifting the existing floor boards to ensure they are not damaged and ensure they are refitted to match the existing configuration;
  - g. Details of new ceilings for the Hall and Long Gallery;
  - h. Details of the routing of new services including the runs of service pipes and the internal or external visible elements including signage, ducts, smoke alarms, lighting and ventilation grills;
  - i. The details of any fire precaution measures specifically including the design of new firedoors or the means of upgrading existing doors, and signage details;
  - j. The details of any works to improve the insulation of the building;
  - k. The details of any new rainwater goods;
11. LBC 29 - mortars plasters etc to be lime rich;
12. LBC 33 - rooflights;
13. Precise details of how the new openings are to be formed and detailed in the existing garden wall as part of the new kitchen garden developments shall be submitted to and agreed with the LPA before works commence on this development.  
(Reason: To secure detailing appropriate to this Listed Building);

14. A sample panel of materials for each of the new build elements shall be constructed in site to enable the LPA to agree all the materials including where applicable the colour finish, brick bonding and joint details.  
(Reason: to ensure the use of materials appropriate for this historic context Departure Application).

**Informatives**

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

- Cambridgeshire & Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- English Heritage: Policy Statement - Enabling Development and the conservation of Heritage assets
- Planning Policy Guidance Notes Nos. 6, 9, 13, 15, 16 and 21 and PPS9 (consultation paper)
- Planning files referenced under Relevant Planning History heading

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

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**S/1000/05/F - Swavesey  
House at Land Adj. 41 Priory Avenue for T Mendham**

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

**Site and Proposal**

1. The 0.046ha site is located on the corner of Gibraltar Lane and School Lane. The site comprises of an area of largely flat, grassed garden land. It is surrounded along the School Lane and Gibraltar Lane boundaries by a belt of mixed, mature planting, including some approximately 5.6m high trees and a 3 metre high hedgerow, and a 2 metre high close board fence which obscure views into the site. The adjacent properties in Priory Avenue are 2 storey semi-detached dwellings.
2. The application, received 20<sup>th</sup> May 2005, proposes the erection of a two-storey detached, 3 bedroom, dwelling, featuring a conservatory on the south-west elevation, with a vehicular access onto Gibraltar Lane. The density equates to 22dph.

**Planning History**

3. **S/1479/04/F** - Application withdrawn for a detached 1 ½ storey dwelling with access onto Gibraltar Lane.
4. **S/0716/83/F** - Application approved for an extension and garage for 41 Priory Avenue. No additional conditions were attached to this consent.
5. **C/0700/71/D** - Application approved for the erection of 97 houses with garages for Trend Housing Ltd at land at School Lane. This application granted consent for the erection of all houses in the Priory Avenue estate, including no. 41. No conditions were placed on this consent relating to access from Gibraltar Lane.

**Planning Policy**

6. The site is located within the Swavesey village development framework.
7. Swavesey is a Rural Growth Settlement (Policy **SE2** of the Local Plan 2004) in which residential development on unallocated land will be permitted subject to a number of criteria, including being sensitive to the character of the village and the amenities of neighbours. Density should achieve a minimum of 30dph unless there are strong design grounds for not doing so.
8. Policy **HG11** of the **South Cambridgeshire Local Plan 2004** 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 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.

### **Consultation**

9. **Swavesey Parish Council** - recommends that the application is refused on the following grounds:

“Access point in Gibraltar Lane. There are currently no other access points/driveways to properties on the north side of Gibraltar Lane (rear of Priory Avenue). Allowing this new development access from Gibraltar Lane would set a precedent for future applications from other properties in Gibraltar Lane, which have been refused in the past.

The Parish Council believes that there were original conditions within the development of Priory Avenue, which did not allow access from properties in Priory Avenue into Gibraltar Lane.

Access in Gibraltar Lane. The proposed access is close to the junction of School Lane, which at this point bends round into Gibraltar Lane and with the hedges along the north side, gives poor visibility.

Gibraltar Lane is the main route for school children to and from the Village College. It is also extensively used by vehicles travelling to/from the Cherry Trees development off the top of School Lane. A new access at the proposed point and on the north side would cause additional hazard along this narrow lane.

Additional dwelling on a garden plot. The Parish Council does not consider this plot a suitable plot for an additional dwelling to the Priory Avenue development, it is infill building and there is no safe or suitable access to the proposed development.”

10. The comments of the **Landscape Design Officer** will be reported verbally to the Committee.

### **Representations**

11. The Occupier of 45 Gibraltar Lane raises a number of concerns with regards to the loss of up to a 10m section of the hedge along the north side of Gibraltar Lane to enable the creation of the proposed access. The hedge has a number of species and is of amenity value. It abuts the carriageway. Hence visibility when leaving the property would be very restricted. The proposal would set a precedent.

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

12. The key issues in relation to this application are:
- Residential Amenity including Overbearing Impact
  - Highway Safety
  - Visual Impact on the Street Scene

### ***Residential Amenity including Overbearing Impact***

13. Although the proposal features a two-storey dwelling, the proposal has been designed to set the dwelling away from the boundaries with the two adjoining properties. The north-eastern boundary wall is set approximately 2.6 metres off the shared boundary with no. 42 Priory Avenue and avoids overlooking by featuring only

two high level windows at first floor that serve a toilet and staircase. Both are proposed to be fitted with obscure glass. The relationship between these two properties is further assisted by the positioning of the existing single storey garage building which serves no. 42 and is located on the boundary between the two dwellings. The south-eastern boundary wall is set approximately 5.8 metres away from the shared boundary with 41 Priory Avenue and features a ground floor toilet window and entrance door and a first floor toilet window which is also proposed to be fitted with obscure glazing and so avoids overlooking. To further protect the amenities of the adjoining residents the site would benefit from conditions which would ensure the permanent maintenance of the obscure glazing in the aforementioned casements and also prevent the installation of additional windows in these elevations which may afford the opportunity for overlooking.

14. With regard to the proposed access and parking area, this is shown as being located as approximately 1.8 metres away from the adjoining garden serving 41 Priory Avenue. Given the separation between the two areas and the minimal use of a single residential access, this should not represent any undue harm. However, to secure the use of suitable materials to ensure that a minimum of noise and disturbance is caused by users of the parking area the site would benefit from conditions relating to the treatment of the driveway, car parking areas and the treatment of the shared boundary.

#### ***Highway Safety***

15. The planning approval (application ref: **C/0700/71/D**) for the erection of the Priory Avenue estate did not include any conditions which precluded access onto Gibraltar Lane. Given the lack of any condition of consent it may be possible for the dwellings in Priory Avenue to create a new access onto Gibraltar Lane without the need for prior planning approval. Furthermore the Planning Authority does not have record of any applications to construct an access from any of the properties within Priory Avenue onto Gibraltar Lane.
16. The proposal illustrates a proposed driveway and access, which includes 2m x 2m Pedestrian visibility splays within the site boundaries, although there is no public footpath on this side of Gibraltar Lane. A new footpath has been created on the opposite side of the carriageway for pedestrian users of the lane. A verge exists beyond the extremes of the site boundary, which a vehicle would need to cross prior to gaining access onto Gibraltar Lane. The access is located directly opposite the existing access which serves 47 Gibraltar Lane and is set approximately 27 metres away from the junction with School Lane. Members would need to be satisfied that, given the presence of the new footpath, the provision of internal visibility splays and the distance of the proposed access from the junction with School Lane, it would be difficult to envisage a highway safety concern. In order to ensure that vehicles can enter and leave the site in a forward gear, which would further enhance vehicular visibility, the provision of a plan demonstrating that this would be possible is recommended. The proposed layout does not achieve space for parking and turning.

#### ***Visual Impact on the Street Scene***

17. Although the application proposes the erection of a dwelling onto part of the garden land associated with no. 41 Priory Avenue, the development would visually front onto Gibraltar Lane.
18. The proposed single storey conservatory would be located relatively close to the Gibraltar Lane boundary, however by nature of its construction this is a fairly

unobtrusive structure and the bulk of the dwelling would be set a minimum of 6 metres away from the road. The site benefits from a belt of mixed, mature planting which screens a large proportion of the site from the street scene in Gibraltar Lane. Some of this planting will be removed as part of the application to create the access but the applicant has indicated that he is willing to work with the Authority's Landscape Design Officer in order to provide a suitable planting scheme. The applicant has also shown a 2 metre high fence to be erected along the boundaries of the site, which would provide further site screening. A condition to secure a scheme of landscaping, which would include an indication of all existing trees and hedgerows on the site that are to be retained, would ensure that the majority of the existing landscaping is retained, where possible, and improved where necessary in order to protect the visual appearance of the site from the street scene.

19. Some views would still be afforded through the site from the road, by virtue of opening up of a new access. However, this is typical of the pattern of development on the other side of Gibraltar Lane. The proposed development has a form similar to the adjoining dwellings at 41 and 42 Priory Avenue and, provided that it is built using materials which are in keeping with the character and appearance of the area, I consider that the development would not cause undue harm to the street scene. To ensure that the Authority has control over the finished details of the scheme a condition, which required the prior approval of the external materials for the house and any hardstanding, could be attached to any approval in order to ensure that the development did not appear incongruous.

#### **Recommendation**

20. Subject to the receipt of an amended layout plan which demonstrates an acceptable parking and turning arrangement. APPROVE subject to the following conditions:
1. SCA - RCA
  2. No development shall commence until details of the materials to be used for the external walls and roofs and for materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure that visually the development accords with neighbouring buildings; and to ensure that the development is not incongruous.)
  3. The first floor windows in the north-eastern and south-eastern elevations of the house, hereby permitted, shall be fitted and permanently maintained with obscured glass.  
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
  4. No windows, doors or openings of any kind shall be inserted in the north-eastern and south-eastern elevations of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
  5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

(Reason - To enhance the quality of the development and to assimilate it within the area.)

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

(Reason - To enhance the quality of the development and to assimilate it within the area.)

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

(Reason - To ensure that the appearance of the site does not detract from the character of the area.)

## **Informatives**

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**None**
  - **South Cambridgeshire Local Plan 2004:**  
**SE2** (Rural Growth Settlements)  
**HG11** (Backland Development)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity including overbearing impact
  - Visual impact on the street scene
  - Highway Safety

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files Refs: S/1000/05/F and S/1479/04/F

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